State of Wisconsin
2015 - 2016 LEGISLATURE

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ALL:all

ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 21

July 2, 2015 – Offered by JOINT COMMITTEE ON FINANCE.

AN ACT; **relating to:** state finances and appropriations, constituting the executive budget act of the 2015 legislature.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 2. 5.15 (1) (c) of the statutes is amended to read:

5.15 **(1)** (c) The wards established by municipal governing bodies in a division ordinance or resolution enacted or adopted under this section shall govern the adjustment of supervisory districts under s. 59.10 (2) (a) and (3) (b) and of aldermanic districts under s. 62.08 (1) for the purpose of local elections beginning on January 1 of the 2nd year commencing after the year of the census until revised under this section on the basis of the results of the next decennial census of population unless adjusted under sub. (2) (f) 4. <u>or 5.</u>, (6) (a)<u>,</u> or (7), or unless a division is required to effect an act of the legislature redistricting legislative districts under article IV,

section 3, of the constitution or redistricting congressional districts. The populations of wards under each decennial ward division shall be determined on the basis of the federal decennial census and any official corrections to the census issued on or before the date of adoption of the division ordinance or resolution to reflect the correct populations of the municipality and the blocks within the municipality on April 1 of the year of the census.

SECTION 3. 5.15 (2) (f) 5. of the statutes is created to read:

5.15 **(2)** (f) 5. Territory that lies between an actual municipal boundary that existed on April 1 of the year of a federal decennial census and an intersecting municipal boundary that deviates from the actual municipal boundary on that date if the deviating boundary was used by the U.S. bureau of the census to enumerate the population of the municipality in that census.

SECTION 4. 5.15 (4) (b) of the statutes is amended to read:

5.15 **(4)** (b) Within 5 days after adoption or enactment of an ordinance or resolution under this section or any amendment thereto, the municipal clerk shall transmit one copy of the ordinance or resolution or the amendment to the county clerk of each county in which the municipality is contained, accompanied by the list and map specified in par. (a). ~~If the population of the municipality exceeds 10,000, the municipal clerk shall furnish one copy to the legislative reference bureau at the same time.~~ Each copy shall identify the name of the municipality and the county or counties in which it is located.

SECTION 5. 5.15 (4) (bg) of the statutes is created to read:

5.15 **(4)** (bg) No later than October 15 of each year following the year of a federal decennial census, each municipal clerk shall file a report with the county clerk of each county in which the municipality is contained confirming the boundaries of the

municipality and of all wards in the municipality. The report shall be accompanied by a map of the municipality and a list of the block numbers of which the municipality and each ward within the municipality are comprised. Within 5 days after notice to the municipal clerk of a judgment that has the effect of changing the municipal boundaries, the clerk shall file the same report. Each report filed under this paragraph shall identify the name of the municipality and the county or counties in which it is located.

SECTION 6. 5.15 (4) (br) of the statutes is created to read:

5.15 **(4)** (br) 1. Except as provided in subd. 2., no later than January 15 and July 15 of each year, the county clerk shall transmit to the legislative technology services bureau a report confirming the boundaries of each municipality, ward, and supervisory district in the county together with a map of the county, in an electronic format approved by the legislative technology services bureau. Each report shall be current to the nearest January 1 or July 1 preceding the date of the report.

2. In each year following the year of a federal decennial census, the July report shall instead be transmitted no later than November 1 and shall be current to the date of the report. The November 1 report shall be accompanied by a list of the block numbers of which the county and each municipality and ward within the county are comprised.

SECTION 7. 5.15 (7) of the statutes is amended to read:

5.15 **(7)** If a new ~~town~~ municipality is created or if part of a ~~town~~ municipality is annexed to a city or village during a decennial period after April 1 of the year of the federal decennial census, the ~~town board~~ governing body of any ~~town~~ municipality to which territory is attached or from which territory is detached, without regard to the time provisions of sub. (1) (b), may, by ordinance or resolution,

create new wards or adjust the existing wards in that ~~town~~ municipality to the extent required to reflect the change. If a municipality is consolidated with another municipality during a decennial period after April 1 of the year of the federal decennial census, the governing body of the consolidated municipality, without regard to the time provisions under sub. (1) (b), may, by ordinance or resolution, create new wards or adjust the existing wards of the municipality to the extent required to reflect the change. No ward line adjustment under this subsection may cross the boundary of a congressional, assembly, or supervisory district. ~~The~~ Within 5 days after adoption of the ordinance or resolution, the municipal clerk shall transmit copies of the ordinance or resolution making the adjustment to the county clerk in compliance with sub. (4) (b).

SECTION 12. 13.101 (6) (a) of the statutes is amended to read:

13.101 **(6)** (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), (ar), and (au), 20.435 ~~(7)~~ (4) (a) and (5) (da), and 20.437 (2) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient

manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

SECTION 14. 13.121 (4) of the statutes is amended to read:

13.121 **(4)** INSURANCE. For the purpose of premium determinations under s. 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate equivalent to a percentage of time worked recommended for such positions by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration and approved by the joint committee on employment relations in the same manner as compensation for such positions is determined under s. 20.923. This percentage of time worked shall be applied to the sick leave accrual rate established under s. 230.35 (2). The approved percentage shall be incorporated into the compensation plan under s. 230.12 (1).

SECTION 15. 13.123 (1) (a) 1. of the statutes is amended to read:

13.123 **(1)** (a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. The amount of the allowance for each biennial session

shall be 90% of the per diem rate for travel for federal government business within the city of Madison, as established by the federal general services administration. For the purpose of determining the amount of the allowance, the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration shall certify to the chief clerk of each house the federal per diem rate in effect on December 1, or the first business day thereafter if December 1 is not a business day, in each even–numbered year. Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized allowance the member wishes to receive. Such affidavit, when filed, shall remain in effect for the biennial session.

SECTION 17. 13.20 (2) of the statutes is amended to read:

13.20 **(2)** PAY RANGES; DURATION OF EMPLOYMENT. All legislative employees shall be paid in accordance with the compensation and classification plan for employees in the classified civil service within ranges approved by the joint committee on legislative organization. The ~~director of the office of state employment relations~~ administrator of the division of personnel management in the department of administration shall make recommendations concerning a compensation and classification schedule for legislative employees if requested to do so by the joint committee on legislative organization or by the committee on organization of either house. If the joint committee does not approve pay ranges for legislative employees, the committee on organization of either house may approve pay ranges for its employees. Appointments shall be made for the legislative session, unless earlier terminated by the appointing officer.

SECTION 29. 13.48 (3) of the statutes is amended to read:

13.48 **(3)** STATE BUILDING TRUST FUND. In the interest of the continuity of the program, the moneys appropriated to the state building trust fund under s. 20.867 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys shall be deposited into the state building trust fund. At such times as the building commission directs, or in emergency situations under s. 16.855 (16) (b), the governor shall authorize releases from this fund to become available for projects and shall direct the department of administration to allocate from this fund such amounts as are approved for these projects. In issuing such directions, the building commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made. The building commission may authorize any project costing $760,000 or less in accordance with priorities to be established by the building commission and may adjust the priorities by deleting, substituting or adding new projects as needed to reflect changing program needs and unforeseen circumstances. The building commission may enter into contracts for the construction of buildings for any state agency, except a project authorized under sub. (10) (c) <u>or (e)</u>, and shall be responsible for accounting for all funds released to projects. The building commission may designate the department of administration or the agency for which the project is constructed to act as its representative in such accounting.

SECTION 29m. 13.48 (4) of the statutes is amended to read:

13.48 **(4)** STATE AGENCIES TO REPORT PROPOSED PROJECTS. Whenever any state agency contemplates a project under the state building program it shall report the project to the building commission. The report shall be made on such date and in

such manner as the building commission prescribes. This subsection does not apply to projects identified in sub. (10) (c) and (e).

SECTION 35m. 13.48 (10) (a) of the statutes is amended to read:

13.48 **(10)** (a) Except as provided in ~~par.~~ pars. (c) and (e), no state board, agency, officer, department, commission, or body corporate may enter into a contract for the construction, reconstruction, remodeling of, or addition to any building, structure, or facility, in connection with any building project which involves a cost in excess of $185,000 without completion of final plans and arrangement for supervision of construction and prior approval by the building commission. This section applies to the department of transportation only in respect to buildings, structures, and facilities to be used for administrative or operating functions, including buildings, land, and equipment to be used for the motor vehicle emission inspection and maintenance program under s. 110.20.

SECTION 40m. 13.48 (10) (c) of the statutes is amended to read:

13.48 **(10)** (c) Paragraph (a) does not apply to any contract for a ~~building project involving a cost of less than $500,000 to be constructed for the University of Wisconsin System that is funded entirely from the proceeds of gifts and grants made to the system~~ UW gifts and grants project, as defined in s. 16.855 (1g) (f), that the Board of Regents of the University of Wisconsin System lets through single prime contracting under s. 16.855 (12m).

SECTION 41m. 13.48 (10) (e) of the statutes is created to read:

13.48 **(10)** (e) Paragraph (a) does not apply to any contract for an eligible energy conservation project approved by the president of the University of Wisconsin System under s. 36.11 (26m) (b).

SECTION 42m. 13.48 (12) (b) 1. of the statutes is amended to read:

13.48 **(12)** (b) 1. A facility constructed by or for ~~corporations~~ a business entity having condemnation authority under s. 32.02 (3) to (10) and (13) for purposes for which ~~the corporation~~ it would have condemnation authority.

SECTION 44b. 13.48 (13) (a) of the statutes is amended to read:

13.48 **(13)** (a) Except as provided in par. (b) ~~or (c)~~ to (d), every building, structure or facility that is constructed for the benefit of or use of the state, any state agency, board, commission or department, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Economic Development Corporation, or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations but the construction is not subject to the ordinances or regulations of the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

SECTION 44m. 13.48 (13) (d) of the statutes is created to read:

13.48 **(13)** (d) The structure or facility that is to be constructed for the benefit, or use, of the state and that was first enumerated under the 2007–09 building program and last modified under the 2013–15 building program as State Transportation Building replacement — Madison is not subject to any zoning ordinance or regulation of any city, village, or town.

SECTION 47b. 13.48 (19) of the statutes is renumbered 13.48 (19) (a) and amended to read:

13.48 **(19)** (a) Whenever the building commission determines that the use of innovative types of design and construction processes will make better use of the resources and technology available in the building industry, the building commission may waive any or all of s. 16.855, except s. 16.855 (13) and (14m) (a) to (c), if ~~such~~ the action is in the best interest of the state and ~~if the waiver is accomplished through formal action of the building commission. The building commission may authorize the lease, lease purchase or acquisition of such facilities constructed in the manner authorized~~ is approved by the building commission.

(b) Subject to the requirements of s. 20.924 (1) (i), the building commission may ~~also~~ authorize the lease~~,~~ or lease purchase ~~or acquisition~~ of ~~existing~~ facilities in lieu of state construction of any project enumerated in the authorized state building program.

SECTION 53. 13.48 (26) of the statutes is amended to read:

13.48 **(26)** ENVIRONMENTAL IMPROVEMENT ANNUAL FINANCE PLAN APPROVAL. The building commission shall review the versions of the biennial finance plan and any amendments to the biennial finance plan submitted to it by the department of natural resources and the department of administration under s. 281.59 (3) (bm) and the recommendations of the joint committee on finance and the standing committees to which the versions of the biennial finance plan and any amendments were submitted under s. 281.59 (3) (bm). The building commission shall consider the extent to which that version of the biennial finance plan that is updated to reflect the adopted biennial budget act will maintain the funding for the clean water fund program and the safe drinking water loan program, in the environmental improvement fund, in perpetuity. The building commission shall consider the extent to which the implementation of the clean water fund program, the safe drinking

water loan program and the land recycling loan program, as set forth in the biennial finance plan updated to reflect the adopted biennial budget act, implements legislative intent on the clean water fund program, the safe drinking water loan program and the land recycling loan program. The building commission shall, no later than 60 days after the date of enactment of the biennial budget act, either approve or disapprove the biennial finance plan that is updated to reflect the adopted biennial budget act~~, except that the building commission may not disapprove those amounts that the legislature approves under s. 281.59 (3e) (a), (3m) (a) and (3s) (a)~~. If the building commission disapproves the version of the biennial finance plan that is updated to reflect the adopted biennial budget act, it must notify the department of natural resources and the department of administration of its reasons for disapproving the plan, and those departments must revise that version of the biennial finance plan and submit the revision to the building commission.

SECTION 54m. 13.48 (28m) of the statutes is created to read:

13.48 **(28m)** CARROLL UNIVERSITY. (a) The legislature finds and determines that there is a growing shortage of primary medical care workers in this state, particularly for medically underserved populations in rural and urban areas of the state, and that assisting institutions of higher education in training primary medical care workers is a statewide responsibility of statewide dimension. It is therefore in the public interest, and it is the public policy of this state, to assist Carroll University in the construction of a science laboratory facility.

(b) The building commission may authorize up to $3,000,000 in general fund supported borrowing to assist Carroll University in the construction of a science laboratory facility. The state funding commitment shall be in the form of a grant to Carroll University. Before approving any state funding commitment for construction

of such a facility, the building commission shall determine that Carroll University has secured additional funding for the project of at least $23,500,000 from nonstate revenue sources.

(c) If the building commission authorizes a grant to Carroll University under par. (b), and if, for any reason, the facility that is constructed with funds from the grant is not used as a science laboratory facility, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.

SECTION 54n. 13.48 (28p) of the statutes is created to read:

13.48 **(28p)** EAU CLAIRE CONFLUENCE ARTS, INC. (a) The legislature finds and determines that providing education, programming, and access to arts and culture vastly enriches the lives of the citizens of this state and is a statewide responsibility of statewide dimension. It is therefore in the public interest, and it is the public policy of this state, to assist Eau Claire Confluence Arts, Inc., in the construction of a regional arts center in Eau Claire County.

(b) The building commission may authorize up to $15,000,000 in general fund supported borrowing to assist Eau Claire Confluence Arts, Inc., in the construction of a regional arts center in Eau Claire County. The state funding commitment shall be in the form of a grant to Eau Claire Confluence Arts, Inc. Before approving any state funding commitment for construction of such a center, the building commission shall determine that Eau Claire Confluence Arts, Inc., has secured additional funding for the project from nonstate revenue sources at least equal to the state's grant.

(c) If the building commission authorizes a grant to the Eau Claire Confluence Arts, Inc., under par. (b), and if, for any reason, the center that is constructed with

funds from the grant is not used as a regional arts center, the state shall retain an ownership interest in the center equal to the amount of the state's grant.

SECTION 54o. 13.48 (28r) of the statutes is created to read:

13.48 **(28r)** WISCONSIN AGRICULTURE EDUCATION CENTER, INC. (a) The legislature finds and determines that educating the citizens of this state on where our food comes from and its impact on our lives, and that promoting the dairy and agriculture industries of this state is a statewide responsibility of statewide dimension. It is therefore in the public interest, and it is the public policy of this state, to assist the Wisconsin Agriculture Education Center, Inc., in the construction of an agriculture education center in Manitowoc County.

(b) The building commission may authorize up to $5,000,000 in general fund supported borrowing to assist the Wisconsin Agriculture Education Center, Inc., in the construction of an agriculture education center in Manitowoc County. The state funding commitment shall be in the form of a grant to the Wisconsin Agriculture Education Center, Inc. Before approving any state funding commitment for construction of such a center, the building commission shall determine that the Wisconsin Agriculture Education Center, Inc., has secured additional funding for the project of at least $6,626,800 from nonstate revenue sources.

(c) If the building commission authorizes a grant to the Wisconsin Agriculture Education Center, Inc., under par. (b), and if, for any reason, the center that is constructed with funds from the grant is not used as an agriculture education center, the state shall retain an ownership interest in the center equal to the amount of the state's grant.

SECTION 55m. 13.48 (29) of the statutes is amended to read:

13.48 **(29)** SMALL PROJECTS. Except as otherwise required under s. 16.855 (10m), the building commission may prescribe simplified policies and procedures to be used in lieu of the procedures provided in s. 16.855 for any project that does not require prior approval of the building commission under sub. (10) (a), except projects specified in sub. (10) (c) and (e).

SECTION 56d. 13.48 (32) (b) (intro.) of the statutes is amended to read:

13.48 **(32)** (b) (intro.) The building commission may authorize up to ~~$23,000,000~~ $25,000,000 of general fund supported borrowing to aid in the construction of a dental clinic and education facility at Marquette University. The state funding commitment for the construction of the facility shall be in the form of a construction grant to Marquette University. Before approving any state funding commitment for such a facility and before awarding the construction grant to Marquette University, the building commission shall determine that all of the following conditions have been met:

SECTION 56f. 13.48 (32) (b) 1. of the statutes is amended to read:

13.48 **(32)** (b) 1. Marquette University has secured additional funding commitments of at least ~~$23,000,000~~ $25,000,000 from nonstate revenue sources, the nonstate revenue sources are reasonable and available and the total funding commitments of the state and the nonstate sources will permit Marquette University to enter into contracts for the construction of the dental clinic and education facility.

SECTION 56h. 13.48 (33) of the statutes is repealed.

SECTION 56k. 13.48 (36) (title) and (a) of the statutes are amended to read:

13.48 **(36)** (title) HMONG CULTURAL ~~CENTERS~~ CENTER. (a) The legislature finds and determines that a significant number of Hmong people are citizens of this state, that the Hmong people have a proud heritage that needs to be recognized and

preserved, and that the Hmong people have experienced difficulties assimilating in this state. The legislature finds that supporting the Hmong people in their efforts to recognize their heritage and to realize the full advantages of citizenship in this state is a statewide responsibility of statewide dimension. Because it will better ensure that the heritage of the Hmong people is preserved and will better enable the Hmong people to realize the full advantages of citizenship in this state, the legislature finds that it will have a direct and immediate effect on a matter of statewide concern for the state to facilitate the purchase or construction and operation of a Hmong cultural ~~centers~~ center.

SECTION 56m. 13.48 (36) (b) of the statutes is repealed.

SECTION 56s. 13.48 (39h) of the statutes is repealed.

SECTION 57b. 13.489 (5) (a) 1. of the statutes is amended to read:

13.489 **(5)** (a) 1. Summarizes the current status of each project submitted by the department that is under consideration by the commission under s. 13.489, including any project approved by the commission under sub. (1m) (d), and of each project enumerated under s. 84.013 (3) or 84.0145 (3) (b) or approved under s. 84.013 (6).

SECTION 57d. 13.50 (1) of the statutes is repealed and recreated to read:

13.50 **(1)** CREATION. There is created a joint survey committee on retirement systems, consisting of 5 senators and 5 representatives to the assembly, appointed as are members of standing committees in their respective houses.

SECTION 57e. 13.50 (1m) of the statutes is amended to read:

13.50 **(1m)** OFFICERS. The officers of this committee shall be a senate cochairperson and vice cochairperson~~,~~ and an assembly cochairperson and vice cochairperson, selected as are the officers of standing committees in their respective

houses~~, and a secretary elected by the committee from among its nonlegislator members~~.

SECTION 57f. 13.50 (2) of the statutes is repealed.

SECTION 57g. 13.50 (3) of the statutes is repealed.

SECTION 63d. 13.92 (intro.) of the statutes is amended to read:

13.92 Legislative reference bureau. (intro.) There is created a bureau to be known as the "Legislative Reference Bureau," headed by the chief of legislative reference bureau. The legislative reference bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of the reference ~~or~~, drafting, and research requests received by it, and all drafting files and other records relating to those requests shall remain confidential at all times.

SECTION 63e. 13.92 (1) (a) 3. of the statutes is repealed.

SECTION 63f. 13.92 (1) (c) of the statutes is repealed.

SECTION 63g. 13.92 (1) (e) 5. of the statutes is amended to read:

13.92 **(1)** (e) 5. Microfilming, optical imaging or electronic formatting of reference materials ~~and legislative drafting records~~ under par. (a) 1. ~~and 3.~~

SECTION 63m. 13.94 (intro.) of the statutes is amended to read:

13.94 Legislative audit bureau. (intro.) There is created a bureau to be known as the "Legislative Audit Bureau," headed by a chief known as the "State Auditor." The bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of any audit currently being performed. Subject to s. 230.35 (4) (a) and (f), the state auditor or designated employees shall at all times with or without notice have access to all departments and to any books, records or other documents maintained by the departments and relating to their expenditures, revenues, operations and structure, including specifically any such books, records,

or other documents that are confidential by law, except as provided in sub. (4) and except that access to documents of counties, cities, villages, towns or school districts is limited to work performed in connection with audits authorized under sub. (1) (m) and except that access to documents of the opportunity schools and partnership programs under s. 119.33, subch. IX of ch. 115, and subch. II of ch. 119 is limited to work performed in connection with audits authorized under sub. (1) (os). In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

SECTION 64m. 13.94 (1) (b) of the statutes is amended to read:

13.94 **(1)** (b) At the state auditor's discretion or as the joint legislative audit committee directs, audit the records of each department. Audits of the records of a county, city, village, town, or school district may be performed only as provided in par. (m). Audits of the records of the opportunity schools and partnership programs under s. 119.33, subch. IX of ch. 115, and subch. II of ch. 119 may be performed only as provided in par. (os). After completion of any audit under this paragraph, the bureau shall file with the chief clerk of each house of the legislature, the governor, the department of administration, the legislative reference bureau, the joint committee on finance, the legislative fiscal bureau, and the department audited, a detailed report of the audit, including the bureau's recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures. The chief clerks shall distribute the report to the joint legislative audit committee, the appropriate standing committees of the legislature, and the joint committee on legislative organization.

SECTION 65. 13.94 (1) (dL) of the statutes is amended to read:

13.94 **(1)** (dL) Annually, conduct a financial audit of the ~~governor's~~ read to lead development fund. The legislative audit bureau shall file a copy of the report of the audit under this paragraph with the distributees specified in par. (b).

SECTION 65b. 13.94 (1) (dL) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 65n. 13.94 (1) (dp) of the statutes is amended to read:

13.94 **(1)** (dp) In addition to any other audit to be performed under this section relating to veterans homes, perform one or more financial audits of the operation of the Wisconsin Veterans Home at Chippewa Falls by any private entity with which the department of veterans affairs enters into an agreement under s. 45.50 (2m) (c). The audit shall be performed at such time as the ~~governor or~~ legislature directs.

SECTION 66d. 13.94 (1) (e) of the statutes is amended to read:

13.94 **(1)** (e) Make such special examinations of the accounts and financial transactions of any department, agency or officer as the ~~governor,~~ legislature, joint legislative audit committee or joint committee on legislative organization directs. ~~If the governor directs that such an examination be conducted, the order from the governor shall provide for reimbursement of the legislative audit bureau's costs in making the examination from the appropriation under s. 20.525 (1) (a). No order from the governor for an examination under this paragraph may take precedence over an examination already scheduled by the legislative audit bureau without approval of the joint legislative audit committee.~~ Examinations of the accounts and transactions of a county, city, village, town, or, subject to par. (os), of a school district, may be performed only as authorized in par. (m).

SECTION 67g. 13.94 (1) (os) of the statutes is created to read:

13.94 **(1)** (os) Beginning in 2017, and biennially thereafter, prepare a performance evaluation audit of the opportunity schools and partnership programs under s. 119.33, subch. IX of ch. 115, and subch. II of ch. 119. The legislative audit bureau shall file a copy of the report of the audit under this paragraph with the distributees specified in par. (b).

SECTION 67r. 13.94 (1s) (a) of the statutes is amended to read:

13.94 **(1s)** (a) Except as otherwise provided in par. (c), the legislative audit bureau may charge any department for the reasonable cost of auditing services performed at the request of a department or at the request of the federal government that the bureau is not required to perform under sub. (1) (b) or (c) or any other law. This paragraph does not apply to counties, cities, villages, towns, or school districts <u>or to the opportunity schools and partnership programs under sub. (1) (os)</u>.

SECTION 75. 13.96 (1) of the statutes is renumbered 13.96 (1) (intro.) and amended to read:

13.96 **(1)** DUTIES OF THE STAFF. (intro.) The legislative technology services bureau shall ~~provide~~:

<u>(a) Provide</u> and coordinate information technology support and services to the legislative branch.

SECTION 76. 13.96 (1) (b) of the statutes is created to read:

13.96 **(1)** (b) Upon receipt of municipal boundary information at each reporting interval under s. 5.15 (4) (bg), reconcile and compile the information received to produce a statewide data base consisting of municipal boundary information for the entire state.

SECTION 77. 13.96 (1) (c) of the statutes is created to read:

13.96 **(1)** (c) Participate, on behalf of this state, in geographic boundary information programs when offered by the U.S. bureau of the census.

SECTION 77b. 13.97 of the statutes is created to read:

13.97 Confidentiality of privileged communications and records; collaboration among legislative service agencies. (1) The legislative service agencies under ss. 13.91, 13.92, 13.94, 13.95, and 13.96 shall at all times observe the confidential nature of all communications, records, and information that may be subject to the privilege under s. 905.17.

(2) The confidentiality requirements imposed on nonpartisan legislative service agencies under sub. (1) and ss. 13.91, 13.92, 13.94, 13.95, and 13.96 shall not be construed to prohibit any staff member of a nonpartisan legislative service agency from communicating with any staff member of another nonpartisan legislative service agency for the purpose of serving the legislature and its members or from disclosing any communication, record, or information in accord with a rule, custom, policy, or practice of the legislature.

SECTION 77m. 14.017 (3) of the statutes is repealed.

SECTION 78. 14.017 (5) (title) of the statutes is renumbered 15.207 (3) (title).

SECTION 79. 14.017 (5) (a) (intro.) of the statutes is renumbered 15.207 (3) (intro.) and amended to read:

15.207 **(3)** (intro.) There is created in the ~~office of the governor~~ <u>department of children and families</u> a read to lead development council consisting of all of the following:

SECTION 80. 14.017 (5) (a) 1. of the statutes is renumbered 15.207 (3) (a) and amended to read:

15.207 **(3)** (a) The ~~governor~~ secretary of children and families or his or her designee, who shall serve as chairperson of the council.

SECTION 81. 14.017 (5) (a) 2. of the statutes is renumbered 15.207 (3) (b).

SECTION 82. 14.017 (5) (a) 3. of the statutes is renumbered 15.207 (3) (c).

SECTION 83. 14.017 (5) (a) 4. of the statutes is renumbered 15.207 (3) (d) and amended to read:

15.207 **(3)** (d) The ranking minority members of each of the committees under ~~subd. 3.~~ par. (c) or members of those committees designated by the ranking minority members.

SECTION 84. 14.017 (5) (a) 5. (intro.) of the statutes is renumbered 15.207 (3) (e) (intro.) and amended to read:

15.207 **(3)** (e) (intro.) The following members appointed by the ~~governor~~ secretary of children and families for 3–year terms:

SECTION 85. 14.017 (5) (a) 5. a. to k. of the statutes are renumbered 15.207 (3) (e) 1. to 11.

SECTION 86. 14.017 (5) (b) of the statutes is repealed.

SECTION 87. 14.065 of the statutes is repealed.

SECTION 88. 14.20 (title) of the statutes is renumbered 48.53 (title).

SECTION 89. 14.20 (1) of the statutes is renumbered 48.53 (1).

SECTION 90. 14.20 (1m) of the statutes is renumbered 48.53 (2) and amended to read:

48.53 **(2)** The council shall make recommendations to the ~~governor~~ secretary and state superintendent regarding recipients of grants under sub. ~~(2)~~ (3). The amount of each grant awarded shall be determined jointly by the ~~governor~~ secretary and the state superintendent. In addition to reports required under s. 15.09 (7),

annually the council shall submit a report on its operation to the appropriate standing committees of the legislature under s. 13.172 (3).

SECTION 91b. 14.20 (2) (a) of the statutes is renumbered 48.53 (3) (a) (intro.) and amended to read:

48.53 **(3)** (a) (intro.) From the appropriation under s. ~~20.525 (1) (f)~~ 20.437 (1) (fm), the ~~governor~~ secretary may award ~~a~~ all of the following:

1. A grant to any person other than a school board for support of a literacy ~~improvement~~ or early childhood development program.

SECTION 92. 14.20 (2) (b) of the statutes is renumbered 48.53 (3) (b) and amended to read:

48.53 **(3)** (b) From the appropriation under s. ~~20.525~~ 20.437 (1) (q), the ~~governor~~ secretary may award a grant to any person other than a school board for support of a literacy or early childhood development program.

SECTION 93. 14.20 (2) (c) of the statutes is renumbered 48.53 (3) (c).

SECTION 93m. 14.23 of the statutes is repealed.

SECTION 94m. 14.38 (10) of the statutes is repealed.

SECTION 95m. 14.40 (1) of the statutes is amended to read:

14.40 **(1)** Annually not later than July 1, each legislative, administrative and judicial agency of the state government shall submit to the secretary of state a list of all positions within that agency outside the classified service and above the clerical level, excluding the faculties under the jurisdiction of the board of regents of the University of Wisconsin System and the department of public instruction, and excluding university staff, as defined in s. 36.05 (15), which are filled by appointment, and the term if there is one, together with the name of the incumbent and the date of his or her appointment.

SECTION 96. 14.46 of the statutes is repealed.

SECTION 96j. 14.49 of the statutes is created to read:

14.49 Office space. The office of the secretary of state shall be accessible to the public. That office may not be located in the same room as the office of any other member of the board of commissioners of public lands.

SECTION 97. 14.58 (1) (a) of the statutes is amended to read:

14.58 **(1)** (a) By the state treasurer personally~~;~~.

SECTION 98. 14.58 (1) (b) of the statutes is repealed.

SECTION 99. 14.58 (1) (c) of the statutes is amended to read:

14.58 **(1)** (c) In the name of the state treasurer, by any clerk in the treasurer's office designated by the treasurer~~; or~~.

SECTION 100. 14.62 of the statutes is repealed.

SECTION 100m. 15.01 (4) of the statutes is amended to read:

15.01 **(4)** "Council" means a part–time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except ~~the Milwaukee River revitalization council has the powers and duties specified in s. 23.18,~~ the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug abuse has the powers and duties specified in s. 14.24, and the electronic recording council has the powers and duties specified in s. 706.25 (4).

SECTION 103e. 15.06 (1) (c) of the statutes is created to read:

15.06 **(1)** (c) 1. Each commissioner of the public service commission shall be nominated by the governor, and with the advice and consent of the senate appointed, for a 6–year term expiring on March 1 of the odd–numbered years.

2. The governor shall appoint an individual who is a commissioner of the public service commission to the office of chairperson of the commission for a 2–year term expiring on March 1 of each odd–numbered year. Upon expiration of that term, if the individual's appointment under subd. 1. has not expired, the individual shall resume his or her appointment as commissioner for a term expiring on the same date as the expiration of the individual's term of appointment under subd. 1.

SECTION 103m. 15.06 (2) of the statutes is amended to read:

15.06 **(2)** SELECTION OF OFFICERS. Each commission may annually elect officers other than a chairperson from among its members as its work requires. Any officer may be reappointed or reelected. At the time of making new nominations to commissions, the governor shall designate a member or nominee of each commission, other than the public service commission, to serve as the commission's chairperson for a 2–year term expiring on March 1 of the odd–numbered year except that the labor and industry review commission shall elect one of its members to serve as the commission's chairperson for a 2–year term expiring on March 1 of the odd–numbered year.

SECTION 103s. 15.06 (4m) of the statutes is amended to read:

15.06 **(4m)** EXECUTIVE ASSISTANT. ~~Each~~ The chairperson and each commissioner of the public service commission may appoint an executive assistant to serve at his or her pleasure outside the classified service. The executive assistant shall perform duties as the chairperson or commissioner prescribes.

SECTION 104. 15.07 (1) (b) 15. of the statutes is amended to read:

15.07 **(1)** (b) 15. The 3 members of the lower Wisconsin state riverway board appointed under s. ~~15.445 (3)~~ 15.345 (8) (b) 7.

SECTION 105d. 15.07 (1) (b) 24. of the statutes is created to read:

15.07 **(1)** (b) 24. The group insurance board.

SECTION 108g. 15.07 (2) (L) of the statutes is repealed.

SECTION 108j. 15.07 (2) (n) of the statutes is repealed.

SECTION 108r. 15.07 (3) (bm) 4. of the statutes is repealed.

SECTION 116. 15.103 (6m) of the statutes is created to read:

15.103 **(6m)** DIVISION OF PERSONNEL MANAGEMENT. There is created in the department of administration a division of personnel management. The administrator shall serve at the pleasure of the secretary of administration.

SECTION 117. 15.105 (title) of the statutes is amended to read:

15.105 (title) **Same; attached boards, commissions, <u>bureaus,</u> and offices.**

SECTION 118. 15.105 (6) of the statutes is created to read:

15.105 **(6)** BUREAU OF MERIT RECRUITMENT AND SELECTION. There is created in the division of personnel management in the department of administration a bureau of merit recruitment and selection. The director of the bureau shall serve at the pleasure of the secretary of administration.

SECTION 119. 15.105 (6m) of the statutes is created to read:

15.105 **(6m)** STATE EMPLOYEES SUGGESTION BOARD. There is created in the department of administration a state employees suggestion board consisting of 3 persons, at least one of whom shall be a state officer or employee, appointed for 4–year terms.

SECTION 120g. 15.105 (26) of the statutes is repealed.

SECTION 120r. 15.105 (28) of the statutes is repealed.

SECTION 121. 15.105 (29) of the statutes is repealed.

SECTION 125. 15.107 (3) of the statutes is created to read:

15.107 **(3)** COUNCIL ON AFFIRMATIVE ACTION. There is created in the division of personnel management in the department of administration a council on affirmative action consisting of 15 members appointed for 3–year terms. A majority of members shall be public members and a majority of members shall be minority persons, women, or persons with disabilities, appointed with consideration to the appropriate representation of each group. The president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly each shall appoint one member and the remaining members shall be appointed by the governor.

SECTION 125m. 15.107 (5) of the statutes is repealed.

SECTION 126m. 15.107 (17) of the statutes is repealed.

SECTION 128. 15.135 (5) (title) of the statutes is created to read:

15.135 **(5)** (title) VETERINARY EXAMINING BOARD.

SECTION 132m. 15.137 (4) of the statutes is created to read:

15.137 **(4)** FOOD SAFETY ADVISORY COUNCIL. There is created in the department of agriculture, trade and consumer protection a food safety advisory council. The secretary of agriculture, trade and consumer protection shall appoint to the council members reflecting a broad representation of the persons regulated under subch. II of ch. 97, to serve at the pleasure of the secretary. The council shall meet at least quarterly. The council shall advise the secretary of agriculture, trade and consumer protection on all aspects of food safety, including the fees charged to the persons regulated under subch. II of ch. 97.

SECTION 135. 15.16 (1) (intro.) of the statutes is amended to read:

15.16 **(1)** EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds board shall consist of the governor or the governor's designee on the group insurance

board, the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration or the ~~director's~~ administrator's designee and 11 persons appointed or elected for 4–year terms as follows:

SECTION 136d. 15.165 (2) of the statutes is repealed and recreated to read:

15.165 **(2)** GROUP INSURANCE BOARD. There is created in the department of employee trust funds a group insurance board. The board shall consist of the following members:

(a) The governor or his or her designee.

(b) The attorney general or his or her designee.

(c) The secretary of administration or his or her designee.

(d) The administrator of the division of personnel management in the department of administration or his or her designee.

(e) The commissioner of insurance or his or her designee.

(f) One representative to the assembly appointed by the speaker of the assembly.

(g) One representative to the assembly appointed by the minority leader of the assembly.

(h) One senator appointed by the majority leader of the senate.

(i) One senator appointed by the minority leader of the senate.

(j) Six persons appointed for 2–year terms, of whom one shall be an insured participant in the Wisconsin Retirement System who is not a teacher, one shall be an insured participant in the Wisconsin Retirement System who is a teacher, one shall be an insured participant in the Wisconsin Retirement System who is a retired employee, one shall be an insured employee of a local unit of government, and one

shall be the chief executive or a member of the governing body of a local unit of government that is a participating employer in the Wisconsin Retirement System.

SECTION 146m. 15.225 (1) of the statutes is renumbered 15.105 (15) and amended to read:

15.105 **(15)** LABOR AND INDUSTRY REVIEW COMMISSION. There is created a labor and industry review commission which is attached to the department of ~~workforce development~~ administration under s. 15.03, except the budget of the labor and industry review commission shall be transmitted by the department to the governor without change or modification by the department, unless agreed to by the labor and industry review commission. The governor shall appoint an individual to serve at the pleasure of the governor as general counsel for the commission.

SECTION 148m. 15.227 (17) of the statutes is repealed.

SECTION 157m. 15.345 (6) of the statutes is repealed.

SECTION 161m. 15.347 (15) of the statutes is repealed.

SECTION 175. 15.405 (5g) of the statutes is amended to read:

15.405 **(5g)** CONTROLLED SUBSTANCES BOARD. There is created in the department of safety and professional services a controlled substances board consisting of the attorney general, the secretary of health services, and the secretary of agriculture, trade and consumer protection, or their designees; the chairperson of the pharmacy examining board, the chairperson of the medical examining board, the chairperson of the dentistry examining board, and the chairperson of the board of nursing, or a designee; and one psychiatrist and one pharmacologist appointed for 3–year terms.

SECTION 190. 15.405 (12) of the statutes is renumbered 15.135 (5) (a) (intro.) and amended to read:

15.135 **(5)** (a) ~~VETERINARY EXAMINING BOARD.~~ (intro.) There is created a veterinary examining board in the department of ~~safety and professional services~~ agriculture, trade and consumer protection. The veterinary examining board shall consist of the following 8 members appointed for staggered 4–year terms~~.~~:

1. Five ~~of the members shall be licensed~~ veterinarians licensed in this state.

2. One ~~member shall be a~~ veterinary technician certified in this state.

3. Two ~~members shall be~~ public members.

(b) No member of the examining board may in any way be financially interested in any school having a veterinary department or a course of study in veterinary or animal technology.

SECTION 203p. 15.407 (3) of the statutes is repealed.

SECTION 205p. 15.407 (6) of the statutes is repealed.

SECTION 207p. 15.407 (8) of the statutes is repealed.

SECTION 211p. 15.407 (12) of the statutes is repealed.

SECTION 215p. 15.407 (17) of the statutes is repealed.

SECTION 219. 15.445 (3) of the statutes is renumbered 15.345 (8), and 15.345 (8) (a), as renumbered, is amended to read:

15.345 **(8)** (a) There is created a lower Wisconsin state riverway board, which is attached to the department of ~~tourism~~ natural resources under s. 15.03.

SECTION 222m. 15.707 of the statutes is repealed.

SECTION 223g. 15.79 (1) of the statutes is amended to read:

15.79 **(1)** There is created a public service commission~~. No member of the commission~~ consisting of one chairperson and 2 commissioners. The chairperson and any commissioner may not have a financial interest in a railroad, water carrier, or public utility. If ~~any member~~ the chairperson or a commissioner voluntarily becomes

so interested, the ~~member's~~ chairperson's or commissioner's office shall become vacant. If the ~~member~~ chairperson or commissioner involuntarily becomes so interested, the ~~member's~~ chairperson's or commissioner's office shall become vacant unless the ~~member~~ chairperson or commissioner divests himself or herself of the interest within a reasonable time. ~~Each~~ The chairperson and each commissioner shall hold office until a successor is appointed and qualified.

SECTION 223r. 15.79 (2) (intro.) of the statutes is amended to read:

15.79 **(2)** (intro.) ~~A~~ The chairperson and each commissioner of the public service commission may not do any of the following:

SECTION 228. 15.915 (6) of the statutes is repealed.

SECTION 233. 16.003 (2) of the statutes is amended to read:

16.003 **(2)** STAFF. Except as provided in ss. 16.548, ~~16.57,~~ 978.03 (1), (1m) and (2), 978.04 and 978.05 (8) (b), the secretary shall appoint the staff necessary for performing the duties of the department. All staff shall be appointed under the classified service except as otherwise provided by law.

SECTION 236. 16.004 (7) (a) of the statutes is amended to read:

16.004 **(7)** (a) The secretary shall establish and maintain a personnel management information system which shall be used to furnish the governor, the legislature and the ~~office~~ division of ~~state employment relations~~ personnel management in the department with current information pertaining to authorized positions, payroll and related items for all civil service employees, except employees of the office of the governor, the courts and judicial branch agencies, and the legislature and legislative service agencies. It is the intent of the legislature that the University of Wisconsin System provide position and other information to the department and the legislature, which includes appropriate data on each position,

facilitates accountability for each authorized position and traces each position over time. Nothing in this paragraph may be interpreted as limiting the authority of the board of regents of the University of Wisconsin System to allocate and reallocate positions by funding source within the legally authorized levels.

SECTION 239r. 16.004 (13) of the statutes is created to read:

16.004 **(13)** AMORTIZATION SCHEDULE FOR COMMERCIAL PAPER PRINCIPAL. (a) In this subsection, "short–term commercial paper program" means a short–term, general obligation debt issued in lieu of long–term, state general obligation debt.

(b) The secretary shall establish an amortization schedule for the repayment of principal repayment on short–term commercial paper programs so that a uniform portion of the principal amount of the obligation is planned to be retired annually.

SECTION 240. 16.004 (16) of the statutes is repealed.

SECTION 247m. 16.02 of the statutes is repealed.

SECTION 251. 16.08 of the statutes is repealed.

SECTION 254b. 16.25 (1) (a) of the statutes is repealed.

SECTION 254d. 16.25 (2) of the statutes is amended to read:

16.25 **(2)** The ~~board shall establish by rule~~ <u>department shall administer</u> a program to provide length–of–service awards, described in 26 USC 457 (e) (11), to volunteer fire fighters in municipalities that operate volunteer fire departments or that contract with volunteer fire companies organized under ch. 181 or 213, to first responders in any municipality that authorizes first responders to provide first responder services, and to volunteer emergency medical technicians in any municipality that authorizes volunteer emergency medical technicians to provide emergency medical technical services in the municipality. To the extent permitted by federal law, the ~~board shall design~~ <u>department shall administer</u> the program so

as to treat the length–of–service awards as a tax–deferred benefit under the Internal Revenue Code.

SECTION 254f. 16.25 (3) (intro.) of the statutes is amended to read:

16.25 **(3)** (intro.) The ~~board~~ department shall ~~promulgate rules to include the following design features for~~ administer the program so as to include all of the following features:

SECTION 254h. 16.25 (3) (c) of the statutes is amended to read:

16.25 **(3)** (c) The municipality may select from among the plans offered by individuals or organizations under contract with the ~~board~~ department under sub. (4) for the volunteer fire fighters, first responders, and emergency medical technicians who perform services for the municipality. The municipality shall pay the annual contributions directly to the individual or organization offering the plan selected by the municipality.

SECTION 254j. 16.25 (3) (d) of the statutes is amended to read:

16.25 **(3)** (d) 1. Subject to subd. 2., the ~~board~~ department shall match all annual municipal contributions paid for volunteer fire fighters, first responders, and emergency medical technicians up to $250 per fiscal year, other than contributions paid for the purchase of additional years of service under par. (e), to be paid from the appropriation account under s. 20.505 (4) (er). This amount shall be adjusted annually on July 1 to reflect any changes in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12–month period ending on the preceding December 31. The ~~board~~ department shall pay all amounts that are matched under this paragraph to the individuals and organizations offering the plans selected by the municipalities.

2. If the moneys appropriated under s. 20.505 (4) (er) are not sufficient to fully fund the contributions required to be paid by the ~~board~~ department under subd. 1., the ~~board~~ department shall prorate the contributions paid for the volunteer fire fighters, first responders, and emergency medical technicians.

SECTION 254L. 16.25 (3) (g) of the statutes is amended to read:

16.25 **(3)** (g) A volunteer fire fighter, first responder, or emergency medical technician shall be paid a length of service award either in a lump sum or in a manner specified by rule, consisting of all municipal and state contributions made on behalf of the volunteer fire fighter, first responder, or emergency medical technician and all earnings on the contributions, less any expenses incurred in the investment of the contributions and earnings, after the volunteer fire fighter, first responder, or emergency medical technician attains 20 years of service for a municipality and reaches the age of 60. If a volunteer fire fighter, first responder, or emergency medical technician has satisfied all vesting requirements under the program but has less than 20 years of service for a municipality or has not reached the age of 60, the program shall provide for the payment of a length of service award either in a lump sum or in a manner specified by rule in an amount to be determined by the ~~board~~ department, but less than the amount paid to a volunteer fire fighter, first responder, or emergency medical technician who has attained 20 years of service for a municipality and has reached the age of 60.

SECTION 254n. 16.25 (3) (i) 2. of the statutes is amended to read:

16.25 **(3)** (i) 2. A volunteer fire fighter, first responder, or emergency medical technician who becomes disabled during his or her service as a volunteer fire fighter, first responder, or emergency medical technician for the municipality shall be paid

a length of service award either in a lump sum or in a manner specified by rule, in an amount to be determined by the ~~board~~ department.

SECTION 254p. 16.25 (3) (k) of the statutes is amended to read:

16.25 **(3)** (k) The ~~board~~ department shall equitably allocate all moneys in accounts of volunteer fire fighters, first responders, and emergency medical technicians that have been closed to the accounts of volunteer fire fighters, first responders, and emergency medical technicians that have not been forfeited or closed.

SECTION 254r. 16.25 (4) (a) of the statutes is amended to read:

16.25 **(4)** (a) The ~~board~~ department shall establish by rule the requirements for, and the qualifications of, the individuals and organizations in the private sector that are eligible to provide administrative services and investment plans under the program, other than services funded from the appropriation under s. 20.505 (4) (ec). In establishing the requirements and qualifications, the ~~board~~ department shall develop criteria of financial stability that each individual and organization must meet in order to offer the services and plans under the program.

SECTION 254t. 16.25 (4) (b) of the statutes is amended to read:

16.25 **(4)** (b) The ~~board~~ department may contract with any individual or organization in the private sector that seeks to provide administrative services and investment plans required for the program, other than services funded from the appropriation under s. 20.505 (4) (ec), if the individual or organization fulfills the requirements and has the qualifications established by the ~~board~~ department under par. (a). Section 16.72 (2) (b) does not apply to any such contract.

SECTION 254v. 16.25 (5) of the statutes is amended to read:

16.25 **(5)** The ~~board~~ department shall establish by rule a process by which a volunteer fire fighter, first responder, or emergency medical technician may appeal to the ~~board~~ secretary any decision made by the department or by an individual or organization under contract with the ~~board~~ department under sub. (4) that affects a substantial interest of the volunteer fire fighter, first responder, or emergency medical technician under the program.

SECTION 254x. 16.25 (6) of the statutes is amended to read:

16.25 **(6)** Annually, on or before December 31, the ~~board~~ department shall submit a report to the chief clerk of each house of the legislature under s. 13.172 (2) describing the activities of the ~~board~~ department under this section.

SECTION 262. 16.40 (18) of the statutes is amended to read:

16.40 **(18)** REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at the time that the agency submits a request to the department for an increased appropriation to be provided in an executive budget bill which is necessitated by the compensation plan under s. 230.12 or a collective bargaining agreement approved under s. 111.92, to provide a copy of the request to the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department and the joint committee on employment relations.

SECTION 268. 16.415 (1) of the statutes is amended to read:

16.415 **(1)** Neither the secretary nor any other fiscal officer of this state may draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on any disbursing officer of the state to pay any compensation to any person in the classified service of the state unless an estimate, payroll, or account for such compensation, containing the names of every person to be paid, bears the certificate of the appointing authority that each person named in the estimate, payroll, or

account has been appointed, employed, or subject to any other personnel transaction in accordance with, and that the pay for the person has been established in accordance with, the law, compensation plan, or applicable collective bargaining agreement, and applicable rules of the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department and the ~~administrator of the division~~ director of the bureau of merit recruitment and selection in the ~~office of state employment relations~~ department then in effect.

SECTION 269. 16.415 (3) of the statutes is amended to read:

16.415 **(3)** Any sums paid contrary to this section may be recovered from any appointing authority making such appointments in contravention of law or of the rules promulgated pursuant thereto, or from any appointing authority signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of the same, or from the sureties on the official bond of any such appointing authority, in an action in the circuit court for any county within the state, maintained by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department, or by a citizen resident therein, who is assessed for, and liable to pay, or within one year before the commencement of the action has paid, a state, city or county tax within this state. All moneys recovered in any action brought under this section when collected, shall be paid into the state treasury except that if a citizen taxpayer is plaintiff in any such action he or she shall be entitled to receive for personal use the taxable cost of such action and 5% of the amount recovered as attorney fees.

SECTION 272d. 16.42 (1m) of the statutes is created to read:

16.42 **(1m)** An agency making a request under sub. (1) shall submit 3 proposals as follows:

(a) A proposal written as if there would be no increase in expenditures of general purpose revenue, program revenue, or segregated revenue from the base levels for the current fiscal year.

(b) A proposal written as if the only increase in expenditures of general purpose revenue, program revenue, or segregated revenue from base levels would be for the cost to continue programs, including standard budget adjustments and increases in costs due to case load or population adjustments, and for the amounts necessary to fund previously enacted program commitments.

(c) The proposal submitted in par. (b) but modified to include increases in expenditures of general purpose revenue, program revenue, or segregated revenue from base levels for programmatic changes.

SECTION 272f. 16.42 (3) of the statutes is amended to read:

16.42 **(3)** The department <u>of safety and professional services</u> shall include in its agency request under sub. (1) a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15, unless the council, board, or commission is required to exist under federal law.

SECTION 272h. 16.43 of the statutes is amended to read:

16.43 <u>**(1)**</u> The secretary shall compile and submit to the governor or the governor–elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even–numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof.

<u>**(3)**</u> The secretary shall not include in the compilation any provision for the development or implementation of an information technology development project for an executive branch agency that is not consistent with the strategic plan of the

agency, as approved under s. 16.976. The secretary may distribute the budget compilation in printed or optical disk format.

SECTION 272i. 16.43 (2) of the statutes is created to read:

16.43 **(2)** When the secretary compiles the requests of agencies for the succeeding biennium, the secretary shall ensure that the data is presented as the following 3 proposals:

(a) A proposal written as if there would be no increase in expenditures of general purpose revenue, program revenue, or segregated revenue from the base levels for the current fiscal year.

(b) A proposal written as if the only increase in expenditures of general purpose revenue, program revenue, or segregated revenue from base levels would be for the cost to continue programs, including standard budget adjustments and increases in costs due to case load or population adjustments, and for the amounts necessary to fund previously enacted program commitments.

(c) The proposal submitted in par. (b) but modified to include increases in expenditures of general purpose revenue, program revenue, or segregated revenue from base levels for programmatic changes.

SECTION 275. 16.50 (3) (f) of the statutes is amended to read:

16.50 **(3)** (f) At the request of the ~~director of the office~~ <u>administrator of the division</u> of ~~state employment relations~~ <u>personnel management in the department</u>, the secretary of administration may authorize the temporary creation of pool or surplus positions under any source of funds if the director determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall

be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 277m. 16.505 (2m) of the statutes is amended to read:

16.505 **(2m)** The board of regents of the University of Wisconsin System or the chancellor of the University of Wisconsin–Madison may create or abolish a full–time equivalent position or portion thereof, other than positions funded from the appropriation under s. 20.285 (1) (a). ~~Beginning on July 1, 2015, all positions authorized for the University of Wisconsin shall not be included in any state position report. No later than the last day of the month following completion of each calendar quarter,~~ Annually, no later than November 1, the board of regents shall report to the department and the cochairpersons of the joint committee on finance concerning the number of full–time equivalent positions created or abolished by the board under this subsection during the preceding ~~calendar quarter~~ 12–month period and the source of funding for each such position. The report shall be based on the October 1 payroll.

SECTION 282m. 16.518 (3) (b) 2. of the statutes is repealed and recreated to read:

16.518 **(3)** (b) 2. If the amount transferred under par. (a) would cause the general fund balance on June 30 of the fiscal year, as projected under s. 20.005 (1), to be less than 2 percent of the total general purpose revenue appropriations for that fiscal year, plus any amount from general purpose revenue designated as "Compensation Reserves" for that fiscal year in the summary under s. 20.005 (1), the secretary may not make the transfer under par. (a).

SECTION 282s. 16.52 (6) (a) of the statutes is amended to read:

16.52 **(6)** (a) Except as authorized in ~~s.~~ ss. 16.74 and 16.745, all purchase orders, contracts, or printing orders for any agency, as defined in s. 16.70 (1e), shall, before any liability is incurred thereon, be submitted to the secretary for his or her approval as to legality of purpose and sufficiency of appropriated and allotted funds therefor. In all such cases the date of the contract or order governs the fiscal year to which the contract or order is chargeable, unless the secretary determines that the purpose of the contract or order is to prevent lapsing of appropriations or to otherwise circumvent budgetary intent. ~~Upon such approval, the~~ The secretary, after granting any approval required under this paragraph, shall immediately encumber all contracts or orders, and indicate the fiscal year to which they are chargeable.

SECTION 292. 16.528 (3) (f) of the statutes is created to read:

16.528 **(3)** (f) A contract under s. 977.08 (3) (f).

SECTION 307. 16.57 of the statutes is repealed.

SECTION 307m. 16.61 (2) (b) 1. of the statutes is amended to read:

16.61 **(2)** (b) 1. Records and correspondence of any member or officer of the legislature, any legislative employee under s. 13.20, and any legislative service agency under subch. IV of ch. 13.

SECTION 307s. 16.61 (14) of the statutes is created to read:

16.61 **(14)** CERTAIN RECORDS OF THE LEGISLATIVE BRANCH. No provision of this section that conflicts with a rule or policy of the senate or assembly or joint rule or policy of the legislature shall apply to a public record that is subject to such rule or policy.

SECTION 316d. 16.641 (2) (i) of the statutes is created to read:

16.641 **(2)** (i) Before December 31 of each year, beginning in 2015, ensure that the account balance limitation under sub. (3) (bm) is increased for the subsequent

year. The annual increase shall be equal to a percentage that is not less than the most recently published national average tuition and fees percentage increase at private, nonprofit 4–year institutions, as determined by the College Board, or such other nationally reputable entity, and shall be subject to the requirements under 26 USC 529 that pertain to the prohibition on excess contributions.

SECTION 316de. 16.641 (3) (bm) of the statutes is created to read:

16.641 **(3)** (bm) Beginning on August 1, 2015, no contribution may be made to an account if the contribution would cause the account balance of a beneficiary's account, or the combined balance of all accounts of a beneficiary, to exceed $425,000. This contribution limitation applies to all accounts that are established on and after that date, and to all accounts that are in existence on that date that have not yet reached the balance limit specified in this paragraph, subject to the annual increase described in sub. (2) (i).

SECTION 316e. 16.643 of the statutes is created to read:

16.643 Support accounts for individuals with disabilities. (1) DEFINITIONS. In this section:

(a) "Account owner" means an individual who establishes, and owns, an account under this section and who is one of the following:

1. The beneficiary of the account.

2. If the beneficiary is a minor or otherwise incapable of handling his or her financial affairs, the parent or guardian of the beneficiary.

(b) "Beneficiary" means an eligible individual for whom an account is established under this section.

(c) "Eligible individual" has the meaning given in 26 USC 529A.

(d) "Financial institution" means any bank, savings bank, savings and loan association, or credit union that is authorized to do business under state or federal laws relating to financial institutions.

(e) "Qualified expenses" has the meaning given for "qualified disability expenses" under 26 USC 529A.

(2) DUTIES OF THE DEPARTMENT. The department shall do all of the following:

(a) Ensure that an account established under this section meets the requirements of a qualified ABLE program under 26 USC 529A.

(b) Promulgate rules to implement and administer this section.

(3) ACCOUNT OWNERS; BENEFICIARIES; CONTRIBUTIONS; TERMINATION OF ACCOUNTS. (a) An account owner may do all of the following:

1. Establish an account under this section at a financial institution.

2. Change the beneficiary of an account to a family member, as defined in 26 USC 529A, of the previous beneficiary, if the new beneficiary is an eligible individual.

3. If the account owner is not the beneficiary, terminate an account upon the death of a beneficiary if the account owner is unable to change the beneficiary under subd. 2.

(b) An individual may not be the beneficiary of more than one account established under this section.

(c) 1. The maximum total amount of annual contributions that may be made to an account established under this section for a particular beneficiary is the amount described in 26 USC 529A (b) (2) (B).

2. The maximum total amount of all annual contributions that may be made to an account established under this section for a particular beneficiary is the same

as the maximum aggregate contribution limit to an account described under s. 16.641, as set by the college program savings board.

3. If any person attempts to contribute to an account established under this section and that contribution would exceed one or both of the limits specified in this paragraph, the financial institution to which the contribution is sent shall return to the prospective contributor any amount of the attempted contribution that is necessary to prevent the limits from being exceeded.

4. If more than one person attempts to contribute to an account established under this section and such contributions would exceed the limits specified in this paragraph, and if the attempted contributions arrive at the financial institution on the same day, the financial institution to which the contributions are sent shall return to the prospective contributors any amount of the attempted contributions, on a prorated basis, that is necessary to prevent the limits from being exceeded.

(d) Upon the death of the beneficiary who is the account owner the account shall terminate, and upon the termination of an account as described in par. (a) 3., any amount remaining in the account shall be recoverable by the state under s. 49.849 as property of a decedent is recoverable under that statute. Any amount that remains in the account following such recovery under s. 49.849 shall be paid to the account owner's estate. Recovery authorized under this paragraph may relate only to public assistance received by a beneficiary on and after the date on which an account is established under this section.

(4) PAYMENT OF CLAIMS. If a beneficiary incurs costs for qualified expenses, the financial institution shall pay such expenses if sufficient funds to do so are in the account.

(5) ELIGIBILITY FOR LONG–TERM CARE PROGRAMS. A person who is determining eligibility for an individual for a long–term care program under s. 46.27, 46.275, or 46.277, the family care benefit under s. 46.286, the family care partnership program, the long–term care program defined in s. 46.2899 (1), or any other demonstration program or program operated under a waiver of federal medicaid law that provides long–term care benefits shall exclude from the determination any income from assets accumulated in an account created under this section for a beneficiary.

SECTION 316p. 16.70 (1e) of the statutes is amended to read:

16.70 **(1e)** "Agency" means an office, department, agency, ~~institution of higher education,~~ association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority <u>or the University of Wisconsin System</u>.

SECTION 320m. 16.705 (1b) (a) of the statutes is amended to read:

16.705 **(1b)** (a) The ~~service award board~~ <u>department</u> under s. 16.25 (4) (b).

SECTION 321. 16.705 (1r) (d) of the statutes is repealed.

SECTION 322. 16.705 (1r) (e) of the statutes is repealed.

SECTION 323b. 16.705 (2) (a) of the statutes is amended to read:

16.705 **(2)** (a) The department shall promulgate rules for the procurement of contractual services by the department and its designated agents, including but not limited to rules prescribing approval and monitoring processes for contractual service contracts; except as provided in par. (b), a requirement for agencies~~, except for the University of Wisconsin System,~~ to conduct a uniform cost–benefit analysis of each proposed contractual service procurement involving an estimated expenditure of more than $50,000 in accordance with standards prescribed in the

rules; and, except as provided in par. (b), a requirement for agencies~~, except for the University of Wisconsin System,~~ to review periodically, and before any renewal, the continued appropriateness of contracting under each contractual services agreement involving an estimated expenditure of more than $50,000.

SECTION 326q. 16.71 (1) of the statutes is amended to read:

16.71 **(1)** Except as otherwise required under this section and s. 16.78 or as authorized in s. 16.74 <u>or 16.745</u>, the department shall purchase and may delegate to special designated agents the authority to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expense of a consumable nature for all agencies. In making any delegation, the department shall require the agent to adhere to all requirements imposed upon the department in making purchases under this subchapter. All materials, services and other things and expense furnished to any agency and interest paid under s. 16.528 shall be charged to the proper appropriation of the agency to which furnished.

SECTION 327b. 16.71 (1m) of the statutes is amended to read:

16.71 **(1m)** The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the department. The department may delegate this authority to the University of Wisconsin–Madison. ~~No~~ <u>Except as provided in s. 16.745, no</u> executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such contract without review and approval of the contract by the department. The University of Wisconsin–Madison may enter

into any such contract without review and approval by the department. Any executive branch agency that enters into a contract, except for a contract entered into under s. 16.745, relating to information technology under this section shall comply with the requirements of s. 16.973 (13). Any delegation to the board of regents of the University of Wisconsin System or to the University of Wisconsin–Madison is subject to the limitations prescribed in s. 36.585.

SECTION 328. 16.71 (4) of the statutes is repealed.

SECTION 328m. 16.71 (5) of the statutes is repealed.

SECTION 330n. 16.72 (4) (a) of the statutes is amended to read:

16.72 **(4)** (a) Except as provided in ss. 16.71 ~~and~~, 16.74, and 16.745 or as otherwise provided in this subchapter and the rules promulgated under ~~s.~~ ss. 16.74 and 16.745 and this subchapter, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall promulgate rules as to time and manner of submitting such requisitions for processing. No agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services under s. 16.745 or by the legislature, the courts, or legislative service or judicial branch agencies do not require approval under this paragraph.

SECTION 332b. 16.73 (5) of the statutes is repealed and recreated to read:

16.73 **(5)** The department or its agents may enter into an agreement with the University of Wisconsin System under which either of the parties may agree to participate in, administer, or conduct purchasing transactions under a contract for

the purchase of materials, supplies, equipment, permanent personal property, miscellaneous capital, or contractual services.

SECTION 333r. 16.745 of the statutes is created to read:

16.745 Department of employee trust funds and governing boards purchasing. (1) All supplies, materials, equipment, and contractual services required by the department of employee trust funds and any of its governing boards shall be purchased by the department of employee trust funds and its governing boards. The department of employee trust funds and its governing boards shall maintain copies of all purchasing requisitions and contracts and shall permit inspection and copying of the requisitions and contracts under subch. II of ch. 19. No such requisition or contract need be filed with the department of administration.

(2) (a) The department of employee trust funds shall file all bills and statements for purchases and engagements it makes under this section with the secretary, who shall audit and authorize payment of all bills and statements.

(b) Any governing board shall file all bills and statements for purchases and engagements it makes under this section with the secretary, who shall audit and authorize payment of all bills and statements.

(3) The department of administration shall, upon request, make recommendations and furnish assistance to the department of employee trust funds and its governing boards regarding purchasing procedure. The department of administration shall, upon request, process requisitions for purchases submitted by the department of employee trust funds or a governing board and shall procure materials, supplies, equipment, and services for the department of employee trust funds or a governing board in accordance with the purchasing procedure prescribed for executive branch agencies under this subchapter.

SECTION 334c. 16.75 (1) (a) 2. of the statutes is amended to read:

16.75 **(1)** (a) 2. If a vendor is not a Wisconsin producer, distributor, supplier or retailer and the department determines that the state, foreign nation or subdivision thereof in which the vendor is domiciled grants a preference to vendors domiciled in that state, nation or subdivision in making governmental purchases, the department and any agency making purchases under s. 16.74 <u>or 16.745</u> shall give a preference over that vendor to Wisconsin producers, distributors, suppliers and retailers, if any, when awarding the order or contract. The department may enter into agreements with states, foreign nations and subdivisions thereof for the purpose of implementing this subdivision.

SECTION 339n. 16.75 (3m) (b) of the statutes is amended to read:

16.75 **(3m)** (b) 1. The department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases under s. 16.74 <u>or 16.745</u> shall attempt to ensure that 5 percent of the total amount expended under this subchapter in each fiscal year is paid to minority businesses.

2. The department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases under s. 16.74 <u>or 16.745</u> shall attempt to ensure that at least 1 percent of the total amount expended under this subchapter in each fiscal year is paid to disabled veteran–owned businesses.

3. Except as provided under sub. (7), the department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases under s. 16.74 <u>or 16.745</u> may purchase materials, supplies, equipment, and contractual services from any minority business or disabled veteran–owned business, or a business that is both a minority business and a

disabled veteran–owned business, submitting a qualified responsible competitive bid that is no more than 5 percent higher than the apparent low bid or competitive proposal that is no more than 5 percent higher than the most advantageous proposal. In administering the preference for minority businesses or disabled veteran–owned businesses established in this paragraph, the department, the delegated agency, and any agency making purchases under s. 16.74 or 16.745 shall maximize the use of minority businesses or disabled veteran–owned businesses which are incorporated under ch. 180 or which have their principal place of business in this state.

SECTION 342. 16.75 (3t) (c) (intro.) of the statutes is amended to read:

16.75 **(3t)** (c) (intro.) The department of corrections shall periodically provide to the department of administration a current list of all materials, supplies, equipment or contractual services, excluding commodities, that are supplied by prison industries, as created under s. 303.01. The department of administration shall distribute the list to all designated purchasing agents under s. 16.71 (1). Except as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed proposals with respect to the purchase of any materials, supplies, equipment or contractual services enumerated in the list, the department of administration or any other designated purchasing agent under s. 16.71 (1) shall offer prison industries the opportunity to supply the materials, supplies, equipment or contractual services if the department of corrections is able to provide them at a price that is ~~equal to or lower than~~ comparable to one which may be obtained through competitive bidding or competitive sealed proposals and is able to conform to the specifications. If the department of administration or other purchasing agent is unable to determine whether the price of prison industries is ~~equal to or lower than~~ comparable to one obtained through competitive bidding or competitive sealed proposals, it may solicit

bids or competitive proposals before awarding the order or contract. This paragraph does not apply to the printing of the following forms:

SECTION 343. 16.75 (3t) (c) 1. of the statutes is repealed.

SECTION 344. 16.75 (3t) (c) 6. of the statutes is repealed.

SECTION 345b. 16.75 (8) (am) of the statutes is amended to read:

16.75 **(8)** (am) The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74 <u>or 16.745</u>, and each authority other than the University of Wisconsin Hospitals and Clinics Authority and the Lower Fox River Remediation Authority shall, to the extent practicable, make purchasing selections using specifications developed under s. 16.72 (2) (e) to maximize the purchase of materials utilizing recycled materials and recovered materials.

SECTION 345d. 16.75 (9) of the statutes is amended to read:

16.75 **(9)** The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74 <u>or 16.745</u>, and any authority other than the University of Wisconsin Hospitals and Clinics Authority and the Lower Fox River Remediation Authority shall, to the extent practicable, make purchasing selections using specifications prepared under s. 16.72 (2) (f).

SECTION 345f. 16.75 (10e) (b) of the statutes is amended to read:

16.75 **(10e)** (b) If s. 16.855 (10s) (a) provides an applicable standard for the type of energy consuming equipment being purchased and the purchase will cost more than $5,000 per unit the department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74 <u>or 16.745</u>, and any authority may not purchase that type of energy consuming equipment unless the specifications for the equipment meet the applicable standards. If there is an

applicable standard under s. 16.855 (10s) (a), but the energy consuming equipment meeting that standard is not reasonably available, the department, purchasing agent, agency, or authority shall ensure, for purchases over $5,000 per unit, that the energy consuming equipment that is purchased maximizes energy efficiency to the extent technically and economically feasible. The department, purchasing agent, agency, or authority shall not determine that energy consuming equipment that meets the applicable standard under s. 16.855 (10s) (a) either is not reasonably available on the basis of cost alone or is not cost–effective unless the difference in the cost of the purchase and installation of the equipment that meets the standard and the equipment that would otherwise be installed is greater than the difference in the cost of operating the equipment that meets the standard and the equipment that would otherwise be installed over the anticipated life of the equipment.

SECTION 345h. 16.75 (10m) of the statutes is amended to read:

16.75 **(10m)** The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74 <u>or 16.745</u>, and any authority shall not enter into any contract or order for the purchase of materials, supplies, equipment, or contractual services with a person if the name of the person, or the name of an affiliate of that person, is certified to the department by the secretary of revenue under s. 77.66.

SECTION 346p. 16.76 (1) of the statutes is amended to read:

16.76 **(1)** All contracts for materials, supplies, equipment or contractual services to be provided to any agency shall run to the state of Wisconsin. Such contracts shall be signed by the secretary or an individual authorized by the secretary, except that contracts entered into <u>by the department of employee trust funds or its governing boards shall be signed by an individual authorized by the</u>

secretary of employee trust funds and contracts entered into directly by the legislature, the courts or a legislative service or judicial branch agency shall be signed by an individual authorized under s. 16.74 (2) (b).

SECTION 354p. 16.77 (1) of the statutes is amended to read:

16.77 **(1)** No bill or statement for work or labor performed under purchase orders or contracts issued by the secretary or the secretary's designated agents, and no bill or statement for supplies, materials, equipment or contractual services purchased for and delivered to any agency may be paid until the bill or statement is approved through a preaudit or postaudit process determined by the secretary. This subsection does not apply to purchases made ~~directly by the courts, the legislature or a legislative service or judicial branch agency~~ under s. 16.74 or 16.745.

SECTION 355b. 16.78 (1) of the statutes is amended to read:

16.78 **(1)** Every agency other than the board of regents of the University of Wisconsin System, the University of Wisconsin–Madison, or an agency making purchases under s. 16.74 or 16.745 shall make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department, unless the department requires the agency to purchase the materials, supplies, equipment, or contractual services pursuant to a master contract established under s. 16.972 (2) (h), or grants written authorization to the agency to procure the materials, supplies, equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual services from another agency or to provide the materials, supplies, equipment, or contractual services to itself. The board of regents of the University of Wisconsin System and the University of Wisconsin–Madison may

make purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department.

SECTION 356q. 16.84 (5) of the statutes is renumbered 16.84 (5) (a) 1. and amended to read:

16.84 **(5)** (a) 1. Have responsibility, subject to approval of the governor, for all functions relating to the leasing, acquisition, allocation and utilization of all real property by the state, except where such responsibility is otherwise provided by the statutes. ~~In this connection, the department shall, with the governor's approval~~

(b) When exercising the responsibility under par. (a) 1., require, with the governor's approval, physical consolidation of office space utilized by any executive branch agency, as defined in s. 16.70 (4), having fewer than 50 authorized full–time equivalent positions with office space utilized by another executive branch agency, whenever feasible. ~~The department shall lease~~

(c) Lease or acquire office space for legislative offices or legislative service agencies at the direction of the joint committee on legislative organization. ~~In this subsection, "executive branch agency" has the meaning given in s. 16.70 (4).~~

SECTION 356r. 16.84 (5) (a) 2. of the statutes is created to read:

16.84 **(5)** (a) 2. Before entering into or renewing a lease for an executive branch agency, as defined in s. 16.70 (4), for space that is located in Dane or Milwaukee County, solicit lease options for space in counties other than Dane or Milwaukee and provide to the agency director and the joint committee on finance a cost–benefit analysis that considers any savings that would accrue to the state if the executive branch agency were located in a county other than Dane or Milwaukee.

SECTION 364m. 16.85 (1) of the statutes is amended to read:

16.85 **(1)** To take charge of and supervise all engineering or architectural services or construction work, as defined in s. 16.87 (1) (a), performed by, or for, the state, or any department, board, institution, commission, or officer of the state, including nonprofit–sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, except work to be performed ~~for the University of Wisconsin System with respect to a building, structure, or facility involving a cost of less than $500,000 that is funded entirely with the proceeds of gifts or grants made to the system~~ for a project specified in s. 13.48 (10) (c) or (e), and except the engineering, architectural, and construction work of the department of transportation; and the engineering service performed by the department of safety and professional services, department of revenue, public service commission, department of health services, and other departments, boards, and commissions when the service is not related to the maintenance, and construction and planning, of the physical properties of the state.

SECTION 365m. 16.85 (2) of the statutes is amended to read:

16.85 **(2)** To furnish engineering, architectural, project management, and other building construction services whenever requisitions therefor are presented to the department by any agency. The department may deposit moneys received from the provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned. For a building project of the University of Wisconsin System that is entirely funded by program revenues or program revenue supported borrowing, the department shall assess the University of Wisconsin System for these services on a fee–for–service basis, except that the fees assessed may not exceed 4 percent of the total cost of the project. In this subsection,

"agency" means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238, or 279.

SECTION 366m. 16.85 (12) of the statutes is amended to read:

16.85 **(12)** To review and approve plans and specifications for any building or structure that is constructed for the benefit of the University of Wisconsin System or any institution thereof, and to periodically review the progress of any such building or structure during construction to assure compliance with the approved plans and specifications. This subsection does not apply to ~~any building, structure, or facility that is constructed. remodeled, repaired, renewed, or expanded for the University of Wisconsin System involving a cost of less than $500,000 if the project is funded entirely from the proceeds of gifts or grants made to the system~~ projects specified in s. 13.48 (10) (c) and (e).

SECTION 369d. 16.855 (1g) (a) of the statutes is renumbered 16.855 (1g) (ar).

SECTION 369h. 16.855 (1g) (ag) of the statutes is created to read:

16.855 **(1g)** (ag) "Board of Regents" means the Board of Regents of the University of Wisconsin System.

SECTION 369p. 16.855 (1g) (e) of the statutes is amended to read:

16.855 **(1g)** (e) "Single prime contracting" means bidding and contracting through a process in which only a general prime contractor has a contractual relationship with the state and all mechanical, electrical, or plumbing

subcontractors are identified by the department or the Board of Regents and are subcontractors to the general prime contractor.

SECTION 369t. 16.855 (1g) (f) of the statutes is created to read:

16.855 **(1g)** (f) "UW gifts and grants project" means a construction project funded entirely with gifts and grants made to the University of Wisconsin System for the express purpose of funding the construction project.

SECTION 370. 16.855 (1m) of the statutes is amended to read:

16.855 **(1m)** The department shall let by contract to the lowest qualified responsible bidder all construction work when the estimated construction cost of the project exceeds $50,000, except for construction work authorized under s. 16.858 and except as provided in sub. (1r) or (10m) or s. 13.48 (19) (a). If factors other than dollar amounts are required to be evaluated for a project, the department shall specify a formula that will convert the other factors into a dollar value for comparison.

SECTION 372g. 16.855 (12m) of the statutes is created to read:

16.855 **(12m)** The Board of Regents may let UW gifts and grants projects through single prime contracting. If the Board of Regents lets a UW gifts and grants project through single prime contracting, this section does not apply to the project, except for subs. (13), (14), and (14m).

SECTION 372r. 16.855 (13) (a) 1. of the statutes is amended to read:

16.855 **(13)** (a) 1. In any project under this section let under single prime contracting, the department or the Board of Regents shall identify, as provided under par. (b), the mechanical, electrical, or plumbing subcontractors who have submitted the lowest bids and who are qualified responsible bidders. A general prime contractor who is submitting a bid under sub. (14) shall include the subcontractors so identified.

SECTION 373b. 16.855 (13) (a) 2. of the statutes is amended to read:

16.855 **(13)** (a) 2. In any project under this section that is let under s. 13.48 (19) (a), the department shall identify, as provided under par. (b), the mechanical, electrical, or plumbing subcontractors who have submitted the lowest bids and who are qualified responsible bidders. The contractor awarded a contract under s. 13.48 (19) (a) shall contract with the mechanical, electrical, or plumbing subcontractors so identified.

SECTION 373m. 16.855 (13) (b) of the statutes is amended to read:

16.855 **(13)** (b) For purposes of identifying subcontractors under par. (a), the department or the Board of Regents shall develop and administer an open and public bidding process ~~and~~. The department shall follow the requirements and procedures under sub. (2). The Board of Regents shall follow the requirements and procedures specified for the department under sub. (2) and has the power specified for the department under sub. (6). Within 48 hours of the deadline for a mechanical, electrical, or plumbing contractor to submit a bid, the department or board shall post on ~~the department~~ its Internet site the names of the bidders and the amount of each bid. No more than 5 days after the deadline, the department or board shall post on its Internet site and provide public notice of the lowest bidders who are qualified responsible bidders. The department or board shall post on its Internet site the bids, including the bid documents, identified under this paragraph as the lowest bids and they shall be open to public inspection under s. 19.35 (1). No other bids under this paragraph may be on the Internet site or open to public inspection.

SECTION 374b. 16.855 (14) (am) of the statutes is amended to read:

16.855 **(14)** (am) Except as provided in s. 13.48 (19) (a), the department shall let all construction projects that exceed $185,000 through single prime contracting.

The department may not request or accept any alternate bids when letting a construction project through single prime contracting.

SECTION 374d. 16.855 (14) (b) 1. of the statutes is amended to read:

16.855 **(14)** (b) 1. The state is not liable to a contractor for damage from delay caused by another contractor if the department or the Board of Regents takes reasonable action to require the delaying contractor to comply with its contract. If the state is not liable under this subdivision, the delayed contractor may bring an action for damages against the delaying contractor.

SECTION 374e. 16.855 (14) (bm) of the statutes is amended to read:

16.855 **(14)** (bm) If the bid is being let through single prime contracting, bidders for the general prime contractor who are responsible qualified bidders shall submit their bids to the department or the Board of Regents no later than 5 days after the successful subcontractor bids become available to the public under sub. (13) (b). Within 48 hours of the deadline for a general prime contractor to submit a bid, the department or board shall post on ~~the department's~~ its Internet site the tabulations of all bids that identify the names of the general prime contractors that bid and the amount of each bid and shall make the tabulations and amounts available at the department or board if they are unavailable on the ~~department's~~ Internet site.

SECTION 374h. 16.855 (14) (c) of the statutes is amended to read:

16.855 **(14)** (c) The department or the Board of Regents shall reject any bid for the general prime contractor from a bidder who submits a bid that includes contractors other than the ones identified under sub. (13) (a). The award of a contract may not be finalized until the department or board approves the required performance bond and certificate of insurance.

SECTION 374L. 16.855 (14) (d) of the statutes is amended to read:

16.855 **(14)** (d) Except as provided in sub. (10m) (am), the department <u>or the Board of Regents</u> shall award all single prime contracts to the lowest bidder who is a qualified responsible bidder that results in the lowest total construction cost for the project.

SECTION 374o. 16.855 (14) (e) of the statutes is amended to read:

16.855 **(14)** (e) Within 30 days after the deadline under par. (bm) for bidders for the general prime contractor to submit their bids, the department <u>or the Board of Regents</u> shall notify the general prime contractor bidder that was awarded the contract under par. (d). The contractor who is awarded the contract shall enter into contracts with the mechanical, electrical, or plumbing subcontractors identified under par. (13) (a), shall ensure that any contract meets the requirements under sub. (14m) (a) and (b), and shall comply with the requirements under sub. (14m) (c) and (d). The department <u>or board</u> shall make the final bid results available on its Internet site at the time it provides the written, official notice to the successful general prime contractor bidder notifying the contractor that the contract is fully executed and that the contractor is authorized to begin work on the project.

SECTION 374r. 16.855 (14m) (a) of the statutes is amended to read:

16.855 **(14m)** (a) Any contract entered into between a general prime contractor and a subcontractor under sub. (14) (e) must contain all of the following clauses:

Prompt Payment. (General prime contractor) shall pay (mechanical, electrical, or plumbing subcontractor) in accordance with section 16.855 (19) (b), Wisconsin stats., for work that has been satisfactorily completed and properly invoiced by (mechanical, electrical, or plumbing subcontractor). A payment is timely if it is mailed, delivered, or transferred to (mechanical, electrical, or plumbing subcontractor) by the deadline under section 16.855 (19) (b), Wisconsin stats.

If (mechanical, electrical, or plumbing subcontractor) is not paid by the deadline in this contract, (general prime contractor) shall pay interest on the balance due from the eighth day after the (general prime contractor) receives payment from the ~~Department~~ (Department of Administration or Board of Regents) for the work for which payment is due and owing to (mechanical, electrical, or plumbing subcontractor), at the rate specified in section 71.82, Wisconsin stats., compounded monthly.

A (mechanical, electrical, or plumbing subcontractor) that receives payment as provided under this contract and that subcontracts with another entity shall pay those subcontractors, and be liable for interest on late payments to those subcontractors, in the same manner as (general prime contractor) is required to pay (mechanical, electrical, or plumbing subcontractor) under this contract.

Insurance and Bonds. (Mechanical, electrical, or plumbing subcontractor) shall not commence work under this contract until it has obtained all necessary insurance required of (mechanical, electrical, or plumbing subcontractor) in the contract between the (general prime contractor) and the ~~Department~~ (Department of Administration or Board of Regents).

(Mechanical, electrical, or plumbing subcontractor) shall provide a separate 100 percent performance bond and a separate 100 percent payment bond to the benefit of the (general prime contractor) as the sole named obligee. Original bonds shall be given to the (general prime contractor) and a copy shall be given to the ~~Department~~ (Department of Administration or Board of Regents) no later than 10 days after execution of this contract.

Indemnification. To the fullest extent permitted by law, (mechanical, electrical, or plumbing subcontractor) shall defend, indemnify, and hold harmless

(general prime contractor) and its officers, directors, agents, and any others whom (general prime contractor) is required to indemnify under its contract with the ~~department~~ (Department of Administration or Board of Regents), and the employees of any of them, from and against claims, damages, fines, penalties, losses, and expenses, including but not limited to attorney fees, arising in any way out of or resulting from the performance of the work under this contract, but only to the extent such claim, damage, fine, penalty, loss, or expense: (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of property, including but not limited to loss of use resulting therefrom and is caused by the negligence, or acts or omissions, of (mechanical, electrical, or plumbing subcontractor), its subcontractors, any of their employees, and anyone directly or indirectly employed by them or anyone for whose acts they may be liable, or (2) as related to such claims, damages, fines, penalties, losses, and expense of or against (general prime contractor), results from or arises out of the negligence of (general prime contractor) or other fault in providing general supervision or oversight of the work of (mechanical, electrical, or plumbing subcontractor) or (3) as related to claims, damages, fines, penalties, losses, and expense against the ~~Department~~ (Department of Administration or Board of Regents), arises out of the ~~department's~~ (department's or board's) status as owner of the project or project site.

In addition (mechanical, electrical, or plumbing subcontractor) shall defend, indemnify, and hold harmless (general prime contractor) and its officers, directors, agents, and any others (general prime contractor) is required to indemnify under its contract with the ~~department~~ (Department of Administration or Board of Regents), and the employees of any of them, from any liability, including liability resulting from a violation of any applicable safe place act, that (general prime contractor) or

the state incurs to any employee of (mechanical, electrical, or plumbing subcontractor) or any third party where the liability arises from a derivative claim from said employee, when the liability arises out of the failure of the (general prime contractor) or the state to properly supervise, inspect, or approve the work or work area of (mechanical, electrical, or plumbing subcontractor), but only to the extent that the liability arises out of the acts or omissions of (mechanical, electrical, or plumbing subcontractor), its employees, or anyone for whom (mechanical, electrical, or plumbing subcontractor) may be liable, or from (mechanical, electrical, or plumbing subcontractor's) breach of its contractual responsibilities or arises out of (general prime contractor's) negligence or other fault in providing general supervision or oversight of (mechanical, electrical, or plumbing subcontractor's) work or arises out of the ~~Department~~ (Department of Administration's or Board of Regents') status as owner of the project or project site. In claims against (general prime contractor) or the state by an employee of (mechanical, electrical, or plumbing subcontractor) or its subcontractors or anyone for whose acts (mechanical, electrical, or plumbing subcontractor) may be liable, the indemnification obligation of this paragraph is not limited by a limitation on amount or type of damage, compensation, or other benefits payable by or for the (mechanical, electrical, or plumbing subcontractor) or its subcontractors under workers' compensation act.

Except as identified above, the obligations of (mechanical, electrical, or plumbing subcontractor) under this indemnification do not extend to the liability of (general prime contractor) and its agents or employees arising out of (1) preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications; (2) the giving of or failure to give directions or instructions by the (general prime contractor) or the ~~Department~~ (Department of Administration or

Board of Regents) or their agents or employees provided the giving or failure to give is the cause of the injury or damage; or (3) the acts or omissions of other subcontractors.

Retainage. Retainage shall occur and be in amounts and on a schedule equal to that in the contract between (general prime contractor) and the ~~Department~~ (Department of Administration or Board of Regents).

SECTION 374u. 16.855 (14m) (c) 2. of the statutes is amended to read:

16.855 **(14m)** (c) 2. The prohibition under subd. 1. does not apply to change orders by the department or the Board of Regents that result in changes to the plans or specifications or to back charges allowed by the contract under sub. (13).

SECTION 374y. 16.855 (19) (b) of the statutes is amended to read:

16.855 **(19)** (b) As the work progresses under any subcontract under sub. (14) (e) for construction of a project, the general prime contractor shall, upon request of a subcontractor, pay to the subcontractor an amount equal to the proportionate value of the subcontractor's work properly completed, less retainage. The retainage shall be an amount equal to not more than 5 percent of the subcontractor's work completed until 50 percent of the subcontractor's work has been completed. At 50 percent completion, no additional amounts may be retained, and partial payments shall be made in full to the subcontractor unless the department or the Board of Regents certifies that the subcontractor's work is not proceeding satisfactorily. At 50 percent completion or any time thereafter when the progress of the subcontractor's work is not satisfactory, additional amounts may be retained but the total retainage may not be more than 10 percent of the value of the work completed. Upon substantial completion of the subcontractor's work, any amount retained shall be paid to the subcontractor, less the value of any required corrective work or uncompleted work.

All payments the general prime contractor makes under this paragraph shall be within 7 calendar days after the date on which the general prime contractor receives payment from the department or board.

SECTION 375m. 16.855 (20) of the statutes is amended to read:

16.855 **(20)** This section does not apply to construction work performed by University of Wisconsin System students when the construction work performed is a part of a curriculum and where the work is course–related for the student involved. Prior approval of the building commission must be obtained for all construction projects to be performed by University of Wisconsin System students, except projects specified in s. 13.48 (10) (c) and (e).

SECTION 378g. 16.855 (22) of the statutes is amended to read:

16.855 **(22)** The provisions of this section, except sub. (10m), do not apply to construction work for any project that does not require the prior approval of the building commission under s. 13.48 (10) (a) if the project is constructed in accordance with policies and procedures prescribed by the building commission under s. 13.48 (29). If the estimated construction cost of any project, other than a project ~~constructed by or for the University of Wisconsin System that is~~ exempted under sub. ~~(23)~~ (12m) or (24), is at least $50,000, and the building commission elects to utilize the procedures prescribed under s. 13.48 (29) to construct the project, the department shall provide adequate public notice of the project and the procedures to be utilized to construct the project on a publicly accessible computer site.

SECTION 378r. 16.855 (23) of the statutes is repealed.

SECTION 378t. 16.855 (24) of the statutes is created to read:

16.855 **(24)** This section does not apply to an eligible energy conservation project approved by the president of the University of Wisconsin System under s. 36.11 (26m) (b).

SECTION 392g. 16.87 (5) of the statutes is amended to read:

16.87 **(5)** This section does not apply to any project ~~for the University of Wisconsin System involving a cost of less than $500,000 that is funded entirely from the proceeds of gifts or grants made to the system~~ specified in s. 13.48 (10) (c) or (e).

SECTION 392r. 16.89 of the statutes is amended to read:

16.89 Construction and services controlled by this chapter. No department, independent agency, constitutional office or agent of the state shall employ engineering, architectural or allied services or expend money for construction purposes on behalf of the state, except as provided in this chapter and except that the Board of Regents of the University of Wisconsin System may engage such services for any project ~~involving a cost of less than $500,000 that is funded entirely from the proceeds of gifts or grants made to the system~~ specified in s. 13.48 (10) (c) or (e).

SECTION 393p. 16.95 (17) of the statutes is created to read:

16.95 **(17)** Upon request, provide any necessary certification for a person to receive a tax deduction under 26 USC 179D if the person is the person who is primarily responsible for designing a property, if the property the person designed is installed on or in state–owned property, and if the property qualifies as an energy efficient commercial building property.

SECTION 394. 16.956 (2) of the statutes is amended to read:

16.956 **(2)** AUTHORITY. Beginning on July 1, 2006, and ending on June 30, ~~2015~~ 2020, the department may award a grant to an eligible applicant for the purchase and field testing of one or more idling reduction units as provided in subs. (3) and (4).

SECTION 395. 16.956 (4) (cm) of the statutes is amended to read:

16.956 **(4)** (cm) Subject to par. (d), the department may make grants under this section from July 1, 2009 to June 30, ~~2015~~ 2020, of 50 percent of the eligible costs for an idling reduction unit installed on a truck tractor, unless the department has previously awarded a grant under this section for an idling reduction unit installed on the truck tractor.

SECTION 396. 16.956 (6) of the statutes is amended to read:

16.956 **(6)** SUNSET. Subsections (2) to (4) do not apply after December 31, ~~2016~~ 2021.

SECTION 396d. 16.957 (1) (cm) of the statutes is repealed.

SECTION 396h. 16.957 (2) (intro.) of the statutes is amended to read:

16.957 **(2)** DEPARTMENT DUTIES. (intro.) ~~In consultation with the council, the~~ The department shall do all of the following:

SECTION 396p. 16.957 (2) (d) 4. d. of the statutes is amended to read:

16.957 **(2)** (d) 4. d. Any other issue identified by the department, ~~council,~~ governor, speaker of the assembly or majority leader of the senate.

SECTION 396t. 16.957 (4) (b) (intro.) of the statutes is amended to read:

16.957 **(4)** (b) *Rules.* (intro.) ~~In consultation with the council, the~~ The department shall promulgate rules that establish the amount of a low-income assistance fee under par. (a). Fees established in rules under this paragraph may vary by class of customer, but shall be uniform within each class, and shall satisfy each of the following:

SECTION 398m. 16.97 (2m) of the statutes is repealed.

SECTION 412p. 16.973 (7) of the statutes is amended to read:

16.973 **(7)** Prescribe and revise as necessary performance measures to ensure financial controls and accountability, optimal personnel utilization, and customer satisfaction for all information technology functions in the executive branch outside of the University of Wisconsin System and annually, no later than March 31, report to the joint committee on information policy and technology ~~and the board~~ concerning the performance measures utilized by the department and the actual performance of the department and the executive branch agencies measured against the performance measures then in effect.

SECTION 416g. 16.976 (3) of the statutes is amended to read:

16.976 **(3)** Following receipt of a proposed strategic plan from an executive branch agency, the department shall, before June 1, notify the agency of any concerns that the department may have regarding the plan and provide the agency with its recommendations regarding the proposed plan. ~~The department may also submit any concerns or recommendations regarding any proposed plan to the board for its consideration. The board shall then consider the proposed plan and provide the department with its recommendations regarding the plan.~~ The executive branch agency may submit modifications to its proposed plan in response to any recommendations.

SECTION 416r. 16.976 (4) of the statutes is amended to read:

16.976 **(4)** Before June 15, the department shall ~~consider any recommendations provided by the board under sub. (3) and shall then~~ approve or disapprove the proposed plan in whole or in part.

SECTION 417g. 16.977 (intro.) of the statutes is amended to read:

16.977 Information technology portfolio management. (intro.) With the assistance of executive branch agencies ~~and the advice of the board~~, the department shall manage the information technology portfolio of state government in accordance with a management structure that includes all of the following:

SECTION 417r. 16.978 of the statutes is repealed.

SECTION 419b. 16.98 (1) of the statutes is amended to read:

16.98 **(1)** The department shall engage in such activities as the secretary deems necessary to ensure the maximum utilization of federal resources by state agencies and institutions and other eligible organizations and units of government, including community development corporations as defined in s. 234.94 (2). The department shall acquire excess and surplus real and personal property ~~at such cost~~ <u>and shall charge fees</u> to ~~the recipient as is necessary to amortize expenditures for~~ <u>recipients for costs of</u> transportation, packing, crating, handling and program overhead, except that the department may transfer any excess or surplus personal property to the department of tourism, upon request of the department of tourism, at no cost, subject to any limitation or restriction imposed by federal law.

SECTION 419g. 16.99 (1d) of the statutes is amended to read:

16.99 **(1d)** "Charter school sponsor" means an entity described under s. 118.40 (2r) (b) that is sponsoring a charter school <u>and the director under s. 118.40 (2x)</u>.

SECTION 422d. 16.994 of the statutes is created to read:

16.994 Information technology block grants. (1) COMPETITIVE GRANTS. In fiscal years 2015–16 and 2016–17, the department may annually award grants on a competitive basis to eligible school districts for the purpose of improving information technology infrastructure. In awarding grants under this section, the department shall give priority to applications for school districts in which the

percentage of pupils who satisfy the income eligibility criteria under 42 USC 1758 (b) (1) for a free or reduced–price lunch is greater than in other applicant school districts. The department shall require an applicant for a grant under this section to provide all of the following:

(a) A description of the specific infrastructure, including any equipment, that the applicant intends to purchase with grant proceeds.

(b) The applicant's plan to purchase, install, and use the information technology infrastructure described in par. (a).

(c) A description of the applicant's readiness to use information technology infrastructure purchased with grant proceeds.

(2) ELIGIBLE SCHOOL DISTRICTS. A school district is eligible for a grant under this section if the school district's membership in the previous school year divided by the school district's area in square miles is 13 or less.

(3) MAXIMUM AWARDS. The total amount the department may award to an eligible school district under sub. (1) during the 2015–17 fiscal biennium may not exceed the following:

(a) If the membership of the eligible school district is fewer than 750 pupils, $30,000.

(b) If the membership of the eligible school district is 750 pupils to 1,500 pupils, $40 multiplied by the school district's membership.

(c) If the membership of the eligible school district is more than 1,500 pupils, $60,000.

(4) FUNDING LIMITATION. The department may not award grants under this section that total more than $7,500,000 in any fiscal year.

SECTION 422e. 16.994 of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 422g. 16.996 of the statutes is created to read:

16.996 Educational technology teacher training grants. (1) PURPOSE. The department shall annually award grants to eligible consortia of school districts for the costs of training teachers to use educational technology.

(2) ELIGIBLE CONSORTIA. A consortium of school districts is eligible for a grant under this section if all of the following apply:

(a) The consortium consists of 3 or more school districts.

(b) Each school district's membership in the previous school year divided by that school district's area in square miles is 13 or less.

(c) The consortium applies for a grant under this section.

(3) GRANT AMOUNT. In any year the department awards grants under this section, subject to sub. (4), the department shall pay to each eligible consortium the sum of the following amounts:

(a) For each school district in the consortium that had a membership of less than 750 pupils in the previous year, $7,500.

(b) For each school district in the consortium that had a membership of 750 pupils to 1,500 pupils in the previous year, $10 multiplied by the school district's membership in the previous year.

(c) For each school district in the consortium that had a membership of more than 1,500 pupils in the previous year, $15,000.

(4) FUNDING. (a) The department may not award grants under this section that total more than $1,500,000 in any fiscal year.

(b) If, in any fiscal year, $1,500,000 is insufficient to pay the full amount under sub. (3), the department shall prorate the payments among the eligible consortia.

SECTION 423. 16.997 (2) (a) (intro.) of the statutes is renumbered 16.997 (2) (a) and amended to read:

16.997 **(2)** (a) Allow an educational agency to make a request to the department for access to ~~either one~~ data ~~line or one~~ lines and video ~~link, except as follows:~~ links.

SECTION 424. 16.997 (2) (a) 1. of the statutes is repealed.

SECTION 425. 16.997 (2) (a) 2. of the statutes is repealed.

SECTION 426. 16.997 (2) (a) 3. of the statutes is repealed.

SECTION 427. 16.997 (2c) of the statutes is created to read:

16.997 **(2c)** The department shall develop criteria to use to evaluate whether to provide more than one data line and video link to an educational agency. The department shall include in the criteria an educational agency's current bandwidth, equipment, and readiness, and the available providers and any other economic development in the geographic area that the educational agency serves.

SECTION 453b. 19.32 (1bb) of the statutes is created to read:

19.32 **(1bb)** "Deliberative materials" means communications and other materials, including opinions, analyses, briefings, background information, recommendations, suggestions, drafts, correspondence about drafts, and notes, that are created or prepared in the process of reaching a decision concerning a policy or course of action or in the process of drafting a document or formulating an official communication. "Deliberative materials" include interauthority and intra–authority communications, but do not include:

(a) Communications with persons who are not authorized to participate in the process of reaching a decision, drafting a document, or formulating an official communication.

(b) Communications with persons other than an authority, unless the communication is within the scope of a contract between the person and an authority.

SECTION 453d. 19.32 (2) of the statutes is amended to read:

19.32 **(2)** "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, ~~which~~ that has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical disks, and any other medium on which electronically generated or stored data is recorded or preserved. "Record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; deliberative materials; materials ~~which~~ that are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library ~~which~~ that are available for sale, or ~~which~~ that are available for inspection at a public library.

SECTION 453f. 19.36 (7) (a) (intro.) of the statutes is created to read:

19.36 **(7)** (a) (intro.) In this subsection:

SECTION 453g. 19.36 (7) (a) 1. (intro.) of the statutes is amended to read:

19.36 **(7)** (a) 1. (intro.) ~~In this subsection, "final~~ "Final candidate" means each applicant who is seriously considered for appointment or whose name is certified for

appointment, and whose name is submitted for final consideration to an authority for appointment, to any of the following:

SECTION 453L. 19.36 (7) (a) 1. a. of the statutes is amended to read:

19.36 **(7)** (a) 1. a. A state position~~, except~~ that is not a position in the classified service and that is not a position in the University of Wisconsin System.

SECTION 453p. 19.36 (7) (a) 1. c. of the statutes is created to read:

19.36 **(7)** (a) 1. c. The position of president, vice president, or senior vice president of the University of Wisconsin System; the position of chancellor of an institution; or the position of the vice chancellor who serves as deputy at each institution.

SECTION 453t. 19.36 (7) (a) 2. (intro.) of the statutes is amended to read:

19.36 **(7)** (a) 2. (intro.) "Final candidate" includes all of the following, but only with respect to the offices and positions described under subd. 1. a. and b.:

SECTION 453x. 19.36 (7) (a) 3. of the statutes is created to read:

19.36 **(7)** (a) 3. "Institution" has the meaning given in s. 36.05 (9).

SECTION 453y. 19.38 of the statutes is created to read:

19.38 Legislative records. No provision of this subchapter that conflicts with a rule or policy of the senate or assembly or joint rule or policy of the legislature shall apply to a record that is subject to such rule or policy.

SECTION 464. 19.45 (11) (a) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

19.45 **(11)** (a) The ~~administrator of the division~~ director of the bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration shall, with the board's advice, promulgate rules to implement a code of ethics for classified and unclassified state employees except state public officials

subject to this subchapter, personnel in the University of Wisconsin System, and officers and employees of the judicial branch.

SECTION 475. 20.002 (11) (b) 2. of the statutes is amended to read:

20.002 **(11)** (b) 2. Except as provided in subd. 3, the secretary of administration shall limit the total amount of any temporary reallocations to the general fund at any one time during a fiscal year to an amount equal to ~~5%~~ 9 percent of the total amounts shown in the schedule under s. 20.005 (3) of appropriations of general purpose revenues, calculated by the secretary as of that time and for that fiscal year. ~~During the 2013–15 fiscal biennium, the amount that may be reallocated under this subdivision during a fiscal year may not exceed 9 percent of such revenues.~~

SECTION 478d. 20.003 (4) (gm) of the statutes is amended to read:

20.003 **(4)** (gm) For fiscal year 2015–16, $65,000,000 plus the amount calculated under s. 16.518 (2) for fiscal year 2015–16, but not to exceed 2 percent.

SECTION 478g. 20.003 (4) (gn) of the statutes is amended to read:

20.003 **(4)** (gn) For fiscal year 2016–17, $65,000,000 plus the amounts calculated under s. 16.518 (2) for fiscal years 2015–16 and 2016–17, but not to exceed 2 percent.

SECTION 478h. 20.003 (4) (L) of the statutes is amended to read:

20.003 **(4)** (L) For fiscal year 2017–18 and each fiscal year thereafter, an amount equal to the prior fiscal year's required statutory balance plus $5,000,000 and the accumulated amount calculated under s. 16.518 (2) for fiscal year 2017–18 and each fiscal year thereafter, but not to exceed 2 percent.

SECTION 479. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 **(1)** SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 2015, and ending on June 30, 2017, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)

GENERAL FUND SUMMARY

	2015-16	2016-17
Opening Balance, July 1	$ 254,400	$ 138,349,600
Revenues		
Taxes	$ 15,203,845,000	$ 15,783,310,000
Departmental Revenues		
Tribal Gaming Revenues	23,278,400	22,985,400
Other	516,055,500	513,500,400
Total Available	$ 15,743,433,300	$16,458,145,400
Appropriations, Transfers, and Reserves		
Gross Appropriations	$ 15,905,604,000	$ 17,029,191,800
Transfers to:		
Transportation Fund	38,009,600	39,458,300
Compensation Reserves	10,692,500	18,616,800
Less Lapses	(349,222,400)	(715,784,500)
Net Appropriations	$ 15,605,083,700	$ 16,371,482,400
Balances		
Gross Balance	$ 138,349,600	$ 86,663,000
Less Required Statutory Balance	(65,000,000)	(65,000,000)
Net Balance, June 30	$ 73,349,600	$ 21,663,000

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	2015-16	2016-17
General Purpose Revenue	$ 15,905,604,000	$ 17,029,191,800
Federal Revenue	$ 10,603,138,400	$ 10,668,877,300
Program	(9,718,387,400)	(9,784,324,800)
Segregated	(884,751,000)	(884,552,500)
Program Revenue	$ 5,445,919,500	$ 5,455,640,800
State	(4,597,582,300)	(4,598,853,500)
Service	(848,337,200)	(856,787,300)
Segregated Revenue	$ 3,785,250,200	$ 3,716,925,000
State	(3,536,296,400)	(3,503,685,400)
Local	(107,886,100)	(107,886,100)
Service	(141,067,700)	(105,353,500)
GRAND TOTAL	$ 35,739,912,100	$ 36,870,634,900

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

	2015-16	2016-17
General Purpose Revenue	$ 10,692,500	$ 18,616,800
Federal Revenue	2,993,900	5,212,700
Program Revenue	4,704,700	8,191,400
Segregated Revenue	2,993,900	5,212,700
TOTAL	$ 21,385,000	$ 37,233,600

LOTTERY FUND SUMMARY

	2015-16	2016-17
Gross Revenue		
Ticket Sales	$ 585,814,800	$ 585,814,800
Miscellaneous Revenue	95,000	64,300
	$ 585,909,800	$ 585,879,100
Expenses		
Prizes	$ 347,688,400	$ 347,688,400
Administrative Expenses	78,450,500	78,680,200
	$ 426,138,900	$ 426,368,600
Net Proceeds	$ 159,770,900	$ 159,510,500
Total Available for Property Tax Relief		
Opening Balance	$ 14,074,200	$ 11,718,200
Net Proceeds	159,770,900	159,510,500
Interest Earnings	779,700	2,144,100
Gaming-Related Revenue	43,300	43,300
	$ 174,668,100	$ 173,416,100
Property Tax Relief	$ 162,949,900	$ 161,698,500
Gross Closing Balance	$ 11,718,200	$ 11,717,600
Reserve	$ 11,718,200	$ 11,717,600
Net Balance	$ 0	$ 0

SECTION 480. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 **(2)** STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

Figure: 20.005 (2) (a)

SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2015-17 FISCAL BIENNIUM

Source and Purpose		**Amount**
GENERAL OBLIGATIONS		
Agriculture, Trade and Consumer Protection		
Soil and water	$	7,000,000
Building Commission		
Eau Claire Confluence Arts Center		15,000,000
Other public purposes		7,093,700
Wisconsin Agricultural Education Center, Inc.		5,000,000
Carroll University		3,000,000
Capital equipment acquisition		–675,000
Swiss Cultural Center		–1,000,000
Hmong Cultural Centers		–2,000,000
Marshfield Clinic		–10,000,000
Corrections		
Correctional facilities		7,271,300
Juvenile correctional facilities		–332,300
Self–amortizing facilities and equipment		–5,220,700
Educational Communications Board		
Educational communication facilities		–334,200

Source and Purpose	**Amount**
Environmental Improvement Fund	
Safe Drinking Water Loan Program	5,400,000
Clean Water Fund	–54,100,000
Health Services	
Mental health facilities	4,842,400
Historical Society	
Self–amoritizing facilities	–127,700
Historic sites	–476,000
Historical Society; Wisconsin History Center	–4,000,000
Museum facility	–15,000,000
Marquette Dental School	
Dental clinic and educational facility	2,000,000
Natural Resources	
Nonpoint source	5,900,000
Urban nonpoint source cost–sharing	3,000,000
Dam safety projects	4,000,000
Stewardship program	–88,250,000
Transportation	
Rail acquisitions and improvements	29,800,000
Major interstate bridge construction	20,000,000
High–cost state highway bridge projects	16,800,000
Rail passenger route development	–43,000,000
Harbor assistance	13,200,000
Southeast Wisconsin megaprojects	300,000,000
Contingent highway bonding—GPR supported	175,000,000
Contingent highway bonding—GPR or SEG supported	175,000,000
University of Wisconsin System	

Source and Purpose	**Amount**
Academic facilities	86,208,000
Self–amortizing facilities	–9,253,200
Veterans Affairs	
Self–amoritizing housing facilities	18,601,600
Veterans facilities	596,000
TOTAL General Obligation Bonds	$ 670,943,900*

*Excludes $1,500,000,000 of economic refunding bonds that would be authorized in the bill.

REVENUE OBLIGATIONS

Environmental Improvement Fund	
Clean Water Fund	–$ 182,200,000
Transportation	
Transportation facilities, major highway projects and southeast Wisconsin megaprojects	163,413,600
TOTAL Revenue Obligation Bonds	–$ 18,786,400
GRAND TOTAL	$ 652,157,500

Figure: 20.005 (2) (b)

GENERAL OBLIGATION DEBT SERVICE
FISCAL YEARS 2015-16 AND 2016-17

STATUTE, AGENCY AND PURPOSE			**SOURCE**	**2015-16**	**2016-17**
20.115 Agriculture, trade and consumer protection, department of					
(2)	(d)	Principal repayment and interest	GPR	$ 6,500	$ 4,400
(7)	(b)	Principal repayment and interest, conservation reserve enhancement	GPR	870,800	824,400

STATUTE, AGENCY AND PURPOSE	SOURCE	2015–16	2016–17
20.190 State fair park board			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	1,084,600	1,125,400
(1) (d) Principal repayment and interest	GPR	2,277,200	2,162,000
20.225 Educational communications board			
(1) (c) Principal repayment and interest	GPR	2,716,200	2,618,600
20.245 Historical society			
(1) (e) Principal repayment, interest, and rebates	GPR	3,253,800	3,201,900
20.250 Medical College of Wisconsin			
(1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	3,209,000	3,228,400
(1) (e) Principal repayment and interest	GPR	203,800	187,500
20.255 Public instruction, department of			
(1) (d) Principal repayment and interest	GPR	1,235,400	1,006,400
20.285 University of Wisconsin System			
(1) (d) Principal repayment and interest	GPR	227,208,200	215,774,700
20.320 Environmental improvement program			
(1) (c) Principal repayment and interest – clean water fund program	GPR	17,421,700	13,147,600
(2) (c) Principal repayment and interest – safe drinking water loan program	GPR	5,520,100	5,568,200
20.370 Natural resources, department of			
(7) (aa) Resource acquisition and development – principal repayment and interest	GPR	74,985,700	72,286,200

STATUTE, AGENCY AND PURPOSE	SOURCE	2015-16	2016-17
(7) (ac) Principal repayment and interest – recreational boating bonds	GPR	0	0
(7) (cb) Principal repayment and interest – pollution abatement bonds	GPR	0	0
(7) (cc) Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	3,928,700	1,957,000
(7) (cd) Principal repayment and interest – municipal clean drinking water grants	GPR	377,600	222,700
(7) (ea) Administrative facilities – principal repayment and interest	GPR	803,500	709,700
20.395 Transportation, department of			
(6) (ae) Principal repayment and interest, contingent funding of major highway rehabilitation projects, state funds	GPR	0	0
(6) (af) Principal repayment and interest, local roads for job preservation program, major highway and rehabilitation projects, southeast megaprojects, state funds	GPR	123,394,800	106,564,900
20.410 Corrections, department of			
(1) (e) Principal repayment and interest	GPR	80,765,500	69,305,400
(1) (ec) Prison industries principal, interest and rebates	GPR	0	0
(3) (e) Principal repayment and interest	GPR	5,990,900	4,063,800
20.435 Health services, department of			
(2) (ee) Principal repayment and interest	GPR	22,200,400	19,243,600

STATUTE, AGENCY AND PURPOSE	SOURCE	2015–16	2016–17
20.465 Military affairs, department of			
(1) (d) Principal repayment and interest	GPR	6,357,500	6,265,600
20.485 Veterans affairs, department of			
(1) (f) Principal repayment and interest	GPR	1,552,200	1,247,900
20.505 Administration, department of			
(4) (es) Principal, interest, and rebates; general purpose revenue – schools	GPR	1,458,400	1,085,900
(4) (et) Principal, interest, and rebates; general purpose revenue – public library boards	GPR	16,000	4,500
(5) (c) Principal repayment and interest; Black Point Estate	GPR	157,400	172,800
20.855 Miscellaneous appropriations			
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	2,116,500	2,193,500
20.867 Building commission			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	0	0
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	13,845,000	9,990,100
(3) (a) Principal repayment and interest	GPR	24,239,400	52,355,000
(3) (b) Principal repayment and interest	GPR	1,759,600	1,560,200
(3) (bb) Principal repayment, interest and rebates; AIDS Network, Inc.	GPR	24,500	24,500
(3) (bc) Principal repayment, interest and rebates; Grand Opera House in Oshkosh	GPR	32,100	35,500

STATUTE, AGENCY AND PURPOSE			SOURCE	2015-16	2016-17
(3)	(bd)	Principal repayment, interest and rebates; Aldo Leopold climate change classroom and interactive laboratory	GPR	38,300	38,300
(3)	(be)	Principal repayment, interest and rebates; Bradley Center Sports and Entertainment Corporation	GPR	839,300	904,700
(3)	(bf)	Principal repayment, interest and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	65,300	65,300
(3)	(bg)	Principal repayment, interest, and rebates; Madison Children's Museum	GPR	20,400	20,400
(3)	(bh)	Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	41,500	41,500
(3)	(bj)	Principal repayment, interest and rebates; Lac du Flambeau Indian Tribal Cultural Center	GPR	20,100	20,100
(3)	(bL)	Principal repayment, interest and rebates; family justice center	GPR	0	284,200
(3)	(bm)	Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	133,900	113,300
(3)	(bn)	Principal repayment, interest and rebates; Hmong cultural centers	GPR	22,100	22,100
(3)	(bq)	Principal repayment, interest and rebates; children's research institute	GPR	928,500	1,022,400
(3)	(br)	Principal repayment, interest and rebates	GPR	96,800	96,100

STATUTE, AGENCY AND PURPOSE			SOURCE	2015–16	2016–17
(3)	(bt)	Principal repayment, interest and rebates; Wisconsin Agriculture Education Center, Inc.	GPR	0	0
(3)	(bu)	Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums	GPR	42,800	42,800
(3)	(bv)	Principal repayment, interest, and rebates; Bond Health Center	GPR	0	0
(3)	(bw)	Principal repayment, interest, and rebates; Eau Claire Confluence Arts, Inc.	GPR	0	1,075,700
(3)	(bx)	Principal repayment, interest, and rebates; Carroll University	GPR	0	0
(3)	(cb)	Principal repayment, interest and rebates; Domestic Abuse Intervention Services, Inc.	GPR	26,900	44,900
(3)	(cd)	Principal repayment, interest, and rebates; K I Convention Center	GPR	0	105,200
(3)	(cf)	Principal repayment, interest, and rebates; Dane County; livestock	GPR	722,200	722,200
(3)	(ch)	Principal repayment, interest, and rebates; Wisconsin Maritime Center of Excellence	GPR	0	133,700
(3)	(cj)	Principal repayment, interest, and rebates; Norskedalen Nature and Heritage Center	GPR	0	84,100
(3)	(e)	Principal repayment, interest and rebates; parking ramp	GPR	0	0

STATUTE, AGENCY AND PURPOSE	SOURCE	2015-16	2016-17
TOTAL General Purpose Revenue Debt Service		$ 632,011,100	$ 602,975,300
20.190 State fair park board			
(1) (j) State fair principal repayment, interest and rebates	PR	4,199,900	3,742,400
20.225 Educational communications board			
(1) (i) Program revenue facilities; principal repayment, interest, and rebates	PR	10,600	13,600
20.245 Historical society			
(1) (j) Self–amortizing facilities; principal repayment, interest, and rebates	PR	2,000	421,400
20.285 University of Wisconsin System			
(1) (gj) Self–amortizing facilities principal and interest	PR	137,071,300	148,127,300
20.370 Natural resources, department of			
(7) (ag) Land acquisition – principal repayment and interest	PR	0	0
(7) (cg) Principal repayment and interest – nonpoint repayments	PR	0	0
20.410 Corrections, department of			
(1) (ko) Prison industries principal repayment, interest and rebates	PR	90,900	106,800
20.485 Veterans Affairs, department of			
(1) (go) Self–amortizing facilities; principal repayment and interest	PR	1,848,500	2,040,700
20.505 Administration, department of			
(4) (ha) Principal, interest, and rebates; program revenue – schools	PR	0	0

STATUTE, AGENCY AND PURPOSE			SOURCE	2015–16	2016–17
(4)	(hb)	Principal, interest, and rebates; program revenue – public library boards	PR	0	0
(5)	(g)	Principal repayment, interest and rebates; parking	PR	1,425,900	1,445,600
(5)	(kc)	Principal repayment, interest and rebates	PR	19,641,000	22,498,200
20.867 Building commission					
(3)	(g)	Principal repayment, interest and rebates; program revenues	PR	0	0
(3)	(h)	Principal repayment, interest, and rebates	PR	0	0
(3)	(i)	Principal repayment, interest and rebates; capital equipment	PR	0	0
(3)	(kd)	Energy conservation construction projects; principal repayment, interest and rebates	PR	194,100	1,261,900
(3)	(km)	Aquaculture demonstration facility; principal repayment and interest	PR	256,700	200,200
TOTAL Program Revenue Debt Service				$ 164,740,900	$ 179,858,100
20.115 Agriculture, trade and consumer protection, department of					
(7)	(s)	Principal repayment and interest; soil and water, environmental fund	SEG	$ 3,967,200	$ 4,087,700
20.320 Environmental improvement program					
(1)	(t)	Principal repayment and interest – clean water fund program bonds	SEG	8,000,000	8,000,000
20.370 Natural resources, department of					
(7)	(aq)	Resource acquisition and development – principal repayment and interest	SEG	16,300	200

STATUTE, AGENCY AND PURPOSE	SOURCE	2015-16	2016-17
(7) (ar) Dam repair and removal – principal repayment and interest	SEG	505,100	526,200
(7) (at) Recreation development – principal repayment and interest	SEG	45,000	45,000
(7) (au) State forest acquisition and development – principal repayment and interest	SEG	13,500,000	13,500,000
(7) (bq) Principal repayment and interest – remedial action	SEG	3,277,300	3,109,600
(7) (br) Principal repayment and interest – contaminated sediment	SEG	1,724,500	2,104,500
(7) (cq) Principal repayment and interest – nonpoint source grants	SEG	7,767,600	6,910,300
(7) (cr) Principal repayment and interest – nonpoint source	SEG	1,523,800	1,722,400
(7) (cs) Principal repayment and interest – urban nonpoint source cost–sharing	SEG	3,132,800	3,152,500
(7) (ct) Principal repayment and interest – pollution abatement, environmental fund	SEG	12,900,700	7,449,200
(7) (eq) Administrative facilities – principal repayment and interest	SEG	4,909,700	5,189,700
(7) (er) Administrative facilities – principal repayment and interest; environmental fund	SEG	804,800	810,500
20.395 Transportation, department of			
(6) (aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds	SEG	48,602,600	53,751,600

STATUTE, AGENCY AND PURPOSE	SOURCE	2015–16	2016–17
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	25,800	25,600
(6) (au) Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high–cost bridge projects, state funds	SEG	81,224,100	93,752,900
(6) (av) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	SEG	0	0
20.485 Veterans affairs, department of			
(3) (t) Debt service	SEG	7,687,700	8,191,300
(4) (qm) Repayment of principal and interest	SEG	90,400	89,500
20.866 Public debt			
(1) (u) Principal repayment and interest	SEG	0	0
20.867 Building commission			
(3) (q) Principal repayment and interest; segregated revenues	SEG	0	0
TOTAL Segregated Revenue Debt Service		$ 199,705,400	$ 212,418,700
GRAND TOTAL All Debt Service		$ 996,457,400	$ 995,252,100

SECTION 481. 20.005 (3) of the statutes is repealed and recreated to read:

20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual, biennial, and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The

letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2015-2016	2016-2017
Commerce						
20.115 Agriculture, Trade and Consumer Protection, Department of						
(1)	FOOD SAFETY AND CONSUMER PROTECTION					
	(a)	General program operations	GPR	A	–0–	–0–
		Food inspection	GPR	A	3,562,600	3,565,600
		Meat and poultry inspection	GPR	A	4,157,900	4,159,500
		Trade and consumer protection	GPR	A	1,706,700	1,710,200
		NET APPROPRIATION			9,427,200	9,435,300
	(c)	Petroleum products; storage tank inventory	GPR	A	–0–	–0–
	(g)	Related services	PR	A	57,700	57,700
	(gb)	Food, lodging, and recreation	PR	A	5,683,300	9,116,000
	(gc)	Testing of petroleum products	PR	C	–0–	–0–
	(gf)	Fruit and vegetable inspection	PR	C	945,200	945,400
	(gh)	Public warehouse regulation	PR	A	90,200	90,300
	(gm)	Dairy trade regulation	PR	A	104,600	104,800
	(h)	Grain inspection and certification	PR	C	1,082,300	1,082,300
	(hm)	Ozone–depleting refrigerants and products regulation	PR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(i)	Sale of supplies	PR	A	25,400	25,400
(im)	Consumer protection; telephone solicitor fees	PR	A	302,600	302,900
(ip)	Bisphenol A enforcement	PR	C	–0–	–0–
(j)	Weights and measures inspection	PR	A	1,695,100	1,698,200
(jb)	Consumer protection, information, and education	PR	A	147,800	147,800
(jm)	Telecommunications utility trade practices	PR	A	401,300	401,900
(m)	Federal funds	PR–F	C	5,763,300	5,763,600
(q)	Dairy, grain, and vegetable security	SEG	A	1,134,000	1,144,900
(r)	Unfair sales act enforcement	SEG	A	230,400	234,000
(s)	Weights and measures; petroleum inspection fund	SEG	A	882,300	886,500
(t)	Petroleum products; petroleum inspection fund	SEG	A	4,510,500	4,515,200
(u)	Recyclable and nonrecyclable products regulation	SEG	A	–0–	–0–
(v)	Agricultural producer security; contingent financial backing	SEG	S	–0–	–0–
(w)	Agricultural producer security; payments	SEG	S	200,000	200,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(wb) Agricultural producer security; proceeds of contingent financial backing	SEG	C	–0–	–0–
(wc) Agricultural producer security; repayment of contingent financial backing	SEG	S	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			9,427,200	9,435,300
PROGRAM REVENUE			16,298,800	19,736,300
FEDERAL			(5,763,300)	(5,763,600)
OTHER			(10,535,500)	(13,972,700)
SEGREGATED REVENUE			6,957,200	6,980,600
OTHER			(6,957,200)	(6,980,600)
TOTAL–ALL SOURCES			32,683,200	36,152,200
(2) ANIMAL HEALTH SERVICES				
(a) General program operations	GPR	A	2,750,200	2,750,300
(b) Animal disease indemnities	GPR	S	108,600	108,600
(c) Financial assistance for paratuberculosis testing	GPR	A	–0–	–0–
(d) Principal repayment and interest	GPR	S	6,500	4,400
(e) Livestock premises registration	GPR	A	250,000	250,000
(g) Related services	PR	C	–0–	–0–
(h) Sale of supplies	PR	A	28,400	28,400
(ha) Inspection, testing and enforcement	PR	C	593,400	596,000
(j) Dog licenses, rabies control, and related services	PR	C	439,800	440,100
(jm) Veterinary examining board	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m)	Federal funds	PR-F	C	515,200	515,500
(q)	Animal health inspection, testing and enforcement	SEG	A	359,900	359,900
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,115,300	3,113,300
	PROGRAM REVENUE			1,576,800	1,580,000
	FEDERAL			(515,200)	(515,500)
	OTHER			(1,061,600)	(1,064,500)
	SEGREGATED REVENUE			359,900	359,900
	OTHER			(359,900)	(359,900)
	TOTAL-ALL SOURCES			5,052,000	5,053,200
(3)	AGRICULTURAL DEVELOPMENT SERVICES				
(a)	General program operations	GPR	A	2,148,400	2,151,900
(at)	Farm to school program administration	GPR	A	86,200	86,200
(g)	Related services	PR	A	-0-	-0-
(h)	Loans for rural development	PR	C	58,700	58,700
(i)	Marketing orders and agreements	PR	C	98,400	98,600
(j)	Stray voltage program	PR	A	541,800	542,500
(ja)	Agricultural development services and materials	PR	C	146,100	146,500
(jm)	Stray voltage program; rural electric cooperatives	PR	A	34,000	34,000
(L)	Something special from Wisconsin promotion	PR	A	59,700	59,800
(m)	Federal funds	PR-F	C	1,807,400	1,808,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,234,600	2,238,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
PROGRAM REVENUE			2,746,100	2,748,300
FEDERAL			(1,807,400)	(1,808,200)
OTHER			(938,700)	(940,100)
TOTAL–ALL SOURCES			4,980,700	4,986,400
(4) AGRICULTURAL ASSISTANCE				
(a) Aid to Wisconsin livestock breeders association	GPR	A	–0–	–0–
(am) Buy local grants	GPR	B	200,000	200,000
(as) Farm to school grants	GPR	A	–0–	–0–
(b) Aids to county and district fairs	GPR	A	406,400	406,400
(c) Agricultural investment aids	GPR	B	–0–	–0–
(d) Dairy industry promotion	GPR	A	200,000	200,000
(dm) Dairy processing plant grant program	GPR	A	200,000	200,000
(e) Aids to World Dairy Expo, Inc.	GPR	A	20,100	20,100
(f) Exposition center grants	GPR	A	–0–	–0–
(q) Grants for agriculture in the classroom program	SEG	A	93,900	93,900
(qm) Grants for agricultural facilities	SEG	B	–0–	–0–
(r) Agricultural investment aids, agrichemical management fund	SEG	B	–0–	–0–
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,026,500	1,026,500
SEGREGATED REVENUE			93,900	93,900
OTHER			(93,900)	(93,900)
TOTAL–ALL SOURCES			1,120,400	1,120,400
(7) AGRICULTURAL RESOURCE MANAGEMENT				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(a)	General program operations	GPR	A	732,300	734,800
(b)	Principal repayment and interest, conservation reserve enhancement	GPR	S	870,800	824,400
(c)	Soil and water resource management program	GPR	C	3,027,200	3,027,200
(dm)	Farmland preservation planning grants	GPR	A	374,200	374,200
(g)	Agricultural impact statements	PR	C	298,000	300,100
(ga)	Related services	PR	C	330,000	338,700
(gm)	Seed testing and labeling	PR	C	85,900	86,100
(h)	Fertilizer research assessments	PR	C	255,600	255,600
(ha)	Liming material research funds	PR	C	21,100	21,100
(i)	Agricultural conservation easements; gifts and grants	PR	C	–0–	–0–
(ja)	Plant protection	PR	C	339,900	344,500
(k)	Agricultural resource management services	PR–S	C	336,500	336,500
(m)	Federal funds	PR–F	C	1,544,700	1,544,900
(qc)	Plant protection; conservation fund	SEG	A	1,615,500	1,616,600
(qd)	Soil and water administration; environmental fund	SEG	A	2,237,900	2,249,100
(qe)	Soil and water management; local assistance	SEG	A	5,711,900	5,711,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(qf)	Soil and water management; aids	SEG	A	2,500,000	2,500,000
(r)	General program operations; agrichemical management	SEG	A	6,875,700	6,880,900
(s)	Principal repayment and interest; soil and water, environmental fund	SEG	S	3,967,200	4,087,700
(tg)	Agricultural conservation easements	SEG	A	–0–	–0–
(tm)	Farmland preservation planning grants, working lands fund	SEG	A	–0–	–0–
(ts)	Working lands programs	SEG	A	8,000	8,000
(va)	Clean sweep grants	SEG	A	750,000	750,000
(wm)	Agricultural chemical cleanup reimbursement	SEG	C	1,500,000	1,500,000

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	5,004,500	4,960,600
PROGRAM REVENUE	3,211,700	3,227,500
FEDERAL	(1,544,700)	(1,544,900)
OTHER	(1,330,500)	(1,346,100)
SERVICE	(336,500)	(336,500)
SEGREGATED REVENUE	25,166,200	25,304,200
OTHER	(25,166,200)	(25,304,200)
TOTAL–ALL SOURCES	33,382,400	33,492,300

(8) CENTRAL ADMINISTRATIVE SERVICES

(a)	General program operations	GPR	A	5,989,100	6,003,000
(g)	Gifts and grants	PR	C	1,135,400	1,135,900
(ge)	Agricultural education and workforce development council, gifts and grants	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(gm)	Enforcement cost recovery	PR	A	4,600	4,600
(h)	Sale of material and supplies	PR	C	9,600	9,600
(ha)	General laboratory related services	PR	C	44,200	44,200
(hm)	Restitution	PR	C	–0–	–0–
(i)	Related services	PR	A	85,600	85,600
(j)	Electronic processing	PR	C	–0–	–0–
(jm)	Telephone solicitation regulation	PR	C	759,400	760,800
(k)	Computer system equipment, staff and services	PR–S	A	2,419,500	2,420,800
(kL)	Central services	PR–S	C	936,600	937,100
(km)	General laboratory services	PR–S	B	2,835,900	2,851,100
(ks)	State services	PR–S	C	193,100	193,100
(m)	Federal funds	PR–F	C	332,600	334,000
(pz)	Indirect cost reimbursements	PR–F	C	2,014,700	2,016,800

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	5,989,100	6,003,000
PROGRAM REVENUE	10,771,200	10,793,600
FEDERAL	(2,347,300)	(2,350,800)
OTHER	(2,038,800)	(2,040,700)
SERVICE	(6,385,100)	(6,402,100)
TOTAL–ALL SOURCES	16,760,300	16,796,600

20.115 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	26,797,200	26,776,800
PROGRAM REVENUE	34,604,600	38,085,700
FEDERAL	(11,977,900)	(11,983,000)
OTHER	(15,905,100)	(19,364,100)
SERVICE	(6,721,600)	(6,738,600)
SEGREGATED REVENUE	32,577,200	32,738,600
OTHER	(32,577,200)	(32,738,600)
TOTAL–ALL SOURCES	93,979,000	97,601,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	**20.144 Financial Institutions, Department of**				
2	(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION AND OTHER FUNCTIONS				
3	(a) Losses on public deposits	GPR	S	–0–	–0–
4	(g) General program operations	PR	A	17,584,300	17,495,400
5	(h) Gifts, grants, settlements and				
6	publications	PR	C	58,500	58,500
7	(i) Investor education and training				
8	fund	PR	A	84,500	84,500
9	(j) Payday loan database and financial				
10	literacy	PR	C	900,000	900,000
11	(m) Credit union examinations, federal				
12	funds	PR–F	C	–0–	–0–
13	(u) State deposit fund	SEG	S	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	–0–	–0–
PROGRAM REVENUE	18,627,300	18,538,400
FEDERAL	(–0–)	(–0–)
OTHER	(18,627,300)	(18,538,400)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	18,627,300	18,538,400

20.144 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	–0–	–0–
PROGRAM REVENUE	18,627,300	18,538,400
FEDERAL	(–0–)	(–0–)
OTHER	(18,627,300)	(18,538,400)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	18,627,300	18,538,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	**20.145 Insurance, Office of the Commissioner of**				
2	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
3	(g) General program operations	PR	A	18,612,800	18,643,200
4	(gm) Gifts and grants	PR	C	–0–	–0–
5	(h) Holding company restructuring				
6	expenses	PR	C	–0–	–0–
7	(m) Federal funds	PR-F	C	244,600	–0–
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			18,857,400	18,643,200
	FEDERAL			(244,600)	(–0–)
	OTHER			(18,612,800)	(18,643,200)
	TOTAL–ALL SOURCES			18,857,400	18,643,200
8	(2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND				
9	(a) Supplement for claims payable	GPR	S	–0–	–0–
10	(q) Interest earned on future medical				
11	expenses	SEG	S	–0–	–0–
12	(u) Administration	SEG	A	1,221,600	1,222,100
13	(um) Peer review council	SEG	A	145,000	145,200
14	(v) Specified responsibilities,				
15	investment board payments, and				
16	future medical expenses	SEG	C	54,150,400	54,150,400
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	SEGREGATED REVENUE			55,517,000	55,517,700
	OTHER			(55,517,000)	(55,517,700)
	TOTAL–ALL SOURCES			55,517,000	55,517,700
17	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(u)	Administration	SEG	A	1,429,100	1,429,200
(v)	Specified payments, fire dues and reinsurance	SEG	C	29,660,200	29,660,200
	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			31,089,300	31,089,400
	OTHER			(31,089,300)	(31,089,400)
	TOTAL–ALL SOURCES			31,089,300	31,089,400
(4)	STATE LIFE INSURANCE FUND				
(u)	Administration	SEG	A	678,700	679,200
(v)	Specified payments and losses	SEG	C	4,182,400	4,493,000
	(4) PROGRAM TOTALS				
	SEGREGATED REVENUE			4,861,100	5,172,200
	OTHER			(4,861,100)	(5,172,200)
	TOTAL–ALL SOURCES			4,861,100	5,172,200
(5)	HEALTH INSURANCE RISK-SHARING PLAN				
(g)	Wind–up of plan	PR	C	–0–	–0–
(k)	Operational expenses	PR–S	C	–0–	–0–
	(5) PROGRAM TOTALS				
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			–0–	–0–
	20.145 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			18,857,400	18,643,200
	FEDERAL			(244,600)	(–0–)
	OTHER			(18,612,800)	(18,643,200)
	SERVICE			(–0–)	(–0–)
	SEGREGATED REVENUE			91,467,400	91,779,300
	OTHER			(91,467,400)	(91,779,300)
	TOTAL–ALL SOURCES			110,324,800	110,422,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
20.155 Public Service Commission				
(1) REGULATION OF PUBLIC UTILITIES				
(g) Utility regulation; relocation assistance	PR	A	14,841,600	14,851,900
(h) Holding company and nonutility affiliate regulation	PR	C	732,200	732,200
(j) Intervenor financing and grants	PR	B	371,200	371,200
(L) Stray voltage program	PR	A	306,400	306,400
(Lb) Gifts for stray voltage program	PR	C	–0–	–0–
(Lm) Consumer education and awareness	PR	C	–0–	–0–
(m) Federal funds	PR–F	C	2,294,200	2,294,200
(n) Indirect costs reimbursement	PR–F	C	50,000	50,000
(q) Universal telecommunications service	SEG	A	5,940,000	5,940,000
(r) Nuclear waste escrow fund	SEG	S	–0–	–0–
(1) PROGRAM TOTALS				
PROGRAM REVENUE			18,595,600	18,605,900
FEDERAL			(2,344,200)	(2,344,200)
OTHER			(16,251,400)	(16,261,700)
SEGREGATED REVENUE			5,940,000	5,940,000
OTHER			(5,940,000)	(5,940,000)
TOTAL–ALL SOURCES			24,535,600	24,545,900
(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
(g) Railroad and water carrier regulation and general program operations	PR	A	591,700	592,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m) Railroad and water carrier regulation; federal funds	PR–F	C	–0–	–0–
(2) PROGRAM TOTALS				
PROGRAM REVENUE			591,700	592,000
FEDERAL			(–0–)	(–0–)
OTHER			(591,700)	(592,000)
TOTAL–ALL SOURCES			591,700	592,000
(3) AFFILIATED GRANT PROGRAMS				
(k) Broadband expansion grants; program revenues–service	PR–S	B	–0–	–0–
(q) General program operations and grants	SEG	C	–0–	–0–
(r) Broadband expansion grants	SEG	C	1,500,000	1,500,000
(s) Energy efficiency and renewable resource programs	SEG	A	413,000	413,000
(t) Police and fire protection fee administration	SEG	A	166,600	166,600
(3) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			2,079,600	2,079,600
OTHER			(2,079,600)	(2,079,600)
TOTAL–ALL SOURCES			2,079,600	2,079,600
20.155 DEPARTMENT TOTALS				
PROGRAM REVENUE			19,187,300	19,197,900
FEDERAL			(2,344,200)	(2,344,200)
OTHER			(16,843,100)	(16,853,700)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			8,019,600	8,019,600
OTHER			(8,019,600)	(8,019,600)
TOTAL–ALL SOURCES			27,206,900	27,217,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
20.165 Safety and Professional Services, Department of				
(1) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES				
(a) General program operations – executive and administrative services	GPR	A	–0–	–0–
(g) General program operations	PR	A	10,649,300	10,649,300
(gc) Chiropractic examination	PR	C	–0–	–0–
(gm) Applicant investigation reimbursement	PR	C	113,000	113,000
(h) Technical assistance; nonstate agencies and organizations	PR	C	–0–	–0–
(hg) General program operations; medical examining board; prescription drug monitoring program	PR	B	1,986,300	1,986,300
(i) Examinations; general program operations	PR	C	1,360,300	1,360,300
(im) Boxing and mixed martial arts fighting; enforcement	PR	C	–0–	–0–
(jm) Nursing workforce survey administration	PR	B	9,000	9,000
(k) Technical assistance; state agencies	PR–S	C	–0–	–0–
(ka) Sale of materials and services – local assistance	PR–S	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kb)	Sale of materials and services – individuals and organizations	PR–S	C	–0–	–0–
(kc)	Sale of materials or services	PR–S	C	35,600	35,600
(ke)	Transfer of unappropriated balances	PR–S	C	–0–	–0–
(m)	Federal funds	PR–F	C	–0–	–0–
(n)	Federal aid, local assistance	PR–F	C	–0–	–0–
(o)	Federal aid, individuals and organizations	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	2,700	2,700
(s)	Wholesale drug distributor bonding	SEG	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	–0–	–0–
PROGRAM REVENUE	14,156,200	14,156,200
FEDERAL	(2,700)	(2,700)
OTHER	(14,117,900)	(14,117,900)
SERVICE	(35,600)	(35,600)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	14,156,200	14,156,200

(2) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS

(a)	General program operations	GPR	A	–0–	–0–
(g)	Gifts and grants	PR	C	18,000	18,000
(ga)	Publications and seminars	PR	C	21,000	21,000
(gb)	Local agreements	PR	C	–0–	–0–
(h)	Local energy resource system fees	PR	A	–0–	–0–
(j)	Safety and building operations	PR	A	13,812,400	13,830,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ka)	Interagency agreements	PR-S	C	118,100	118,100
(kd)	Administrative Services	PR-S	A	2,961,200	2,963,600
(ke)	Private on-site wastewater treatment system replacement and rehabilitation	PR	C	1,645,000	840,000
(ks)	Data processing	PR-S	C	-0-	-0-
(L)	Fire dues distribution	PR	C	17,530,000	17,910,000
(La)	Fire prevention and fire dues administration	PR	A	730,700	730,700
(m)	Federal funds	PR-F	C	477,100	477,100
(ma)	Federal aid – program administration	PR-F	C	-0-	-0-
(q)	Groundwater – standards; implementation	SEG	A	-0-	-0-

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	-0-	-0-
PROGRAM REVENUE	37,313,500	36,909,300
FEDERAL	(477,100)	(477,100)
OTHER	(33,757,100)	(33,350,500)
SERVICE	(3,079,300)	(3,081,700)
SEGREGATED REVENUE	-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES	37,313,500	36,909,300

20.165 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	-0-	-0-
PROGRAM REVENUE	51,469,700	51,065,500
FEDERAL	(479,800)	(479,800)
OTHER	(47,875,000)	(47,468,400)
SERVICE	(3,114,900)	(3,117,300)
SEGREGATED REVENUE	-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES	51,469,700	51,065,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	**20.190 State Fair Park Board**				
2	(1) STATE FAIR PARK				
3	(c) Housing facilities principal				
4	repayment, interest and rebates	GPR	S	1,084,600	1,125,400
5	(d) Principal repayment and interest	GPR	S	2,277,200	2,162,000
6	(h) State fair operations	PR	C	16,640,100	16,740,100
7	(i) State fair capital expenses	PR	C	180,000	180,000
8	(j) State fair principal repayment,				
9	interest and rebates	PR	S	4,199,900	3,742,400
10	(jm) Gifts and grants	PR	C	–0–	–0–
11	(m) Federal funds	PR–F	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	3,361,800	3,287,400
PROGRAM REVENUE	21,020,000	20,662,500
FEDERAL	(–0–)	(–0–)
OTHER	(21,020,000)	(20,662,500)
TOTAL–ALL SOURCES	24,381,800	23,949,900

20.190 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	3,361,800	3,287,400
PROGRAM REVENUE	21,020,000	20,662,500
FEDERAL	(–0–)	(–0–)
OTHER	(21,020,000)	(20,662,500)
TOTAL–ALL SOURCES	24,381,800	23,949,900

12	**20.192 Wisconsin Economic Development Corporation**				
13	(1) PROMOTION OF ECONOMIC DEVELOPMENT				
14	(a) Operations and programs	GPR	C	6,974,700	12,474,700
15	(m) Federal aids; programs	PR–F	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(r) Economic development fund; operations and programs	SEG	C	21,776,000	21,776,000
(s) Brownfield site assessment grants	SEG	B	1,000,000	1,000,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			6,974,700	12,474,700
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
SEGREGATED REVENUE			22,776,000	22,776,000
OTHER			(22,776,000)	(22,776,000)
TOTAL–ALL SOURCES			29,750,700	35,250,700
20.192 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			6,974,700	12,474,700
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
SEGREGATED REVENUE			22,776,000	22,776,000
OTHER			(22,776,000)	(22,776,000)
TOTAL–ALL SOURCES			29,750,700	35,250,700
Commerce FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			37,133,700	42,538,900
PROGRAM REVENUE			163,766,300	166,193,200
FEDERAL			(15,046,500)	(14,807,000)
OTHER			(138,883,300)	(141,530,300)
SERVICE			(9,836,500)	(9,855,900)
SEGREGATED REVENUE			154,840,200	155,313,500
FEDERAL			(–0–)	(–0–)
OTHER			(154,840,200)	(155,313,500)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			355,740,200	364,045,600

Education

20.220 Wisconsin Artistic Endowment Foundation

(1) SUPPORT OF THE ARTS

(a) Education and marketing	GPR	C	–0–	–0–
(q) General program operations	SEG	A	–0–	–0–

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2015-2016	2016-2017
(r)	Support of the arts		SEG	C	–0–	–0–
		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				–0–	–0–
	SEGREGATED REVENUE				–0–	–0–
	OTHER				(–0–)	(–0–)
	TOTAL–ALL SOURCES				–0–	–0–
		20.220 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE				–0–	–0–
	SEGREGATED REVENUE				–0–	–0–
	OTHER				(–0–)	(–0–)
	TOTAL–ALL SOURCES				–0–	–0–
20.225 Educational Communications Board						
(1)	INSTRUCTIONAL TECHNOLOGY					
(a)	General program operations		GPR	A	2,922,700	2,922,700
(b)	Energy costs; energy–related assessments		GPR	A	847,600	866,700
(c)	Principal repayment and interest		GPR	S	2,716,200	2,618,600
(er)	Transmitter operation		GPR	A	16,000	16,000
(g)	Gifts, grants, contracts, leases, instructional material, and copyrights		PR	C	11,549,500	11,555,000
(i)	Program revenue facilities; principal repayment, interest, and rebates		PR	S	10,600	13,600
(k)	Funds received from other state agencies		PR–S	C	–0–	–0–
(kb)	Emergency weather warning system operation		PR–S	A	133,800	134,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m) Federal grants	PR-F	C	1,171,800	1,171,800
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			6,502,500	6,424,000
PROGRAM REVENUE			12,865,700	12,874,400
FEDERAL			(1,171,800)	(1,171,800)
OTHER			(11,560,100)	(11,568,600)
SERVICE			(133,800)	(134,000)
TOTAL-ALL SOURCES			19,368,200	19,298,400
20.225 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			6,502,500	6,424,000
PROGRAM REVENUE			12,865,700	12,874,400
FEDERAL			(1,171,800)	(1,171,800)
OTHER			(11,560,100)	(11,568,600)
SERVICE			(133,800)	(134,000)
TOTAL-ALL SOURCES			19,368,200	19,298,400
20.235 Higher Educational Aids Board				
(1) STUDENT SUPPORT ACTIVITIES				
(b) Wisconsin grants; private, nonprofit college students	GPR	B	26,870,300	26,870,300
(cg) Nursing student loans	GPR	A	-0-	-0-
(cm) Nursing student loan program	GPR	A	445,500	445,500
(cr) Minority teacher loans	GPR	A	259,500	259,500
(ct) Teacher loan program	GPR	A	272,200	272,200
(cx) Loan program for teachers and orientation and mobility instructors of visually impaired pupils	GPR	A	99,000	99,000
(d) Dental education contract	GPR	A	1,733,000	1,733,000
(e) Minnesota-Wisconsin student reciprocity agreement	GPR	S	6,400,000	6,400,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(fc)	Independent student grants program	GPR	B	–0–	–0–
(fd)	Talent incentive grants	GPR	B	4,458,800	4,458,800
(fe)	Wisconsin grants; University of Wisconsin System students	GPR	S	58,345,400	58,345,400
(ff)	Wisconsin grants; technical college students	GPR	B	18,797,900	18,797,900
(fg)	Minority undergraduate retention grants program	GPR	B	819,000	819,000
(fj)	Handicapped student grants	GPR	B	122,600	122,600
(fm)	Wisconsin covenant scholars grants	GPR	S	12,720,000	9,130,000
(fp)	Primary care and psychiatry shortage grant program	GPR	C	–0–	–0–
(fw)	Technical excellence higher education scholarships	GPR	S	879,800	1,759,500
(fy)	Academic excellence higher education scholarships	GPR	S	3,200,000	3,200,000
(fz)	Remission of fees and reimbursement for veterans and dependents	GPR	B	6,496,700	6,496,700
(g)	Student loans	PR	A	–0–	–0–
(gg)	Nursing student loan repayments	PR	C	–0–	–0–
(gm)	Indian student assistance; contributions	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(i)	Gifts and grants	PR	C	–0–	–0–
(k)	Indian student assistance	PR–S	B	779,700	779,700
(kc)	Tribal college payments	PR–S	A	405,000	405,000
(km)	Wisconsin grants; tribal college students	PR–S	B	454,200	454,200
(no)	Federal aid; aids to individuals and organizations	PR–F	C	1,567,700	1,567,700
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			141,919,700	139,209,400
	PROGRAM REVENUE			3,206,600	3,206,600
	FEDERAL			(1,567,700)	(1,567,700)
	OTHER			(–0–)	(–0–)
	SERVICE			(1,638,900)	(1,638,900)
	TOTAL–ALL SOURCES			145,126,300	142,416,000
(2)	ADMINISTRATION				
(aa)	General program operations	GPR	A	945,700	946,800
(bb)	Student loan interest, loans sold or conveyed	GPR	S	–0–	–0–
(bc)	Write–off of uncollectible student loans	GPR	A	–0–	–0–
(bd)	Purchase of defective student loans	GPR	S	–0–	–0–
(ga)	Student interest payments	PR	C	900	900
(gb)	Student interest payments, loans sold or conveyed	PR	C	–0–	–0–
(ia)	Student loans; collection and administration	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ja)	Write–off of defaulted student loans	PR	A	–0–	–0–
(n)	Federal aid; state operations	PR–F	C	–0–	–0–
(qa)	Student loan revenue obligation repayment	SEG	C	–0–	–0–

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	945,700	946,800
PROGRAM REVENUE	900	900
FEDERAL	(–0–)	(–0–)
OTHER	(900)	(900)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	946,600	947,700

20.235 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	142,865,400	140,156,200
PROGRAM REVENUE	3,207,500	3,207,500
FEDERAL	(1,567,700)	(1,567,700)
OTHER	(900)	(900)
SERVICE	(1,638,900)	(1,638,900)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	146,072,900	143,363,700

20.245 Historical Society

(1) HISTORY SERVICES

(a)	General program operations	GPR	A	10,641,500	10,643,300
(b)	Wisconsin Black Historical Society and Museum	GPR	A	84,500	84,500
(c)	Energy costs; energy–related assessments	GPR	A	976,300	999,000
(e)	Principal repayment, interest, and rebates	GPR	S	3,253,800	3,201,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(h)	Gifts, grants, and membership sales	PR	C	561,400	561,400
(j)	Self–amortizing facilities; principal repayment, interest and rebates	PR	S	2,000	421,400
(k)	Storage facility	PR–S	B	210,300	210,300
(km)	Northern Great Lakes Center	PR–S	A	236,600	236,600
(ks)	General program operations – service funds	PR–S	C	1,599,300	1,600,700
(kw)	Records management — service funds	PR–S	C	257,600	257,600
(m)	General program operations; federal funds	PR–F	C	1,211,200	1,211,400
(n)	Federal aids	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	101,800	101,800
(q)	Endowment	SEG	C	589,200	589,200
(r)	History preservation partnership trust fund	SEG	C	3,146,900	3,146,900
(y)	Northern great lakes center; interpretive programming	SEG	A	52,400	52,400

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	14,956,100	14,928,700
PROGRAM REVENUE	4,180,200	4,601,200
FEDERAL	(1,313,000)	(1,313,200)
OTHER	(563,400)	(982,800)
SERVICE	(2,303,800)	(2,305,200)
SEGREGATED REVENUE	3,788,500	3,788,500
OTHER	(3,788,500)	(3,788,500)
TOTAL–ALL SOURCES	22,924,800	23,318,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
20.245 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			14,956,100	14,928,700
PROGRAM REVENUE			4,180,200	4,601,200
FEDERAL			(1,313,000)	(1,313,200)
OTHER			(563,400)	(982,800)
SERVICE			(2,303,800)	(2,305,200)
SEGREGATED REVENUE			3,788,500	3,788,500
OTHER			(3,788,500)	(3,788,500)
TOTAL–ALL SOURCES			22,924,800	23,318,400

1 **20.250 Medical College of Wisconsin**

2 (1) TRAINING OF HEALTH PERSONNEL

3 (a)	Medical student tuition assistance	GPR	A	1,926,600	1,926,600
4 (b)	Family medicine education	GPR	A	4,611,400	4,611,400
5 (c)	Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	S	3,209,000	3,228,400
8 (e)	Principal repayment and interest	GPR	S	203,800	187,500
9 (k)	Tobacco–related illnesses	PR–S	C	–0–	–0–
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE				9,950,800	9,953,900
PROGRAM REVENUE				–0–	–0–
SERVICE				(–0–)	(–0–)
TOTAL–ALL SOURCES				9,950,800	9,953,900

10 (2) RESEARCH

11 (g)	Cancer research	PR	C	247,500	247,500
12 (h)	Prostate cancer research	PR	C	–0–	–0–
(2) PROGRAM TOTALS					
PROGRAM REVENUE				247,500	247,500
OTHER				(247,500)	(247,500)
TOTAL–ALL SOURCES				247,500	247,500
20.250 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUE				9,950,800	9,953,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
PROGRAM REVENUE			247,500	247,500
OTHER			(247,500)	(247,500)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			10,198,300	10,201,400

20.255 Public Instruction, Department of

(1) EDUCATIONAL LEADERSHIP

(a)	General program operations	GPR	A	11,777,200	11,821,600
(b)	General program operations; Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired	GPR	A	11,237,900	11,237,900
(c)	Energy costs; Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; energy–related assessments	GPR	A	593,800	612,000
(d)	Principal repayment and interest	GPR	S	1,235,400	1,006,400
(dt)	Virtual marketplace for digital educational resources	GPR	A	10,000	–0–
(dw)	Pupil assessment	GPR	A	17,605,900	18,558,400
(e)	Student information system	GPR	C	1,050,000	3,400,000
(ee)	Educator effectiveness evaluation system	GPR	A	973,300	973,300
(ek)	Longitudinal data system	GPR	A	3,488,100	3,488,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(el)	WISElearn	GPR	A	1,359,000	1,359,000
(em)	Academic and career planning	GPR	C	1,100,000	1,100,000
(f)	Assessments of reading readiness	GPR	A	2,151,000	2,151,000
(fm)	Value–Added Research Center	GPR	A	–0–	–0–
(g)	Student activity therapy	PR	A	100	100
(gb)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; nonresident fees	PR	C	–0–	–0–
(ge)	Educator effectiveness evaluation system; fees	PR	C	4,309,500	4,309,500
(gL)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; leasing of space	PR	C	2,000	2,000
(gs)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; services	PR	C	7,000	7,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(gt)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; pupil transportation	PR	A	1,210,000	1,210,000
(he)	Student information system; fees	PR	C	–0–	–0–
(hg)	Personnel licensure, teacher supply, information and analysis and teacher improvement	PR	A	3,698,400	3,698,400
(hj)	General educational development and high school graduation equivalency	PR	C	146,500	146,500
(hm)	Services for drivers	PR–S	A	164,700	164,700
(i)	Publications	PR	C	150,600	150,600
(im)	Library products and services	PR	C	141,100	141,100
(j)	Milwaukee Parental Choice Program and the parental choice program for eligible school districts and other school districts; financial audits	PR	C	134,600	134,600
(jg)	School lunch handling charges	PR	A	10,027,600	10,027,600
(jm)	Professional services center charges	PR	A	106,300	106,300
(jr)	Gifts, grants and trust funds	PR	C	1,500,000	1,500,000
(jz)	School district boundary appeal proceedings	PR	C	10,000	10,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kd)	Alcohol and other drug abuse program	PR–S	A	609,500	609,500
(ke)	Funds transferred from other state agencies; program operations	PR–S	C	2,736,100	2,736,100
(km)	State agency library processing center	PR–S	A	8,100	8,100
(ks)	Data processing	PR–S	C	8,779,200	8,779,200
(me)	Federal aids; program operations	PR–F	C	50,057,900	50,058,700
(pz)	Indirect cost reimbursements	PR–F	C	3,698,000	3,698,000
(q)	Digital learning collaborative	SEG	A	2,000,000	1,000,000

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	52,581,600	55,707,700
PROGRAM REVENUE	87,497,200	87,498,000
FEDERAL	(53,755,900)	(53,756,700)
OTHER	(21,443,700)	(21,443,700)
SERVICE	(12,297,600)	(12,297,600)
SEGREGATED REVENUE	2,000,000	1,000,000
OTHER	(2,000,000)	(1,000,000)
TOTAL–ALL SOURCES	142,078,800	144,205,700

(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

(ac)	General equalization aids	GPR	A	4,475,960,500	4,584,098,000
(ad)	Supplemental aid	GPR	A	100,000	100,000
(ae)	Sparsity aid	GPR	A	17,674,000	17,674,000
(aq)	Per pupil aid	GPR	S	–0–	338,090,500
(ar)	Low revenue adjustment aid	GPR	A	–0–	–0–
(az)	Special needs scholarship program	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(b)	Aids for special education and school age parents programs	GPR	A	368,939,100	368,939,100
(bb)	Aid for high poverty school districts	GPR	A	16,830,000	16,830,000
(bc)	Aid for children–at–risk programs	GPR	A	–0–	–0–
(bd)	Additional special education aid	GPR	A	3,500,000	8,500,000
(be)	Supplemental special education aid	GPR	A	1,750,000	1,750,000
(bf)	Aid for special education transition grants	GPR	A	–0–	100,000
(bh)	Aid to county children with disabilities education boards	GPR	A	4,067,300	4,067,300
(cc)	Bilingual–bicultural education aids	GPR	A	8,589,800	8,589,800
(cf)	Alternative education grants	GPR	A	–0–	–0–
(cg)	Tuition payments; full–time open enrollment transfer payments	GPR	A	8,242,900	8,242,900
(cm)	Reimbursement for school breakfast programs	GPR	C	2,510,500	2,510,500
(cn)	Aids for school lunches and nutritional improvement	GPR	A	4,218,100	4,218,100
(cp)	Wisconsin school day milk program	GPR	A	617,100	617,100
(cq)	High cost transportation aid	GPR	A	7,500,000	7,500,000
(cr)	Aid for pupil transportation	GPR	A	23,954,000	23,954,000
(cs)	Aid for debt service	GPR	A	133,700	133,700
(cu)	Achievement guarantee contracts	GPR	A	109,184,500	109,184,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(cw)	Aid for transportation; youth options program	GPR	A	17,400	17,400
(cy)	Aid for transportation; open enrollment and course options	GPR	A	434,200	434,200
(dp)	Four–year–old kindergarten grants	GPR	A	1,350,000	1,350,000
(ds)	STEM grants	GPR	B	–0–	–0–
(eh)	Head start supplement	GPR	A	6,264,100	6,264,100
(ek)	Educator effectiveness evaluation system; grants to school districts	GPR	A	5,746,000	5,746,000
(fg)	Aid for cooperative educational service agencies	GPR	A	–0–	–0–
(fk)	Grant program for peer review and mentoring	GPR	A	1,606,700	1,606,700
(fm)	Charter schools	GPR	S	72,783,000	77,852,500
(fp)	Charter schools; office of educational opportunity	GPR	S	–0–	–0–
(fr)	Parental choice program for eligible school districts and other school districts	GPR	S	38,297,100	49,850,300
(fs)	Opportunity schools and partnership programs	GPR	S	–0–	–0–
(fu)	Milwaukee parental choice program	GPR	S	197,888,400	207,922,200

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(fv)	Milwaukee Parental Choice Program and the parental choice program for eligible school districts and other school districts; transfer pupils	GPR	S	–0–	–0–
(fy)	Grants to support gifted and talented pupils	GPR	A	237,200	237,200
(k)	Funds transferred from other state agencies; local aids	PR–S	C	8,500,000	8,500,000
(kd)	Aid for alcohol and other drug abuse programs	PR–S	A	1,284,700	1,284,700
(kg)	Mentoring grants for initial educators	GPR	A	–0–	–0–
(km)	Tribal language revitalization grants	PR–S	A	222,800	222,800
(m)	Federal aids; local aid	PR–F	C	760,633,500	760,633,500
(q)	Grants for literacy and early childhood development programs	SEG	S	–0–	–0–
(s)	School library aids	SEG	C	36,000,000	38,000,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	5,378,395,600	5,856,380,100
PROGRAM REVENUE	770,641,000	770,641,000
FEDERAL	(760,633,500)	(760,633,500)
SERVICE	(10,007,500)	(10,007,500)
SEGREGATED REVENUE	36,000,000	38,000,000
OTHER	(36,000,000)	(38,000,000)
TOTAL–ALL SOURCES	6,185,036,600	6,665,021,100

(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(b)	Adult literacy grants	GPR	A	83,200	83,200
(c)	Grants for national teacher certification or master educator licensure	GPR	S	2,910,000	2,910,000
(cm)	Teach for America	GPR	B	500,000	500,000
(d)	Elks and Easter Seals Center for Respite and Recreation	GPR	A	73,900	73,900
(dn)	Project Lead the Way Grants	GPR	A	–0–	–0–
(eg)	Milwaukee Public Museum	GPR	A	42,200	42,200
(f)	Interstate compact on educational opportunity for military children	GPR	S	900	900
(fa)	Very special arts	GPR	A	63,300	63,300
(fg)	Special Olympics	GPR	A	75,000	75,000
(fz)	Precollege scholarships	GPR	A	1,931,500	1,931,500
(ge)	Special Olympics Wisconsin	PR	C	–0–	–0–
(mm)	Federal funds; local assistance	PR–F	C	1,300,000	1,300,000
(ms)	Federal funds; individuals and organizations	PR–F	C	61,944,900	61,944,900
(q)	Periodical and reference information databases; Newsline for the Blind	SEG	A	2,841,800	2,902,200
(qm)	Aid to public library systems	SEG	A	15,013,100	15,013,100
(r)	Library service contracts	SEG	A	1,167,200	1,167,200

(3) PROGRAM TOTALS

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
GENERAL PURPOSE REVENUE			5,680,000	5,680,000
PROGRAM REVENUE			63,244,900	63,244,900
FEDERAL			(63,244,900)	(63,244,900)
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			19,022,100	19,082,500
OTHER			(19,022,100)	(19,082,500)
TOTAL–ALL SOURCES			87,947,000	88,007,400
20.255 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			5,436,657,200	5,917,767,800
PROGRAM REVENUE			921,383,100	921,383,900
FEDERAL			(877,634,300)	(877,635,100)
OTHER			(21,443,700)	(21,443,700)
SERVICE			(22,305,100)	(22,305,100)
SEGREGATED REVENUE			57,022,100	58,082,500
OTHER			(57,022,100)	(58,082,500)
TOTAL–ALL SOURCES			6,415,062,400	6,897,234,200

1 **20.285 University of Wisconsin System**

2 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE

3	(a)	General program operations	GPR	B	778,905,800	791,918,500
4	(d)	Principal repayment and interest	GPR	S	227,208,200	215,774,700
5	(fd)	State laboratory of hygiene; general				
6		program operations	GPR	A	11,037,300	11,037,300
7	(fj)	Veterinary diagnostic laboratory	GPR	A	4,974,800	4,974,800
8	(gb)	General program operations	PR	C	2,347,480,300	2,271,680,800
9	(ge)	Gifts and nonfederal grants and				
10		contracts	PR	C	537,889,600	537,889,600
11	(gj)	Self–amortizing facilities principal				
12		and interest	PR	S	137,071,300	148,127,300
13	(i)	State laboratory of hygiene	PR	C	21,871,300	21,871,300
14	(ia)	State laboratory of hygiene, drivers	PR–S	C	1,619,200	1,619,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(je)	Veterinary diagnostic laboratory; fees	PR	C	3,948,900	3,948,900
(k)	Funds transferred from other state agencies	PR–S	C	38,198,200	38,198,200
(kg)	Veterinary diagnostic laboratory; state agencies	PR–S	C	831,100	831,100
(Li)	General fund interest	PR	C	–0–	–0–
(m)	Federal aid	PR–F	C	1,812,449,300	1,812,449,300
(mc)	Veterinary diagnostic laboratory; federal funds	PR–F	C	1,675,900	1,675,900
(q)	Telecommunications services	SEG	A	1,054,800	1,054,800
(qe)	Rural physician residency assistance program	SEG	B	755,300	755,300
(qj)	Physician and dentist and health care provider loan assistance programs; critical access hospital assessment fund	SEG	B	250,000	250,000
(qm)	Grants for forestry programs	SEG	A	134,500	134,500
(qr)	Discovery farm grants	SEG	A	249,800	249,800
(r)	Environmental education; environmental assessments	SEG	C	–0–	–0–
(rc)	Environmental education; forestry	SEG	A	200,000	–0–
(rm)	Environmental program grants and scholarships	SEG	C	301,600	301,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(s)	Wisconsin Bioenergy Initiative	SEG	A	–0–	–0–
(tb)	Extension recycling education	SEG	A	–0–	–0–
(tm)	Solid waste research and experiments	SEG	A	–0–	–0–
(u)	Trust fund income	SEG	C	26,816,500	26,816,500
(w)	Trust fund operations	SEG	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	1,022,126,100	1,023,705,300
PROGRAM REVENUE	4,903,035,100	4,838,291,600
FEDERAL	(1,814,125,200)	(1,814,125,200)
OTHER	(3,048,261,400)	(2,983,517,900)
SERVICE	(40,648,500)	(40,648,500)
SEGREGATED REVENUE	29,762,500	29,562,500
OTHER	(29,762,500)	(29,562,500)
TOTAL–ALL SOURCES	5,954,923,700	5,891,559,400

(3) UNIVERSITY SYSTEM ADMINISTRATION

(a)	General program operations	GPR	A	7,524,800	–0–

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	7,524,800	–0–
TOTAL–ALL SOURCES	7,524,800	–0–

20.285 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	1,029,650,900	1,023,705,300
PROGRAM REVENUE	4,903,035,100	4,838,291,600
FEDERAL	(1,814,125,200)	(1,814,125,200)
OTHER	(3,048,261,400)	(2,983,517,900)
SERVICE	(40,648,500)	(40,648,500)
SEGREGATED REVENUE	29,762,500	29,562,500
OTHER	(29,762,500)	(29,562,500)
TOTAL–ALL SOURCES	5,962,448,500	5,891,559,400

20.292 Technical College System Board

(1) TECHNICAL COLLEGE SYSTEM

(a)	General program operations	GPR	A	2,835,600	2,841,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(am)	Fee remissions	GPR	A	14,200	14,200
(d)	State aid for technical colleges; statewide guide	GPR	A	88,534,900	88,534,900
(dp)	Property tax relief aid	GPR	S	406,000,000	406,000,000
(f)	Grants to district boards	GPR	C	21,874,200	21,874,200
(g)	Text materials	PR	A	115,500	115,500
(ga)	Auxiliary services	PR	C	15,200	15,200
(gm)	Fire schools; state operations	PR	A	422,900	422,900
(gr)	Fire schools; local assistance	PR	A	600,000	600,000
(h)	Gifts and grants	PR	C	20,600	20,600
(hm)	Truck driver training	PR–S	C	150,000	150,000
(i)	Conferences	PR	C	72,600	72,600
(j)	Personnel certification	PR	A	229,900	231,500
(k)	Gifts and grants	PR	C	30,200	30,200
(ka)	Interagency projects; local assistance	PR–S	A	2,000,000	2,000,000
(kb)	Interagency projects; state operations	PR–S	A	239,900	239,900
(kd)	Transfer of Indian gaming receipts; work–based learning programs	PR–S	A	594,000	594,000
(kx)	Interagency and intra–agency programs	PR–S	C	57,900	57,900
(L)	Services for district boards	PR	A	46,000	46,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m)	Federal aid, state operations	PR-F	C	3,329,000	3,334,000
(n)	Federal aid, local assistance	PR-F	C	28,424,300	28,424,300
(o)	Federal aid, aids to individuals and organizations	PR-F	C	800,000	800,000
(pz)	Indirect cost reimbursements	PR-F	C	196,000	196,000
(q)	Agricultural education consultant	GPR	A	57,500	57,500
(r)	Veteran grant jobs pilot program	SEG	A	-0-	500,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			519,316,400	519,322,500
	PROGRAM REVENUE			37,344,000	37,350,600
	FEDERAL			(32,749,300)	(32,754,300)
	OTHER			(1,552,900)	(1,554,500)
	SERVICE			(3,041,800)	(3,041,800)
	SEGREGATED REVENUE			-0-	500,000
	OTHER			(-0-)	(500,000)
	TOTAL-ALL SOURCES			556,660,400	557,173,100
(2)	EDUCATIONAL APPROVAL BOARD				
(g)	Proprietary school programs	PR	A	643,100	643,100
(gm)	Student protection	PR	C	56,600	56,600
(i)	Closed schools; preservation of student records	PR	C	12,100	12,100
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			711,800	711,800
	OTHER			(711,800)	(711,800)
	TOTAL-ALL SOURCES			711,800	711,800
	20.292 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			519,316,400	519,322,500
	PROGRAM REVENUE			38,055,800	38,062,400
	FEDERAL			(32,749,300)	(32,754,300)
	OTHER			(2,264,700)	(2,266,300)
	SERVICE			(3,041,800)	(3,041,800)
	SEGREGATED REVENUE			-0-	500,000
	OTHER			(-0-)	(500,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			557,372,200	557,884,900
Education				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			7,159,899,300	7,632,258,400
PROGRAM REVENUE			5,882,974,900	5,818,668,500
FEDERAL			(2,728,561,300)	(2,728,567,300)
OTHER			(3,084,341,700)	(3,020,027,700)
SERVICE			(70,071,900)	(70,073,500)
SEGREGATED REVENUE			90,573,100	91,933,500
FEDERAL			(–0–)	(–0–)
OTHER			(90,573,100)	(91,933,500)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			13,133,447,300	13,542,860,400

Environmental Resources

20.320 Environmental Improvement Program

(1) CLEAN WATER FUND PROGRAM OPERATIONS

(a) Environmental aids — clean water fund program	GPR	A	–0–	–0–
(c) Principal repayment and interest — clean water fund program	GPR	S	17,421,700	13,147,600
(r) Clean water fund program repayment of revenue obligations	SEG	S	–0–	–0–
(s) Clean water fund program financial assistance	SEG	S	–0–	–0–
(sm) Land recycling loan program financial assistance	SEG	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(t) Principal repayment and interest — clean water fund program bonds	SEG	A	8,000,000	8,000,000
(u) Principal repayment and interest — clean water fund program revenue obligation repayment	SEG	C	–0–	–0–
(x) Clean water fund program financial assistance; federal	SEG–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			17,421,700	13,147,600
SEGREGATED REVENUE			8,000,000	8,000,000
FEDERAL			(–0–)	(–0–)
OTHER			(8,000,000)	(8,000,000)
TOTAL–ALL SOURCES			25,421,700	21,147,600
(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
(c) Principal repayment and interest — safe drinking water loan program	GPR	S	5,520,100	5,568,200
(s) Safe drinking water loan programs financial assistance	SEG	S	–0–	–0–
(x) Safe drinking water loan programs financial assistance; federal	SEG–F	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			5,520,100	5,568,200
SEGREGATED REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			5,520,100	5,568,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(3) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM PROGRAM				
(q) Private on-site wastewater treatment system loans	SEG	C	–0–	–0–
(3) PROGRAM TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL-ALL SOURCES			–0–	–0–
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			22,941,800	18,715,800
SEGREGATED REVENUE			8,000,000	8,000,000
FEDERAL			(–0–)	(–0–)
OTHER			(8,000,000)	(8,000,000)
TOTAL-ALL SOURCES			30,941,800	26,715,800
20.360 Lower Wisconsin State Riverway Board				
(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
(g) Gifts and grants	PR	C	–0–	–0–
(q) General program operations — conservation fund	SEG	A	227,200	227,400
(1) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			227,200	227,400
OTHER			(227,200)	(227,400)
TOTAL-ALL SOURCES			227,200	227,400
20.360 DEPARTMENT TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			227,200	227,400
OTHER			(227,200)	(227,400)
TOTAL-ALL SOURCES			227,200	227,400
20.370 Natural Resources, Department of				
(1) LAND AND FORESTRY				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(cq)	Forestry — reforestation	SEG	C	100,500	100,500
(cr)	Forestry — recording fees	SEG	C	89,100	89,100
(cs)	Forestry — forest fire emergencies	SEG	C	–0–	–0–
(ct)	Timber sales contracts – repair and reimbursement costs	SEG	C	–0–	–0–
(cu)	Forestry – forestry education curriculum	SEG	A	350,000	350,000
(cx)	Forestry–management plans	SEG	C	316,800	316,800
(cy)	Forestry – cooperating foresters and private contractors	SEG	C	–0–	–0–
(cz)	Forestry – management of national forest land	SEG	C	–0–	–0–
(ea)	Parks — general program operations	GPR	A	–0–	–0–
(eq)	Parks and forests – operation and maintenance	SEG	S	–0–	–0–
(er)	Parks and forests – campground reservation fees	SEG	C	1,250,000	1,250,000
(es)	Parks – interpretive programs	SEG	C	–0–	–0–
(fb)	Endangered resources — general program operations	GPR	A	–0–	–0–
(fc)	Endangered resources — Wisconsin stewardship program	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(fd)	Endangered resources — natural heritage inventory program	GPR	A	307,700	307,700
(fe)	Endangered resources — general fund	GPR	S	500,000	500,000
(fs)	Endangered resources — voluntary payments; sales, leases, and fees	SEG	C	792,900	792,900
(ft)	Endangered resources — application fees	SEG	C	–0–	–0–
(gr)	Endangered resources program — gifts and grants; sale of state–owned lands	SEG	C	–0–	–0–
(gt)	Habitat conservation plan fees	SEG	C	9,900	9,900
(hc)	Indemnification agreements	GPR	S	–0–	–0–
(hk)	Elk management	PR–S	A	93,000	93,000
(hq)	Elk hunting fees	SEG	C	–0–	–0–
(hr)	Pheasant restoration	SEG	C	236,800	236,800
(hs)	Chronic wasting disease management	SEG	A	–0–	–0–
(ht)	Wild turkey restoration	SEG	C	777,500	777,500
(hu)	Wetlands habitat improvement	SEG	C	357,900	357,900
(hv)	Aquatic and terrestrial resources inventory	SEG	A	121,600	121,600
(hw)	Pheasant stocking and propagation	SEG	C	369,200	369,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(hx)	Bonus deer permit fees; chronic wasting disease	SEG	C	–0–	–0–
(iu)	Gravel pit reclamation	SEG	C	–0–	–0–
(jr)	Rental property and equipment — maintenance and replacement	SEG	C	517,400	517,400
(kq)	Taxes and assessments; conservation fund	SEG	A	297,000	297,000
(Lk)	Reintroduction of whooping cranes	PR–S	A	78,200	78,200
(Lq)	Trapper education program	SEG	C	48,500	48,500
(Lr)	Beaver control; fish and wildlife account	SEG	C	36,200	36,200
(Ls)	Control of wild animals	SEG	C	304,300	304,300
(Lt)	Wildlife management	SEG	A	–0–	–0–
(Lu)	Fish and wildlife habitat	SEG	S	–0–	–0–
(Lv)	Deer management assistance program	SEG	C	–0–	–0–
(ma)	General program operations — state funds	GPR	A	–0–	–0–
(mi)	General program operations — private and public sources	PR	C	762,800	762,800
(mk)	General program operations — service funds	PR–S	C	955,000	955,000
(mq)	General program operations — state snowmobile trails and areas	SEG	A	211,100	211,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(mr)	General program operations– state utility terrain vehicle projects	SEG	A	16,900	16,900
(ms)	General program operations — state all–terrain vehicle projects	SEG	A	310,500	310,500
(mt)	Land preservation and management – endowment fund	SEG	S	–0–	–0–
(mu)	General program operations — state funds	SEG	A	–0–	–0–
	Land program management	SEG	A	1,003,900	1,003,900
	Wildlife management	SEG	A	12,204,500	12,076,400
	Southern forests	SEG	A	5,489,200	5,489,200
	Parks and recreation	SEG	A	17,038,800	17,041,800
	Natural Heritage Conservation	SEG	A	777,900	777,900
	Facilities and lands	SEG	A	7,696,800	7,696,800
	NET APPROPRIATION			44,211,100	44,086,000
(mv)	General program operations – state funds; forestry	SEG	A	52,305,900	51,910,900
(my)	General program operations — federal funds	SEG–F	C	–0–	–0–
	Wildlife management	SEG–F	C	6,243,200	6,243,200
	Forestry	SEG–F	C	1,431,200	1,431,200
	Southern forests	SEG–F	C	125,200	125,200
	Parks and recreation	SEG–F	C	607,700	607,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	Natural Heritage Conservation	SEG-F	C	1,965,600	1,965,600
2	Facilities and lands	SEG-F	C	2,455,800	2,455,800
3	NET APPROPRIATION			12,828,700	12,828,700
4	(mz) Forest fire emergencies — federal				
5	funds	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			807,700	807,700
	PROGRAM REVENUE			1,889,000	1,889,000
	OTHER			(762,800)	(762,800)
	SERVICE			(1,126,200)	(1,126,200)
	SEGREGATED REVENUE			115,859,800	115,339,700
	FEDERAL			(12,828,700)	(12,828,700)
	OTHER			(103,031,100)	(102,511,000)
	TOTAL-ALL SOURCES			118,556,500	118,036,400
6	(2) AIR AND WASTE				
7	(bg) Air management — stationary				
8	sources	PR	A	6,749,600	6,749,600
9	(bh) Air management — state permit				
10	sources	PR	A	1,414,700	1,414,700
11	(bi) Air management — asbestos				
12	management	PR	C	549,800	549,800
13	(bq) Air management — vapor recovery				
14	administration	SEG	A	84,900	84,900
15	(br) Air management — mobile sources	SEG	A	1,437,300	1,437,300
16	(ce) Air quality monitoring station	GPR	B	30,000	30,000
17	(cf) Air management — motor vehicle				
18	emission inspection and				
19	maintenance program, state funds	GPR	A	35,000	35,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(cg)	Air management — recovery of ozone–depleting refrigerants	PR	A	129,800	129,800
(ch)	Air management — emission analysis	PR	C	–0–	–0–
(ci)	Air management — permit review and enforcement	PR	A	2,256,700	2,256,700
(cL)	Air waste management — incinerator operator certification	PR	C	–0–	–0–
(dg)	Solid waste management — solid and hazardous waste disposal administration	PR	C	2,634,500	2,634,500
(dh)	Solid waste management–remediated property	PR	C	851,700	851,700
(dq)	Solid waste management — waste management fund	SEG	C	–0–	–0–
(dt)	Solid waste management — closure and long–term care	SEG	C	–0–	–0–
(du)	Solid waste management – site–specific remediation	SEG	C	–0–	–0–
(dv)	Solid waste management — environmental repair; spills; abandoned containers	SEG	C	2,292,700	2,292,700
(dw)	Solid waste management — environmental repair; petroleum spills; administration	SEG	A	3,669,200	3,669,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(dy)	Solid waste management — corrective action; proofs of financial responsibility	SEG	C	–0–	–0–
(dz)	Solid waste management – assessments and legal action	SEG	C	–0–	–0–
(eg)	Solid waste facility siting board fee	PR	C	–0–	–0–
(eh)	Solid waste management — source reduction review	PR	C	–0–	–0–
(eq)	Solid waste management – dry cleaner environmental response	SEG	A	224,900	224,900
(fq)	Indemnification agreements	SEG	S	–0–	–0–
(gh)	Nonferrous metallic mining regulation and administration	PR	A	76,300	76,300
(gi)	Ferrous metallic mining operations	PR	C	89,700	89,700
(gr)	Solid waste management — mining programs	SEG	C	–0–	–0–
(hq)	Recycling; administration	SEG	A	1,477,800	1,477,800
(hr)	Electronic waste recycling	SEG	C	145,900	145,900
(ma)	General program operations — state funds	GPR	A	1,415,700	1,415,700
(mi)	General program operations — private and public sources	PR	C	–0–	–0–
(mk)	General program operations — service funds	PR–S	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(mm) General program operations — federal funds	PR–F	C	7,269,200	7,269,200
(mq) General program operations – environmental fund	SEG	A	3,741,600	3,741,600
(mr) General program operations – brownfields	SEG	A	264,800	264,800
(my) General program operations — environmental fund; federal funds	SEG–F	C	1,042,700	1,042,700
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,480,700	1,480,700
PROGRAM REVENUE			22,022,000	22,022,000
FEDERAL			(7,269,200)	(7,269,200)
OTHER			(14,752,800)	(14,752,800)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			14,381,800	14,381,800
FEDERAL			(1,042,700)	(1,042,700)
OTHER			(13,339,100)	(13,339,100)
TOTAL–ALL SOURCES			37,884,500	37,884,500
(3) PUBLIC SAFETY AND BUSINESS SUPPORT				
(ak) Law enforcement – snowmobile enforcement and safety training; service funds	PR–S	A	1,156,600	1,156,600
(aq) Law enforcement — snowmobile enforcement and safety training	SEG	A	200,500	200,500
(ar) Law enforcement — boat enforcement and safety training	SEG	A	2,855,100	2,855,100
(as) Law enforcement — all–terrain vehicle and utility terrain vehicle enforcement	SEG	A	1,272,900	1,272,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(at)	Education and safety programs	SEG	C	337,600	337,600
(aw)	Law enforcement — car killed deer	SEG	A	701,400	701,400
(ax)	Law enforcement – water resources enforcement	SEG	A	239,900	239,900
(bg)	Enforcement — stationary sources	PR	A	346,300	346,300
(bL)	Operator certification — fees	PR	A	115,300	115,300
(dg)	Environmental impact — consultant services; printing and postage costs	PR	C	–0–	–0–
(dh)	Environmental impact — power projects	PR	C	–0–	–0–
(di)	Environmental consulting costs — federal power projects	PR	A	–0–	–0–
(fj)	Environmental quality – laboratory certification	PR	A	611,100	611,100
(ga)	State laboratory of hygiene	GPR	A	–0–	–0–
(is)	Aquatic invasive species control; voluntary contributions	SEG	C	68,500	68,500
(ma)	General program operations — state funds	GPR	A	3,550,100	3,550,100
(mi)	General program operations — private and public sources	PR	C	345,000	345,000
(mk)	General program operations — service funds	PR–S	C	1,505,100	1,505,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(mm) General program operations — federal funds	PR–F	C	530,200	530,200
(mq) General program operations — environmental fund	SEG	A	2,304,900	2,304,900
(ms) General program operations – pollution prevention	SEG	A	271,100	271,100
(mt) General program operations, nonpoint source — environmental fund	SEG	A	445,200	445,200
(mu) General program operations — state funds	SEG	A	19,353,000	19,189,100
(mw) Water resources – public health	SEG	A	24,700	24,700
(my) General program operations — federal funds	SEG–F	C	7,021,000	7,021,000
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			3,550,100	3,550,100
PROGRAM REVENUE			4,609,600	4,609,600
FEDERAL			(530,200)	(530,200)
OTHER			(1,417,700)	(1,417,700)
SERVICE			(2,661,700)	(2,661,700)
SEGREGATED REVENUE			35,095,800	34,931,900
FEDERAL			(7,021,000)	(7,021,000)
OTHER			(28,074,800)	(27,910,900)
TOTAL–ALL SOURCES			43,255,500	43,091,600
(4) WATER				
(ac) Wisconsin River monitoring and study	GPR	A	–0–	–0–
(af) Water resources – remedial action	GPR	C	50,000	50,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ag)	Water resources – pollution credits	PR	C	–0–	–0–
(ah)	Water resources – Great Lakes protection fund	PR	C	214,900	214,900
(ai)	Water resources — water use fees	PR	C	795,800	795,800
(aj)	Water resources — ballast water discharge permits	PR	C	278,300	278,300
(aq)	Water resources management — lake, river, and invasive species management	SEG	A	3,169,000	3,099,000
(ar)	Water resources – groundwater management	SEG	B	91,900	91,900
(as)	Water resources — trading water pollution credits	SEG	C	–0–	–0–
(at)	Watershed — nonpoint source contracts	SEG	B	997,600	997,600
(au)	Cooperative remedial action; contributions	SEG	C	–0–	–0–
(av)	Cooperative remedial action; interest on contributions	SEG	S	–0–	–0–
(bg)	Water regulation and zoning – computer access fees	PR	C	–0–	–0–
(bh)	Water regulation and zoning — dam inspections and safety administration; general fund	PR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bi)	Water regulation and zoning – fees	PR	C	1,285,400	1,285,400
(bj)	Storm water management – fees	PR	A	1,749,300	1,749,300
(bL)	Wastewater management – fees	PR	C	132,100	132,100
(bm)	Wetland restoration — fees; payments	PR	C	–0–	–0–
(br)	Water regulation and zoning — dam safety & wetland mapping; conservation fund	SEG	A	676,000	676,000
(cg)	Groundwater quantity administration	PR	A	597,900	597,900
(ch)	Groundwater quantity research	PR	B	84,500	84,500
(kb)	Walleye production; contracts	GPR	A	500,000	500,000
(kc)	Sea lamprey control	GPR	C	–0–	–0–
(kg)	Walleye production; revenue	PR	C	–0–	–0–
(kk)	Fishery resources for ceded territories	PR–S	A	154,700	154,700
(kr)	Commercial fish protection and Great Lakes resource surcharges	SEG	C	25,000	25,000
(kt)	Great Lakes vessel rental costs	SEG	C	–0–	–0–
(ku)	Great Lakes trout and salmon	SEG	C	1,607,500	1,607,500
(kv)	Trout habitat improvement	SEG	C	1,389,700	1,389,700
(kw)	Sturgeon stock and habitat	SEG	C	196,400	196,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ky)	Sturgeon stock and habitat – inland waters	SEG	C	58,200	58,200
(ma)	General program operations – state funds	GPR	A	–0–	–0–
	Watershed management	GPR	A	5,532,700	5,532,700
	Fisheries management	GPR	A	1,315,000	1,315,000
	Drinking water and groundwater	GPR	A	2,333,400	2,333,400
	Water Quality	GPR	A	5,928,200	5,928,200
	Water program management	GPR	A	1,244,700	1,244,700
	NET APPROPRIATION			16,354,000	16,354,000
(mi)	General program operations – private and public sources	PR	C	242,500	242,500
(mk)	General program operations — service funds	PR–S	C	519,300	519,300
(mm)	General program operations – federal funds	PR–F	C	–0–	–0–
	Watershed management	PR–F	C	3,106,700	3,106,700
	Fisheries management	PR–F	C	229,500	229,500
	Drinking water and groundwater	PR–F	C	5,175,900	5,175,900
	Water Quality	PR–F	C	8,777,900	8,716,500
	NET APPROPRIATION			17,290,000	17,228,600
(mq)	General program operations – environmental fund	SEG	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
	Watershed management	SEG	A	749,700	749,700
	Drinking water and groundwater	SEG	A	2,311,600	2,311,600
	Water Quality	SEG	A	1,278,400	1,278,400
	NET APPROPRIATION			4,339,700	4,339,700
(mr)	General program operations — nonpoint source	SEG	A	619,700	619,700
(mt)	General program operations–environmental improvement programs; state funds	SEG	A	599,800	599,800
(mu)	General program operations – state funds	SEG	A	16,063,800	15,637,700
(mx)	General program operations – clean water fund program; federal funds	SEG–F	C	769,700	769,700
(my)	General program operations – environmental fund – federal funds	SEG–F	C	–0–	–0–
(mz)	General program operations – federal funds	SEG–F	C	5,661,300	5,661,300
(nz)	General program operations–safe drinking water loan programs; federal funds	SEG–F	C	2,256,300	2,256,300

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	16,904,000	16,904,000
PROGRAM REVENUE	23,344,700	23,283,300
FEDERAL	(17,290,000)	(17,228,600)
OTHER	(5,380,700)	(5,380,700)
SERVICE	(674,000)	(674,000)
SEGREGATED REVENUE	38,521,600	38,025,500
FEDERAL	(8,687,300)	(8,687,300)
OTHER	(29,834,300)	(29,338,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			78,770,300	78,212,800
(5) CONSERVATION AIDS				
(ac) Resource aids – Milwaukee Public Museum	GPR	A	–0–	–0–
(ad) Resource aids — interpretive center	GPR	A	–0–	–0–
(af) Resource aids– walleye production; grants	GPR	B	–0–	–0–
(aq) Resource aids – Canadian agencies migratory waterfowl aids	SEG	C	167,500	167,500
(ar) Resource aids – county conservation aids	SEG	C	148,500	148,500
(as) Recreation aids – fish, wildlife and forestry recreation aids	SEG	C	112,200	112,200
(at) Ice age trail area grants	SEG	A	66,800	66,800
(au) Resource aids – Ducks Unlimited, Inc., payments	SEG	C	–0–	–0–
(av) Resource aids – forest grants	SEG	B	1,147,900	1,147,900
(aw) Resource aids — nonprofit conservation organizations	SEG	C	200,200	200,200
(ax) Resource aids – forestry	SEG	A	75,000	75,000
(ay) Resource aids – urban land conservation	SEG	A	66,800	66,800
(az) Resource aids — urban forestry grants	SEG	B	524,600	524,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bq)	Resource aids – county forest loans; severance share payments	SEG	C	100,000	100,000
(br)	Resource aids – forest croplands and managed forest land aids	SEG	A	1,237,500	1,237,500
(bs)	Resource aids – county forest loans	SEG	A	616,200	616,200
(bt)	Resource aids – county forest project loans	SEG	C	396,000	396,000
(bu)	Resource aids – county forest project loans; severance share payments	SEG	C	350,000	350,000
(bv)	Resource aids — county forests, forest croplands and managed forest land aids	SEG	S	1,416,400	1,416,400
(bw)	Resource aids — county sustainable forestry grants	SEG	B	1,576,900	1,576,900
(bx)	Resource aids – national forest income aids	SEG-F	C	782,200	782,200
(by)	Resource aids — fire suppression grants	SEG	B	170,000	170,000
(bz)	Resource aids – forestry outdoor activity grants	SEG	C	–0–	–0–
(cb)	Recreation aids – snowmobile trail and area aids; general fund	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(cq)	Recreation aids – recreational boating and other projects	SEG	C	400,000	400,000
(cr)	Recreation aids – county snowmobile trail and area aids	SEG	C	2,475,400	2,475,400
(cs)	Recreation aids – snowmobile trail areas	SEG	C	5,268,000	5,270,000
(ct)	Recreation aids – all–terrain vehicle project aids; gas tax payment	SEG	C	2,040,900	2,085,000
(cu)	Recreation aids — all–terrain vehicle project aids	SEG	C	1,670,000	1,670,000
(cw)	Recreation aids – supplemental snowmobile trail aids	SEG	C	600,000	822,500
(cx)	Recreation aids — all–terrain vehicle safety program	SEG	A	297,000	297,000
(cy)	Recreation and resource aids, federal funds	SEG–F	C	3,162,100	3,162,100
(da)	Aids in lieu of taxes – general fund	GPR	S	7,892,500	7,400,000
(dq)	Aids in lieu of taxes – lands acquired before a specified date	SEG	S	780,000	780,000
(dr)	Aids in lieu of taxes – lands acquired after a specified date	SEG	S	6,457,500	7,400,000
(dx)	Resource aids — payment in lieu of taxes; federal	SEG–F	C	440,000	440,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ea)	Enforcement aids — spearfishing enforcement	GPR	C	–0–	–0–
(eq)	Enforcement aids — boating enforcement	SEG	A	1,386,000	1,386,000
(er)	Enforcement aids — all–terrain vehicle and utility terrain vehicle enforcement	SEG	A	495,000	495,000
(es)	Enforcement aids — snowmobiling enforcement	SEG	A	396,000	396,000
(eu)	Recreation aids– utility terrain vehicle project aids	SEG	C	95,600	95,600
(ex)	Enforcement aids — federal funds	SEG–F	C	–0–	–0–
(fc)	Summer tribal youth program	GPR	A	250,000	250,000
(fq)	Wildlife damage claims and abatement	SEG	C	2,950,000	2,950,000
(fr)	Wildlife abatement and control grants	SEG	B	24,700	24,700
(fs)	Venison processing	SEG	B	300,000	300,000
(ft)	Venison processing; voluntary contributions	SEG	C	14,800	14,800
(fv)	Wolf depredation program	SEG	C	–0–	–0–
(fw)	Resource Aids– Natural Resources Foundation of Wisconsin payments	SEG	C	20,000	20,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(gr)	Recreation aids– utility terrain vehicle project aids; gas tax payment	SEG	C	194,800	232,000
(iv)	utility terrain vehicle fees	SEG–S	C	–0–	–0–
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			8,142,500	7,650,000
	SEGREGATED REVENUE			38,622,500	39,870,800
	FEDERAL			(4,384,300)	(4,384,300)
	OTHER			(34,238,200)	(35,486,500)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			46,765,000	47,520,800
(6)	ENVIRONMENTAL AIDS				
(ac)	Lake Koshkonong study	GPR	A	–0–	–0–
(aq)	Environmental aids; nonpoint source	SEG	B	100,000	100,000
(ar)	Environmental aids – lake protection	SEG	C	2,432,600	2,432,600
(as)	Environmental aids — invasive aquatic species and lake monitoring	SEG	B	4,029,100	4,029,100
(au)	Environmental aids — river protection; environmental fund	SEG	A	–0–	–0–
(av)	Environmental aids – river protection; conservation fund	SEG	B	289,500	289,500
(aw)	Environmental aids – river protection, nonprofit organization contracts	SEG	C	62,300	62,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bj)	Environmental aids — waste reduction and recycling grants and gifts	PR	C	–0–	–0–
(bk)	Environmental aids — wastewater and drinking water grant	PR–S	A	–0–	–0–
(br)	Environmental aids – waste reduction and recycling	SEG–S	C	–0–	–0–
(bu)	Financial assistance for responsible units	SEG	A	15,000,000	19,000,000
(bv)	Recycling efficiency incentive grants	SEG	A	–0–	–0–
(bw)	Recycling consolidation grants	SEG	A	1,000,000	1,000,000
(ca)	Environmental aids – scenic urban waterways	GPR	C	–0–	–0–
(cm)	Environmental aids – federal funds	PR–F	C	800,000	800,000
(cr)	Environmental aids – compensation for well contamination and abandonment	SEG	B	200,000	200,000
(da)	Environmental planning aids – local water quality planning	GPR	A	196,400	196,400
(dm)	Environmental planning aids – federal funds	PR–F	C	150,000	150,000
(dq)	Environmental aids — urban nonpoint source	SEG	B	700,000	700,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ef) Brownfields revolving loan repayments	PR	C	–0–	–0–
(eg) Groundwater mitigation and local assistance	PR	C	–0–	–0–
(eh) Brownfields revolving loan funds administered for other entity	PR	C	–0–	–0–
(em) Federal brownfields revolving loan funds	PR–F	C	1,000,000	1,000,000
(eq) Environmental aids – dry cleaner environmental response	SEG	B	763,600	763,600
(er) Vapor control system removal grants	SEG	B	–0–	–0–
(ev) Reimbursement for disposal of contaminated sediment	SEG	A	–0–	–0–
(fr) Petroleum storage environmental remedial action; awards	SEG	B	4,550,000	4,550,000
(fv) Removal of underground petroleum storage tanks	SEG	A	100,000	100,000

(6) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	196,400	196,400
PROGRAM REVENUE	1,950,000	1,950,000
FEDERAL	(1,950,000)	(1,950,000)
OTHER	(–0–)	(–0–)
SERVICE	(–0–)	(–0–)
SEGREGATED REVENUE	29,227,100	33,227,100
OTHER	(29,227,100)	(33,227,100)
SERVICE	(–0–)	(–0–)
TOTAL–ALL SOURCES	31,373,500	35,373,500

(7) DEBT SERVICE AND DEVELOPMENT

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(aa) Resource acquisition and development – principal repayment and interest	GPR	S	74,985,700	72,286,200
(ac) Principal repayment and interest – recreational boating bonds	GPR	S	–0–	–0–
(ad) Land sales — principal repayment	PR	C	–0–	–0–
(ag) Land acquisition – principal repayment and interest	PR	C	–0–	–0–
(aq) Resource acquisition and development – principal repayment and interest	SEG	S	16,300	200
(ar) Dam repair and removal – principal repayment and interest	SEG	S	505,100	526,200
(at) Recreation development – principal repayment and interest	SEG	S	45,000	45,000
(au) State forest acquisition and development — principal repayment and interest	SEG	A	13,500,000	13,500,000
(bq) Principal repayment and interest – remedial action	SEG	S	3,277,300	3,109,600
(br) Principal repayment and interest – contaminated sediment	SEG	S	1,724,500	2,104,500
(cb) Principal repayment and interest – pollution abatement bonds	GPR	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(cc)	Principal repayment and interest — combined sewer overflow; pollution abatement bonds	GPR	S	3,928,700	1,957,000
(cd)	Principal repayment and interest – municipal clean drinking water grants	GPR	S	377,600	222,700
(cg)	Principal repayment and interest – nonpoint repayments	PR	C	–0–	–0–
(cq)	Principal repayment and interest — nonpoint source grants	SEG	S	7,767,600	6,910,300
(cr)	Principal repayment and interest — nonpoint source	SEG	S	1,523,800	1,722,400
(cs)	Principal repayment and interest — urban nonpoint source cost–sharing	SEG	S	3,132,800	3,152,500
(ct)	Principal and interest — pollution abatement, environmental fund	SEG	S	12,900,700	7,449,200
(dr)	Petroleum inspection fund — revenue obligation repayment	SEG	S	–0–	–0–
(ea)	Administrative facilities – principal repayment and interest	GPR	S	803,500	709,700
(eq)	Administrative facilities – principal repayment and interest	SEG	S	4,909,700	5,189,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(er)	Administrative facilities — principal repayment and interest; environmental fund	SEG	S	804,800	810,500
(fa)	Resource maintenance and development – state funds	GPR	C	755,600	755,600
(fk)	Resource acquisition and development – service funds; transportation moneys	PR–S	C	990,000	990,000
(fr)	Resource acquisition and development — boating access to southeastern lakes	SEG	C	92,400	92,400
(fs)	Resource acquisition and development – state funds	SEG	C	889,100	889,100
(ft)	Resource acquisition and development – boating access	SEG	C	184,800	184,800
(fu)	Resource acquisition and development — nonmotorized boating improvements	SEG	C	–0–	–0–
(fw)	Resource acquisition and development — Mississippi and St. Croix rivers management	SEG	C	57,700	57,700
(fy)	Resource acquisition and development — federal funds	SEG–F	C	9,112,800	9,112,800
(gg)	Ice age trail – gifts and grants	PR	C	–0–	–0–
(gq)	State trails – gifts and grants	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(ha)	Facilities acquisition, development and maintenance	GPR	C	144,400	144,400
(hq)	Facilities acquisition, development and maintenance — conservation fund	SEG	C	372,400	372,400
(ht)	Property development – conservation fund	SEG	C	3,000,000	3,000,000
(iv)	Land sales – use of proceeds	SEG	C	–0–	–0–
(jr)	Rental property and equipment – maintenance and replacement	SEG	C	180,000	180,000
(mc)	Resource maintenance and development – state park, forest, and riverway roads; general fund	GPR	C	–0–	–0–
(mi)	General program operations – private and public sources	PR	C	–0–	–0–
(mk)	General program operations – service funds	PR-S	C	–0–	–0–
(mr)	Resource maintenance and development – state park, forest, and riverway roads; conservation fund	SEG	C	2,000,000	2,000,000

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	80,995,500	76,075,600
PROGRAM REVENUE	990,000	990,000
OTHER	(–0–)	(–0–)
SERVICE	(990,000)	(990,000)
SEGREGATED REVENUE	65,996,800	60,409,300
FEDERAL	(9,112,800)	(9,112,800)
OTHER	(56,884,000)	(51,296,500)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			147,982,300	137,474,900
(8) ADMINISTRATION AND TECHNOLOGY				
(ir) Promotional activities and publications	SEG	C	82,200	82,200
(iw) Statewide recycling administration	SEG	A	426,200	434,400
(ma) General program operations — state funds	GPR	A	2,493,900	2,520,000
(mg) General program operations — stationary sources	PR	A	–0–	–0–
(mi) General program operations — private and public sources	PR	C	–0–	–0–
(mk) General program operations — service funds	PR–S	C	4,397,500	4,397,500
(mq) General program operations — mobile sources	SEG	A	937,000	956,800
(mr) General program operations – environmental improvement fund	SEG	A	366,000	373,800
(mt) Equipment and services	SEG–S	C	–0–	–0–
(mu) General program operations — state funds	SEG	A	16,307,400	16,101,300
(mv) General program operations — environmental fund	SEG	A	1,568,000	1,590,500
(mz) Indirect cost reimbursements	SEG–F	C	7,210,300	7,245,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ni)	Geographic information systems, general program operations – other funds	PR	C	32,700	32,700
(nk)	Geographic information systems, general program operations — service funds	PR-S	C	1,569,500	1,569,500
(zq)	Gifts and donations	SEG	C	-0-	-0-

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	2,493,900	2,520,000
PROGRAM REVENUE	5,999,700	5,999,700
OTHER	(32,700)	(32,700)
SERVICE	(5,967,000)	(5,967,000)
SEGREGATED REVENUE	26,897,100	26,784,000
FEDERAL	(7,210,300)	(7,245,000)
OTHER	(19,686,800)	(19,539,000)
SERVICE	(-0-)	(-0-)
TOTAL-ALL SOURCES	35,390,700	35,303,700

(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

(eg)	Gifts and grants; environmental management systems	PR	C	-0-	-0-
(gb)	Education programs – program fees	PR	B	140,800	140,800
(gh)	Horicon Marsh education and visitor center – program fees	PR	C	-0-	-0-
(hk)	Approval fees to Lac du Flambeau band-service funds	PR-S	A	84,500	84,500
(hs)	Approval fees from Lac du Flambeau band	SEG	C	-0-	-0-
(ht)	Approval fees to Lac du Flambeau band	SEG	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(hu)	Handling and other fees	SEG	C	152,500	152,500
(hv)	Fee amounts for statewide automated issuing system	SEG	C	2,863,100	2,863,100
(hw)	Utility terrain vehicle fees	SEG	C	–0–	–0–
(iq)	Natural resources magazine	SEG	C	581,800	581,800
(is)	Statewide recycling administration	SEG	A	216,300	216,300
(ma)	General program operations – state funds	GPR	A	1,551,400	1,551,400
(mh)	General programs operations — stationary sources	PR	A	207,200	207,200
(mi)	General program operations — private and public sources	PR	C	78,600	78,600
(mk)	General program operations — service funds	PR–S	C	1,501,200	1,501,200
(mm)	General program operations – federal funds	PR–F	C	1,079,600	1,079,600
(mq)	General program operations – mobile sources	SEG	A	31,900	31,900
(mt)	Aids administration — environmental improvement programs; state funds	SEG	A	1,158,400	1,158,400
(mu)	General program operations – state funds	SEG	A	8,666,800	8,639,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(mv) General program operations — environmental fund	SEG	A	1,017,400	1,017,400
(mw) Aids administration – snowmobile recreation	SEG	A	193,900	193,900
(mx) Aids administration – clean water fund program; federal funds	SEG–F	C	1,308,000	1,308,000
(my) General program operations – federal funds	SEG–F	C	325,700	325,700
(mz) Indirect cost reimbursements	SEG–F	C	876,600	876,600
(nq) Aids administration – dry cleaner environmental response	SEG	A	83,000	83,000
(ny) Aids administration – safe drinking water loan programs; federal funds	SEG–F	C	174,800	174,800

(9) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	1,551,400	1,551,400
PROGRAM REVENUE	3,091,900	3,091,900
FEDERAL	(1,079,600)	(1,079,600)
OTHER	(426,600)	(426,600)
SERVICE	(1,585,700)	(1,585,700)
SEGREGATED REVENUE	17,650,200	17,622,500
FEDERAL	(2,685,100)	(2,685,100)
OTHER	(14,965,100)	(14,937,400)
TOTAL–ALL SOURCES	22,293,500	22,265,800

20.370 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	116,122,200	110,735,900
PROGRAM REVENUE	63,896,900	63,835,500
FEDERAL	(28,119,000)	(28,057,600)
OTHER	(22,773,300)	(22,773,300)
SERVICE	(13,004,600)	(13,004,600)
SEGREGATED REVENUE	382,252,700	380,592,600
FEDERAL	(52,972,200)	(53,006,900)
OTHER	(329,280,500)	(327,585,700)
SERVICE	(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			562,271,800	555,164,000
20.373 Fox River Navigational System Authority				
(1) INITIAL COSTS				
(g) Administration, operation, repair, and rehabilitation	PR	C	–0–	–0–
(r) Establishment and operation	SEG	C	125,400	125,400
(1) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			125,400	125,400
OTHER			(125,400)	(125,400)
TOTAL–ALL SOURCES			125,400	125,400
20.373 DEPARTMENT TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			125,400	125,400
OTHER			(125,400)	(125,400)
TOTAL–ALL SOURCES			125,400	125,400
20.375 Lower Fox River Remediation Authority				
(1) INITIAL COSTS				
(a) Initial costs	GPR	B	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.375 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.380 Tourism, Department of				
(1) TOURISM DEVELOPMENT AND PROMOTION				
(a) General program operations	GPR	A	2,680,000	2,680,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(b)	Tourism marketing; general purpose revenue	GPR	B	2,327,100	1,827,100
(g)	Gifts, grants and proceeds	PR	C	10,000	10,000
(h)	Tourism promotion; sale of surplus property receipts	PR	C	–0–	–0–
(ig)	Golf promotion	PR	C	–0–	–0–
(ir)	Payments to the WPGA Junior Foundation	PR	C	–0–	–0–
(j)	Tourism promotion – private and public sources	PR	C	99,000	99,000
(k)	Sale of materials or services	PR–S	C	–0–	–0–
(ka)	Sale of materials and services–local assistance	PR–S	C	–0–	–0–
(kb)	Sale of materials and services–individuals and organizations	PR–S	C	–0–	–0–
(kc)	Marketing clearinghouse charges	PR–S	A	345,300	324,500
(kg)	Tourism marketing; gaming revenue	PR–S	B	8,967,100	8,967,100
(km)	Grants for regional tourist information centers	PR–S	A	160,000	160,000
(m)	Federal aid, state operations	PR–F	C	–0–	–0–
(n)	Federal aid, local assistance	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(o)	Federal aid, individuals and organizations	PR–F	C	–0–	–0–
(q)	Administrative services–conservation fund	SEG	A	12,100	12,100
(w)	Tourism marketing; transportation fund	SEG	B	1,591,400	1,591,400

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	5,007,100	4,507,100
PROGRAM REVENUE	9,581,400	9,560,600
FEDERAL	(–0–)	(–0–)
OTHER	(109,000)	(109,000)
SERVICE	(9,472,400)	(9,451,600)
SEGREGATED REVENUE	1,603,500	1,603,500
OTHER	(1,603,500)	(1,603,500)
TOTAL–ALL SOURCES	16,192,000	15,671,200

(3) SUPPORT OF ARTS PROJECTS

(a)	General program operations	GPR	A	281,000	281,000
(b)	State aid for the arts	GPR	A	359,300	359,300
(c)	Portraits of governors	GPR	A	–0–	–0–
(d)	Challenge grant program	GPR	A	–0–	–0–
(e)	High Point fund	GPR	A	–0–	–0–
(f)	Wisconsin regranting program	GPR	A	116,700	116,700
(g)	Gifts and grants; state operations	PR	C	20,000	20,000
(h)	Gifts and grants; aids to individuals and organizations	PR	C	–0–	–0–
(j)	Support of arts programs	PR	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(km) State aid for the arts; Indian gaming receipts	PR–S	A	24,900	24,900
(m) Federal grants; state operations	PR–F	C	244,400	244,400
(o) Federal grants; aids to individuals and organizations	PR–F	C	524,500	524,500
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			757,000	757,000
PROGRAM REVENUE			813,800	813,800
FEDERAL			(768,900)	(768,900)
OTHER			(20,000)	(20,000)
SERVICE			(24,900)	(24,900)
TOTAL–ALL SOURCES			1,570,800	1,570,800
20.380 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			5,764,100	5,264,100
PROGRAM REVENUE			10,395,200	10,374,400
FEDERAL			(768,900)	(768,900)
OTHER			(129,000)	(129,000)
SERVICE			(9,497,300)	(9,476,500)
SEGREGATED REVENUE			1,603,500	1,603,500
OTHER			(1,603,500)	(1,603,500)
TOTAL–ALL SOURCES			17,762,800	17,242,000
20.385 Kickapoo Reserve Management Board				
(1) KICKAPOO VALLEY RESERVE				
(g) Kickapoo reserve management board; program services	PR	C	157,200	157,200
(h) Kickapoo reserve management board; gifts and grants	PR	C	–0–	–0–
(k) Kickapoo valley reserve; law enforcement services	PR–S	A	66,300	66,300
(m) Kickapoo reserve management board; federal aid	PR–F	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(q) Kickapoo reserve management board; general program operations	SEG	A	415,200	415,200
(r) Kickapoo valley reserve; aids in lieu of taxes	SEG	S	280,000	280,000
(1) PROGRAM TOTALS				
PROGRAM REVENUE			223,500	223,500
FEDERAL			(–0–)	(–0–)
OTHER			(157,200)	(157,200)
SERVICE			(66,300)	(66,300)
SEGREGATED REVENUE			695,200	695,200
OTHER			(695,200)	(695,200)
TOTAL–ALL SOURCES			918,700	918,700
20.385 DEPARTMENT TOTALS				
PROGRAM REVENUE			223,500	223,500
FEDERAL			(–0–)	(–0–)
OTHER			(157,200)	(157,200)
SERVICE			(66,300)	(66,300)
SEGREGATED REVENUE			695,200	695,200
OTHER			(695,200)	(695,200)
TOTAL–ALL SOURCES			918,700	918,700
20.395 Transportation, Department of				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	193,500	–0–
(as) Transportation aids to counties, state funds	SEG	A	98,400,200	98,400,200
(at) Transportation aids to municipalities, state funds	SEG	A	321,260,500	321,260,500
(bq) Intercity bus assistance, state funds	SEG	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bs)	Transportation employment and mobility, state funds	SEG	C	332,600	332,600
(bv)	Transit and other transportation–related aids, local funds	SEG–L	C	110,000	110,000
(bx)	Transit and other transportation–related aids, federal funds	SEG–F	C	20,230,200	20,230,200
(ck)	Tribal elderly transportation grants	PR–S	A	247,500	247,500
(cq)	Seniors and individuals with disabilities specialized transportation aids, state funds	SEG	C	912,700	912,700
(cr)	Seniors and individuals with disabilities specialized transportation county aids, state funds	SEG	A	13,768,800	13,915,600
(cv)	Seniors and individuals with disabilities specialized transportation aids, local funds	SEG–L	C	605,500	605,500
(cx)	Seniors and individuals with disabilities specialized transportation aids, federal funds	SEG–F	C	3,855,800	3,855,800
(ex)	Highway safety, local assistance, federal funds	SEG–F	C	7,118,100	7,118,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(fq)	Connecting highways aids, state funds	SEG	A	12,063,500	12,063,500
(fs)	Disaster damage aids, state funds	SEG	S	1,000,000	1,000,000
(ft)	Lift bridge aids, state funds	SEG	B	2,659,200	2,659,200
(fu)	County forest road aids, state funds	SEG	A	284,700	284,700
(gq)	Expressway policing aids, state funds	SEG	A	1,023,900	1,023,900
(gt)	Soo Locks improvements, state funds	SEG	A	–0–	–0–
(hq)	Paratransit aids	SEG	A	2,750,000	2,750,000
(hr)	Tier B transit operating aids, state funds	SEG	A	24,486,700	24,486,700
(hs)	Tier C transit operating aids, state funds	SEG	A	5,188,900	5,188,900
(ht)	Tier A–1 transit operating aids, state funds	SEG	A	64,193,900	64,193,900
(hu)	Tier A–2 transit operating aids, state funds	SEG	A	16,868,000	16,868,000
(hw)	Tier A–3 transit operating aids, state funds	SEG	A	–0–	–0–
(ig)	Professional football stadium maintenance and operating costs, state funds	PR	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ih) Child abuse and neglect prevention, state funds	PR	C	–0–	–0–
(1) PROGRAM TOTALS				
PROGRAM REVENUE			247,500	247,500
OTHER			(–0–)	(–0–)
SERVICE			(247,500)	(247,500)
SEGREGATED REVENUE			597,306,700	597,260,000
FEDERAL			(31,204,100)	(31,204,100)
OTHER			(565,387,100)	(565,340,400)
LOCAL			(715,500)	(715,500)
TOTAL–ALL SOURCES			597,554,200	597,507,500
(2) LOCAL TRANSPORTATION ASSISTANCE				
(aq) Accelerated local bridge improvement assistance, state funds	SEG	C	–0–	–0–
(av) Accelerated local bridge improvement assistance, local funds	SEG–L	C	–0–	–0–
(ax) Accelerated local bridge improvement assistance, federal funds	SEG–F	C	–0–	–0–
(bq) Rail service assistance, state funds	SEG	C	1,269,800	1,269,800
(bt) Freight rail preservation	SEG	C	5,200,000	–0–
(bu) Freight rail infrastructure improvements, state funds	SEG	C	–0–	–0–
(bv) Rail service assistance, local funds	SEG–L	C	500,000	500,000
(bw) Freight rail assistance loan repayments, local funds	SEG–L	C	4,000,000	4,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bx)	Rail service assistance, federal funds	SEG–F	C	40,000	40,000
(cq)	Harbor assistance, state funds	SEG	C	650,800	650,800
(cr)	Rail passenger service, state funds	SEG	C	6,800,000	6,800,000
(cs)	Harbor assistance, federal funds	SEG–F	C	–0–	–0–
(ct)	Passenger railroad station improvement and commuter rail transit system grants, state funds	SEG	B	–0–	–0–
(cu)	Passenger railroad station improvement and commuter rail transit system grants, local funds	SEG–L	C	–0–	–0–
(cv)	Rail passenger service, local funds	SEG–L	C	–0–	–0–
(cw)	Harbor assistance, local funds	SEG–L	C	–0–	–0–
(cx)	Rail passenger service, federal funds	SEG–F	C	–0–	–0–
(dq)	Aeronautics assistance, state funds	SEG	C	13,254,800	13,254,800
(ds)	Aviation career education, state funds	SEG	A	178,800	178,800
(dv)	Aeronautics assistance, local funds	SEG–L	C	42,000,000	42,000,000
(dx)	Aeronautics assistance, federal funds	SEG–F	C	71,637,800	71,637,800
(eq)	Highway and local bridge improvement assistance, state funds	SEG	C	8,467,700	8,467,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ev)	Local bridge improvement assistance, local funds	SEG–L	C	8,780,400	8,780,400
(ex)	Local bridge improvement assistance, federal funds	SEG–F	C	24,409,600	24,409,600
(fb)	Local roads for job preservation, state funds	GPR	C	–0–	–0–
(fr)	Local roads improvement program, state funds	SEG	C	16,197,000	16,197,000
(ft)	Local roads improvement program; discretionary grants, state funds	SEG	C	11,836,000	11,836,000
(fv)	Local transportation facility improvement assistance, local funds	SEG–L	C	38,895,500	38,895,500
(fx)	Local transportation facility improvement assistance, federal funds	SEG–F	C	72,238,000	72,238,000
(fz)	Local roads for job preservation, federal funds	SEG–F	C	–0–	–0–
(gj)	Railroad crossing protection installation and maintenance, state funds	SEG	C	–0–	–0–
(gq)	Railroad crossing improvement and protection maintenance, state funds	SEG	A	2,112,000	2,112,000
(gr)	Railroad crossing improvement and protection installation, state funds	SEG	C	1,595,700	1,595,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(gs)	Railroad crossing repair assistance, state funds	SEG	C	234,700	234,700
(gv)	Railroad crossing improvement, local funds	SEG–L	C	–0–	–0–
(gx)	Railroad crossing improvement, federal funds	SEG–F	C	3,291,800	3,291,800
(hq)	Multimodal transportation studies, state funds	SEG	C	–0–	–0–
(hx)	Multimodal transportation studies, federal funds	SEG–F	C	–0–	–0–
(iq)	Transportation facilities economic assistance and development, state funds	SEG	C	3,402,600	3,402,600
(iv)	Transportation facilities economic assistance and development, local funds	SEG–L	C	3,588,700	3,588,700
(iw)	Transportation facility improvement loans, local funds	SEG–L	C	–0–	–0–
(ix)	Transportation facilities economic assistance and development, federal funds	SEG–F	C	–0–	–0–
(js)	Transportation alternatives program, state funds	SEG	C	–0–	–0–
(jv)	Transportation alternatives program, local funds	SEG–L	C	2,012,300	2,012,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(jx)	Transportation alternatives program, federal funds	SEG–F	C	7,049,300	7,049,300
(kv)	Congestion mitigation and air quality improvement, local funds	SEG–L	C	3,124,700	3,124,700
(kx)	Congestion mitigation and air quality improvement, federal funds	SEG–F	C	10,719,000	10,719,000
(mq)	Astronautics assistance, state funds	SEG	C	–0–	–0–
(mv)	Astronautics assistance, local funds	SEG–L	C	–0–	–0–
(mx)	Astronautics assistance, federal funds	SEG–F	C	–0–	–0–
(ph)	Transportation infrastructure loans, gifts and grants	SEG	C	–0–	–0–
(pq)	Transportation infrastructure loans, state funds	SEG	C	4,600	4,600
(pu)	Transportation infrastructure loans, service funds	SEG–S	C	–0–	–0–
(pv)	Transportation infrastructure loans, local funds	SEG–L	C	–0–	–0–
(px)	Transportation infrastructure loans, federal funds	SEG–F	C	–0–	–0–

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	–0–	–0–
SEGREGATED REVENUE	363,491,600	358,291,600
FEDERAL	(189,385,500)	(189,385,500)
OTHER	(71,204,500)	(66,004,500)
SERVICE	(–0–)	(–0–)
LOCAL	(102,901,600)	(102,901,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			363,491,600	358,291,600
(3) STATE HIGHWAY FACILITIES				
(aq) Southeast Wisconsin freeway megaprojects, state funds	SEG	C	21,546,900	15,000,000
(av) Southeast Wisconsin freeway megaprojects, local funds	SEG–L	C	–0–	–0–
(ax) Southeast Wisconsin freeway megaprojects, federal funds	SEG–F	C	78,053,100	–0–
(bq) Major highway development, state funds	SEG	C	62,773,300	68,347,100
(br) Major highway development, service funds	SEG–S	C	102,363,200	66,649,000
(bv) Major highway development, local funds	SEG–L	C	–0–	–0–
(bx) Major highway development, federal funds	SEG–F	C	78,263,500	107,477,700
(ck) West Canal Street reconstruction and extension, service funds	PR–S	C	–0–	–0–
(cq) State highway rehabilitation, state funds	SEG	C	337,991,700	289,302,800
(cr) Southeast Wisconsin freeway rehabilitation, state funds	SEG	C	–0–	–0–
(ct) Owner controlled insurance program, service funds	SEG–S	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(cv)	State highway rehabilitation, local funds	SEG–L	C	2,000,000	2,000,000
(cw)	Southeast Wisconsin freeway rehabilitation, local funds	SEG–L	C	–0–	–0–
(cx)	State highway rehabilitation, federal funds	SEG–F	C	419,132,200	467,971,100
(cy)	Southeast Wisconsin freeway rehabilitation, federal funds	SEG–F	C	–0–	–0–
(dq)	Major interstate bridge construction, state funds	SEG	C	–0–	–0–
(dr)	High–cost state highway bridge projects, state funds	SEG	C	–0–	–0–
(dv)	Major interstate bridge construction, local funds	SEG–L	C	–0–	–0–
(dw)	High–cost state highway bridge projects, local funds	SEG–L	C	–0–	–0–
(dx)	Major interstate bridge construction, federal funds	SEG–F	C	–0–	–0–
(dy)	High–cost state highway bridge projects, federal funds	SEG–F	C	–0–	–0–
(eg)	Supplement from sponsorship agreements, state funds	PR	C	–0–	–0–
(eq)	Highway system management and operations, state funds	SEG	C	84,409,300	84,409,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(er)	State–owned lift bridge operations and maintenance, state funds	SEG	A	2,370,100	2,380,100
(es)	Routine maintenance activities, state funds	SEG	C	170,000,000	170,000,000
(et)	Intelligent transportation systems and traffic control signals, state funds	SEG	C	10,000,000	10,000,000
(eu)	Intelligent transportation systems and traffic control signals, local funds	SEG–L	C	–0–	–0–
(ev)	Highway system management and operations, local funds	SEG–L	C	1,900,000	1,900,000
(ew)	Routine maintenance activities, local funds	SEG–L	C	–0–	–0–
(ex)	Highway system management and operations, federal funds	SEG–F	C	1,102,500	1,102,500
(ey)	Routine maintenance activities, federal funds	SEG–F	C	–0–	–0–
(ez)	Intelligent transportation systems and traffic control signals, federal funds	SEG–F	C	–0–	–0–
(iq)	Administration and planning, state funds	SEG	A	14,780,500	14,780,500
(ir)	Disadvantaged business mobilization assistance, state funds	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(iv) Administration and planning, local funds	SEG–L	C	–0–	–0–
(ix) Administration and planning, federal funds	SEG–F	C	3,519,300	3,519,300
(jg) Surveying reference station system	PR	C	470,000	470,000
(jh) Utility facilities within highway rights–of–way, state funds	PR	C	–0–	–0–
(jj) Damage claims	PR	C	2,553,400	2,553,400
(js) Telecommunications services, service funds	SEG–S	C	–0–	–0–
(3) PROGRAM TOTALS				
PROGRAM REVENUE			3,023,400	3,023,400
OTHER			(3,023,400)	(3,023,400)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			1,390,205,600	1,304,839,400
FEDERAL			(580,070,600)	(580,070,600)
OTHER			(703,871,800)	(654,219,800)
SERVICE			(102,363,200)	(66,649,000)
LOCAL			(3,900,000)	(3,900,000)
TOTAL–ALL SOURCES			1,393,229,000	1,307,862,800
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	65,902,700	67,002,400
(ar) Minor construction projects, state funds	SEG	C	–0–	–0–
(as) Transit safety oversight, state funds	SEG	C	71,600	72,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(at)	Capital building projects, service funds	SEG–S	C	5,940,000	5,940,000
(av)	Departmental management and operations, local funds	SEG–L	C	369,000	369,000
(ax)	Departmental management and operations, federal funds	SEG–F	C	15,068,100	14,931,200
(ay)	Transit safety oversight, federal funds	SEG–F	C	286,600	290,900
(bk)	Freight optimization modeling	GPR	C	–0–	–0–
(ch)	Gifts and grants	SEG	C	–0–	–0–
(dq)	Demand management	SEG	A	370,500	370,500
(eq)	Data processing services, service funds	SEG–S	C	15,039,400	15,039,400
(er)	Fleet operations, service funds	SEG–S	C	12,586,100	12,586,100
(es)	Other department services, operations, service funds	SEG–S	C	5,139,000	5,139,000
(et)	Equipment acquisition	SEG	A	–0–	–0–
(ew)	Operating budget supplements, state funds	SEG	C	–0–	–0–

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	–0–	–0–
SEGREGATED REVENUE	120,773,000	121,741,200
FEDERAL	(15,354,700)	(15,222,100)
OTHER	(66,344,800)	(67,445,600)
SERVICE	(38,704,500)	(38,704,500)
LOCAL	(369,000)	(369,000)
TOTAL–ALL SOURCES	120,773,000	121,741,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(5)	MOTOR VEHICLE SERVICES AND ENFORCEMENT				
(cg)	Convenience fees, state funds	PR	C	–0–	–0–
(ch)	Repaired salvage vehicle examinations, state funds	PR	C	–0–	–0–
(ci)	Breath screening instruments, state funds	PR–S	C	299,200	299,200
(cj)	Vehicle registration, special group plates, state funds	PR	C	–0–	–0–
(cL)	Football plate licensing fees, state funds	PR	C	–0–	–0–
(cq)	Vehicle registration, inspection and maintenance, driver licensing and aircraft registration, state funds	SEG	A	72,386,100	72,726,100
(cx)	Vehicle registration and driver licensing, federal funds	SEG–F	C	366,400	261,900
(dg)	Escort, security and traffic enforcement services, state funds	PR	C	160,300	160,300
(dh)	Traffic academy tuition payments, state funds	PR	C	474,800	474,800
(di)	Chemical testing training and services, state funds	PR–S	A	1,349,400	1,349,400
(dk)	Public safety radio management, service funds	PR–S	C	470,800	470,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(dL)	Public safety radio management, state funds	PR	C	22,000	22,000
(dq)	Vehicle inspection, traffic enforcement and radio management, state funds	SEG	A	60,897,500	60,897,500
(dr)	Transportation safety, state funds	SEG	A	1,795,200	1,795,200
(dx)	Vehicle inspection and traffic enforcement, federal funds	SEG–F	C	5,967,600	5,967,600
(dy)	Transportation safety, federal funds	SEG–F	C	5,270,800	5,270,800
(eg)	Payments to the Wisconsin Lions Foundation	PR	C	–0–	–0–
(eh)	Motorcycle safety program supplement, state funds	PR	C	–0–	–0–
(ei)	Payments to Wisconsin Trout Unlimited	PR	C	–0–	–0–
(ej)	Baseball plate licensing fees, state funds	PR	C	–0–	–0–
(ek)	Safe–ride grant program; state funds	PR–S	C	–0–	–0–
(hq)	Motor vehicle emission inspection and maintenance program; contractor costs and equipment grants; state funds	SEG	A	3,193,300	3,193,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(hx) Motor vehicle emission inspection and maintenance programs, federal funds	SEG–F	C	–0–	–0–
(iv) Municipal and county registration fee, local funds	SEG–L	C	–0–	–0–
(5) PROGRAM TOTALS				
PROGRAM REVENUE			2,776,500	2,776,500
OTHER			(657,100)	(657,100)
SERVICE			(2,119,400)	(2,119,400)
SEGREGATED REVENUE			149,876,900	150,112,400
FEDERAL			(11,604,800)	(11,500,300)
OTHER			(138,272,100)	(138,612,100)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			152,653,400	152,888,900
(6) DEBT SERVICES				
(ae) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	GPR	S	–0–	–0–
(af) Principal repayment and interest, local roads for job preservation program, major highway and rehabilitation projects, southeast megaprojects, state funds	GPR	S	123,394,800	106,564,900
(aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds	SEG	S	48,602,600	53,751,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ar) Principal repayment and interest, buildings, state funds	SEG	S	25,800	25,600
(au) Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high — cost bridge projects, state funds	SEG	S	81,224,100	93,752,900
(av) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	SEG	S	–0–	–0–
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			123,394,800	106,564,900
SEGREGATED REVENUE			129,852,500	147,530,100
OTHER			(129,852,500)	(147,530,100)
TOTAL–ALL SOURCES			253,247,300	254,095,000
(9) GENERAL PROVISIONS				
(qd) Freeway land disposal reimbursement clearing account	SEG	C	–0–	–0–
(qh) Highways, bridges and local transportation assistance clearing account	SEG	C	–0–	–0–
(qj) Highways, bridges and local transportation assistance clearing account, federally funded positions	SEG–F	C	–0–	–0–
(qn) Motor vehicle financial responsibility	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(th) Temporary funding of projects financed by revenue bonds	SEG	S	–0–	–0–
(9) PROGRAM TOTALS				
SEGREGATED REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.395 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			123,394,800	106,564,900
PROGRAM REVENUE			6,047,400	6,047,400
OTHER			(3,680,500)	(3,680,500)
SERVICE			(2,366,900)	(2,366,900)
SEGREGATED REVENUE			2,751,506,300	2,679,774,700
FEDERAL			(827,619,700)	(827,382,600)
OTHER			(1,674,932,800)	(1,639,152,500)
SERVICE			(141,067,700)	(105,353,500)
LOCAL			(107,886,100)	(107,886,100)
TOTAL–ALL SOURCES			2,880,948,500	2,792,387,000
Environmental Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			268,222,900	241,280,700
PROGRAM REVENUE			80,563,000	80,480,800
FEDERAL			(28,887,900)	(28,826,500)
OTHER			(26,740,000)	(26,740,000)
SERVICE			(24,935,100)	(24,914,300)
SEGREGATED REVENUE			3,144,410,300	3,071,018,800
FEDERAL			(880,591,900)	(880,389,500)
OTHER			(2,014,864,600)	(1,977,389,700)
SERVICE			(141,067,700)	(105,353,500)
LOCAL			(107,886,100)	(107,886,100)
TOTAL–ALL SOURCES			3,493,196,200	3,392,780,300

Human Resources

20.410 Corrections, Department of

(1) ADULT CORRECTIONAL SERVICES

(a) General program operations	GPR	A	739,313,400	740,554,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(aa)	Institutional repair and maintenance	GPR	A	4,282,800	4,282,800
(ab)	Corrections contracts and agreements	GPR	A	12,114,700	18,360,500
(b)	Services for community corrections	GPR	A	143,864,700	144,743,400
(bd)	Services for drunken driving offenders	GPR	A	6,503,700	6,503,700
(bm)	Pharmacological treatment for certain child sex offenders	GPR	A	58,900	58,900
(bn)	Reimbursing counties for probation, extended supervision and parole holds	GPR	A	4,885,700	4,885,700
(c)	Reimbursement claims of counties containing state prisons	GPR	S	70,000	70,000
(cw)	Mother–young child care program	GPR	A	198,000	198,000
(d)	Purchased services for offenders	GPR	A	31,190,000	31,190,000
(ds)	Becky Young community corrections; recidivism reduction community services	GPR	A	10,138,400	10,138,400
(e)	Principal repayment and interest	GPR	S	80,765,500	69,305,400
(ec)	Prison industries principal, interest and rebates	GPR	S	–0–	–0–
(ed)	Correctional facilities rental	GPR	A	–0–	–0–
(ef)	Lease rental payments	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(f)	Energy costs; energy–related assessments	GPR	A	27,337,900	28,221,800
(gb)	Drug testing	PR	C	–0–	–0–
(gc)	Sex offender honesty testing	PR	C	340,800	340,800
(gd)	Sex offender management	PR	A	819,000	819,000
(gf)	Probation, parole, and extended supervision	PR	A	11,401,800	11,401,800
(gh)	Supervision of persons on lifetime supervision	PR	A	–0–	–0–
(gi)	General operations	PR	A	4,342,000	4,342,000
(gk)	Global positioning system tracking devices for certain sex offenders	PR	C	239,100	239,100
(gL)	Global positioning system tracking devices for certain violators of restraining orders	PR	C	139,400	139,400
(gm)	Sale of fuel and utility service	PR	A	–0–	–0–
(gn)	Interstate compact for adult offender supervision	PR	A	375,900	375,900
(gr)	Home detention services; supervision	PR	A	356,100	356,500
(gt)	Telephone company commissions	PR	A	1,104,600	1,104,600
(h)	Administration of restitution	PR	A	773,900	774,800
(hm)	Private business employment of inmates and residents	PR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
1	(i)	Gifts and grants	PR	C	33,400	33,400
2	(jz)	Operations and maintenance	PR	C	495,500	508,800
3	(kc)	Correctional institution enterprises;				
4		inmate activities and employment	PR–S	C	2,776,500	2,776,500
5	(kd)	Victim notification	PR–S	A	682,300	682,300
6	(ke)	American Indian reintegration				
7		program	PR–S	A	50,000	50,000
8	(kf)	Correctional farms	PR–S	A	6,307,600	11,808,200
9	(kh)	Victim services and programs	PR–S	A	271,700	271,700
10	(kk)	Institutional operations and				
11		charges	PR–S	A	12,748,000	12,748,100
12	(km)	Prison industries	PR–S	A	17,425,600	18,630,300
13	(ko)	Prison industries principal				
14		repayment, interest and rebates	PR–S	S	90,900	106,800
15	(kp)	Correctional officer training	PR–S	A	2,416,600	2,416,600
16	(kx)	Interagency and intra–agency				
17		programs	PR–S	C	2,256,100	2,256,100
18	(ky)	Interagency and intra–agency aids	PR–S	C	1,427,700	1,427,700
19	(kz)	Interagency and intra–agency local				
20		assistance	PR–S	C	–0–	–0–
21	(m)	Federal project operations	PR–F	C	2,473,100	2,473,100
22	(n)	Federal program operations	PR–F	C	86,800	86,800
23	(qm)	Computer recycling	SEG	A	–0–	–0–

(1) PROGRAM TOTALS

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
GENERAL PURPOSE REVENUE			1,060,723,700	1,058,513,000
PROGRAM REVENUE			69,434,400	76,170,300
FEDERAL			(2,559,900)	(2,559,900)
OTHER			(20,421,500)	(20,436,100)
SERVICE			(46,453,000)	(53,174,300)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,130,158,100	1,134,683,300
(2) PAROLE COMMISSION				
(a) General program operations	GPR	A	1,282,900	1,282,900
(kx) Interagency and intra–agency programs	PR–S	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,282,900	1,282,900
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,282,900	1,282,900
(3) JUVENILE CORRECTIONAL SERVICES				
(a) General program operations	GPR	A	2,387,800	2,387,900
(ba) Mendota juvenile treatment center	GPR	A	1,365,500	1,365,500
(c) Reimbursement claims of counties containing juvenile correctional facilities	GPR	A	18,000	18,000
(cd) Community youth and family aids	GPR	A	44,324,200	–0–
(cg) Serious juvenile offenders	GPR	B	15,081,800	14,933,400
(dm) Interstate compact for juveniles assessments	GPR	A	–0–	–0–
(e) Principal repayment and interest	GPR	S	5,990,900	4,063,800
(f) Community intervention program	GPR	A	1,856,300	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(g)	Legal services collections	PR	C	–0–	–0–
(gg)	Collection remittances to local units of government	PR	C	–0–	–0–
(hm)	Juvenile correctional services	PR	A	31,429,900	31,567,600
(ho)	Juvenile alternate care services	PR	A	6,393,900	6,698,500
(hr)	Juvenile corrective sanctions program	PR	A	4,256,300	4,262,000
(i)	Gifts and grants	PR	C	7,700	7,700
(jr)	Institutional operations and charges	PR	A	180,500	180,500
(jv)	Secure detention services	PR	C	200,000	200,000
(ko)	Interagency programs; community youth and family aids	PR–S	C	1,247,800	–0–
(kp)	Indian juvenile placements	PR–S	A	37,500	–0–
(kx)	Interagency and intra–agency programs	PR–S	C	832,800	832,800
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	30,000	30,000
(q)	Girls school benevolent trust fund	SEG	C	–0–	–0–

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	71,024,500	22,768,600
PROGRAM REVENUE	44,616,400	43,779,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
FEDERAL			(30,000)	(30,000)
OTHER			(42,468,300)	(42,916,300)
SERVICE			(2,118,100)	(832,800)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			115,640,900	66,547,700
20.410 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			1,133,031,100	1,082,564,500
PROGRAM REVENUE			114,050,800	119,949,400
FEDERAL			(2,589,900)	(2,589,900)
OTHER			(62,889,800)	(63,352,400)
SERVICE			(48,571,100)	(54,007,100)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,247,081,900	1,202,513,900
20.425 Employment Relations Commission				
(1) LABOR RELATIONS				
(a) General program operations	GPR	A	1,381,500	1,383,600
(i) Fees, collective bargaining training, publications, and appeals	PR	A	153,300	153,300
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,381,500	1,383,600
PROGRAM REVENUE			153,300	153,300
OTHER			(153,300)	(153,300)
TOTAL–ALL SOURCES			1,534,800	1,536,900
20.425 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			1,381,500	1,383,600
PROGRAM REVENUE			153,300	153,300
OTHER			(153,300)	(153,300)
TOTAL–ALL SOURCES			1,534,800	1,536,900
20.427 Labor and Industry Review Commission				
(1) REVIEW COMMISSION				
(a) General program operations, review commission	GPR	A	265,500	265,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m) Federal moneys	PR–F	C	181,200	181,200
(n) Unemployment administration; federal moneys	PR–F	C	1,953,300	1,953,300
(ra) Worker's compensation operations fund; worker's compensation activities	SEG	A	777,100	777,100
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			265,500	265,500
PROGRAM REVENUE			2,134,500	2,134,500
FEDERAL			(2,134,500)	(2,134,500)
SEGREGATED REVENUE			777,100	777,100
OTHER			(777,100)	(777,100)
TOTAL–ALL SOURCES			3,177,100	3,177,100
20.427 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			265,500	265,500
PROGRAM REVENUE			2,134,500	2,134,500
FEDERAL			(2,134,500)	(2,134,500)
SEGREGATED REVENUE			777,100	777,100
OTHER			(777,100)	(777,100)
TOTAL–ALL SOURCES			3,177,100	3,177,100
20.432 Board on Aging and Long-Term Care				
(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
(a) General program operations	GPR	A	1,213,400	1,366,700
(i) Gifts and grants	PR	C	–0–	–0–
(k) Contracts with other state agencies	PR–S	C	1,222,300	1,305,900
(kb) Insurance and other information, counseling and assistance	PR–S	A	481,400	481,900
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,213,400	1,366,700
PROGRAM REVENUE			1,703,700	1,787,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(1,703,700)	(1,787,800)
TOTAL–ALL SOURCES			2,917,100	3,154,500
20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			1,213,400	1,366,700
PROGRAM REVENUE			1,703,700	1,787,800
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(1,703,700)	(1,787,800)
TOTAL–ALL SOURCES			2,917,100	3,154,500

1 **20.433 Child Abuse and Neglect Prevention Board**

2 (1) PREVENTION OF CHILD ABUSE AND NEGLECT

3	(b)	Grants to organizations	GPR	A	995,000	995,000
4	(g)	General program operations	PR	A	532,900	532,900
5	(h)	Grants to organizations	PR	C	850,600	850,600
6	(i)	Gifts and grants	PR	C	–0–	–0–
7	(jb)	Fees for administrative services	PR	C	15,000	15,000
8	(k)	Interagency programs	PR–S	C	–0–	–0–
9	(m)	Federal project operations	PR–F	C	182,700	182,700
10	(ma)	Federal project aids	PR–F	C	450,000	450,000
11	(q)	Children's trust fund; gifts and				
12		grants	SEG	C	15,000	15,000

(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUE		995,000	995,000
PROGRAM REVENUE		2,031,200	2,031,200
FEDERAL		(632,700)	(632,700)
OTHER		(1,398,500)	(1,398,500)
SERVICE		(–0–)	(–0–)
SEGREGATED REVENUE		15,000	15,000
OTHER		(15,000)	(15,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			3,041,200	3,041,200
20.433 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			995,000	995,000
PROGRAM REVENUE			2,031,200	2,031,200
FEDERAL			(632,700)	(632,700)
OTHER			(1,398,500)	(1,398,500)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			15,000	15,000
OTHER			(15,000)	(15,000)
TOTAL–ALL SOURCES			3,041,200	3,041,200

20.435 Health Services, Department of

(1) PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY

(a)	General program operations	GPR	A	4,292,600	4,292,600
(am)	Services, reimbursement, and payment related to human immunodeficiency virus	GPR	A	5,897,900	5,897,900
(b)	General aids and local assistance	GPR	A	543,600	543,600
(bn)	Workplace wellness program grants	GPR	S	3,000,000	3,000,000
(c)	Public health emergency quarantine costs	GPR	S	–0–	–0–
(cb)	Well–woman program	GPR	A	2,228,200	2,328,200
(cc)	Cancer control and prevention	GPR	A	333,900	333,900
(ce)	Primary health for homeless individuals	GPR	C	–0–	–0–
(ch)	Emergency medical services; aids	GPR	A	1,980,200	1,980,200
(cm)	Immunization	GPR	S	–0–	–0–
(de)	Dental services	GPR	A	2,974,300	2,974,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	(dg) Clinic aids	GPR	B	66,800	66,800
2	(dk) Low–income dental clinics	GPR	A	850,000	850,000
3	(dm) Rural health dental clinics	GPR	A	895,500	895,500
4	(dn) Food distribution grants	GPR	A	288,000	288,000
5	(ds) Statewide poison control program	GPR	A	382,500	382,500
6 7	(e) Public health dispensaries and drugs	GPR	B	661,000	661,000
8	(ed) Radon aids	GPR	A	26,700	26,700
9 10	(ef) Lead–poisoning or lead–exposure services	GPR	A	894,700	894,700
11	(eg) Pregnancy counseling	GPR	A	69,100	69,100
12 13 14	(em) Supplemental food program for women, infants and children benefits	GPR	C	161,400	161,400
15 16	(eu) Reducing fetal and infant mortality and morbidity	GPR	B	222,700	222,700
17 18	(ev) Pregnancy outreach and infant health	GPR	A	188,200	188,200
19	(f) Women's health block grant	GPR	A	1,742,000	1,742,000
20	(fh) Community health services	GPR	A	5,490,000	5,490,000
21 22	(fj) Grants to establish graduate medical training programs	GPR	A	1,750,000	1,750,000
23	(fm) Tobacco use control	GPR	C	5,315,000	5,315,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(fn)	Health care information organization	GPR	A	–0–	–0–
(g)	Payments to Donate Life Wisconsin	PR	C	–0–	–0–
(gi)	Payments to the Wisconsin Women's Health Foundation	PR	C	–0–	–0–
(gm)	Licensing, review and certifying activities; fees; supplies and services	PR	A	15,860,500	12,455,700
(gp)	Cancer information	PR	C	18,000	18,000
(gr)	Supplemental food program for women, infants and children administration	PR	C	48,200	48,200
(hg)	General program operations; health care information	PR	A	1,738,100	1,334,000
(hi)	Compilations and special reports; health care information	PR	C	–0–	–0–
(i)	Gifts and grants	PR	C	21,157,500	21,157,500
(ja)	Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	3,179,500	3,179,500
(jb)	Congenital disorders; operations	PR	A	502,000	502,000
(jd)	Fees for administrative services	PR	C	112,500	112,500
(kb)	Minority health	PR–S	A	133,600	133,600
(ke)	American Indian health projects	PR–S	A	106,900	106,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kf)	American Indian diabetes prevention and control	PR–S	A	22,500	22,500
(kx)	Interagency and intra–agency programs	PR–S	C	4,108,000	4,108,000
(ky)	Interagency and intra–agency aids	PR–S	C	100,000	100,000
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	25,657,600	25,657,600
(ma)	Federal project aids	PR–F	C	56,365,500	56,365,500
(mc)	Federal block grant operations	PR–F	C	6,132,800	6,132,800
(md)	Federal block grant aids	PR–F	C	7,342,300	7,342,300
(n)	Federal program operations	PR–F	C	5,314,900	5,314,900
(na)	Federal program aids	PR–F	C	93,000,000	93,000,000
(q)	Groundwater and air quality standards	SEG	A	317,300	317,700

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	40,254,300	40,354,300
PROGRAM REVENUE	240,900,400	237,091,500
FEDERAL	(193,813,100)	(193,813,100)
OTHER	(42,616,300)	(38,807,400)
SERVICE	(4,471,000)	(4,471,000)
SEGREGATED REVENUE	317,300	317,700
OTHER	(317,300)	(317,700)
TOTAL–ALL SOURCES	281,472,000	277,763,500

(2) MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES; FACILITIES

(a)	General program operations	GPR	A	77,134,200	76,938,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(aa)	Institutional repair and maintenance	GPR	A	715,200	715,200
(bj)	Competency examinations and treatment, and conditional release, supervised release, and community supervision services	GPR	B	12,363,000	13,641,100
(bm)	Secure mental health units or facilities	GPR	A	104,429,200	106,391,000
(ee)	Principal repayment and interest	GPR	S	22,200,400	19,243,600
(ef)	Lease rental payments	GPR	S	–0–	–0–
(f)	Energy costs; energy–related assessments	GPR	A	5,277,300	5,351,300
(g)	Alternative services of institutes and centers	PR	C	10,238,800	10,244,700
(gk)	Institutional operations and charges	PR	A	165,325,400	164,778,800
(gL)	Extended intensive treatment surcharge	PR	C	100,000	100,000
(gs)	Sex offender honesty testing	PR	C	–0–	–0–
(i)	Gifts and grants	PR	C	187,600	187,600
(km)	Indian mental health placement	PR–S	A	250,000	250,000
(kx)	Interagency and intra–agency programs	PR–S	C	8,636,200	8,636,200
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			222,119,300	222,281,000
	PROGRAM REVENUE			184,738,000	184,197,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(175,851,800)	(175,311,100)
	SERVICE			(8,886,200)	(8,886,200)
	TOTAL–ALL SOURCES			406,857,300	406,478,300
(4)	MEDICAID SERVICES				
(a)	General program operations	GPR	A	38,852,000	38,554,600
(b)	Medical Assistance program benefits	GPR	B	2,688,328,100	2,830,652,300
(bd)	Long–term care programs	GPR	A	84,065,400	80,321,200
(bm)	Medical Assistance, food stamps, and Badger Care administration; contract costs, insurer reports, and resource centers	GPR	B	59,731,300	61,614,900
(bn)	Income maintenance	GPR	B	16,763,000	18,291,600
(bp)	Food stamp employment and training program administration	GPR	C	13,438,700	13,925,300
(bq)	Substance abuse treatment costs	GPR	B	–0–	–0–
(br)	Cemetery, funeral, and burial expenses program	GPR	B	9,855,000	10,514,700
(bt)	Relief block grants to counties	GPR	A	–0–	–0–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(bv)	Prescription drug assistance for elderly; aids	GPR	B	19,931,600	22,051,500
(e)	Disease aids	GPR	B	5,273,000	5,273,000
(ed)	State supplement to federal supplemental security income program	GPR	S	155,291,400	157,821,600
(g)	Family care benefit; cost sharing	PR	C	–0–	–0–
(gm)	Medical assistance; provider refunds and collections	PR	C	526,253,700	613,033,100
(gr)	Income maintenance; county payments	PR	C	–0–	–0–
(h)	County contributions	PR	C	55,288,400	54,834,500
(hm)	BadgerCare Plus Basic Plan; benefits and administration	PR	C	–0–	–0–
(hp)	Disabled children's long–term support waivers	PR	C	1,567,100	1,567,300
(hs)	Interpreter services for hearing impaired	PR	A	39,900	39,900
(i)	Gifts, grants, and payments; health care financing	PR	C	3,391,900	3,385,900
(iL)	Medical assistance provider assessments; health services regulation	PR	C	225,700	247,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(im)	Medical assistance; correct payment recovery; collections; community services; other recoveries	PR	C	99,934,800	78,024,800
(in)	Community options program; family care; recovery of costs administration	PR	A	222,700	222,700
(j)	Prescription drug assistance for elderly; manufacturer rebates	PR	C	62,303,800	67,358,900
(jb)	Prescription drug assistance for elderly; enrollment fees	PR	C	4,120,000	4,120,000
(jc)	Fees for administrative services	PR	C	30,000	30,000
(jd)	Electronic benefit transfer card replacement costs	PR	C	227,500	455,000
(je)	Disease aids; drug manufacturer rebates	PR	C	1,100,000	1,200,000
(jt)	Care management organization, insolvency assistance	PR	C	–0–	–0–
(jw)	BadgerCare Plus and hospital assessment	PR	C	2,030,200	2,030,200
(jz)	Medical Assistance and Badger Care cost sharing, and employer penalty assessments	PR	C	15,200,000	15,200,000
(kb)	Relief block grants to tribal governing bodies	PR–S	A	712,800	712,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kt)	Medical assistance outreach and reimbursements for tribes	PR–S	B	961,700	961,700
(kv)	Care management organization; oversight	PR–S	C	–0–	–0–
(kx)	Interagency and intra–agency programs	PR–S	C	6,903,300	6,903,300
(ky)	Interagency and intra–agency aids	PR–S	C	51,531,500	51,560,200
(kz)	Interagency and intra–agency local assistance	PR–S	C	1,145,300	1,145,300
(L)	Fraud and error reduction	PR	C	784,700	784,700
(m)	Federal project operations	PR–F	C	5,969,000	5,969,000
(ma)	Federal project aids	PR–F	C	2,700,000	2,700,000
(md)	Federal block grant aids	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	70,901,200	72,052,200
(na)	Federal program aids	PR–F	C	12,485,000	12,485,000
(nn)	Federal aid; income maintenance	PR–F	C	50,978,800	44,461,900
(np)	Federal aid; food stamp employment and training program	PR–F	C	29,027,400	35,398,200
(o)	Federal aid; medical assistance	PR–F	C	5,125,303,000	5,161,878,800
(p)	Federal aid; Badger Care health care program	PR–F	C	–0–	–0–
(pa)	Federal aid; Medical Assistance and food stamps contracts administration	PR–F	C	148,899,400	145,893,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(pg)	Federal aid; prescription drug assistance for elderly	PR-F	C	19,255,400	21,535,600
(w)	Medical Assistance trust fund	SEG	B	356,121,600	358,217,100
(wm)	Medical assistance trust fund; nursing homes	SEG	S	-0-	-0-
(wp)	Medical Assistance trust fund; county reimbursement	SEG	S	-0-	-0-
(x)	Medical Assistance trust fund; children's services; Badger Care health care program	SEG	C	-0-	-0-
(xc)	Hospital assessment fund; hospital payments	SEG	A	414,507,300	414,507,300
(xe)	Critical access hospital assessment fund; hospital payments	SEG	C	7,485,400	6,922,200

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	3,091,529,500	3,239,020,700
PROGRAM REVENUE	6,299,494,200	6,406,192,400
FEDERAL	(5,465,519,200)	(5,502,374,500)
OTHER	(772,720,400)	(842,534,600)
SERVICE	(61,254,600)	(61,283,300)
SEGREGATED REVENUE	778,114,300	779,646,600
OTHER	(778,114,300)	(779,646,600)
TOTAL-ALL SOURCES	10,169,138,000	10,424,859,700

(5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

(a)	General program operations	GPR	A	2,432,000	2,432,000
(bc)	Grants for community programs	GPR	A	8,681,100	8,681,100
(be)	Mental health treatment services	GPR	A	5,558,400	1,551,500
(bf)	Brighter futures initiative	GPR	A	865,000	865,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bL)	Community support programs and psychosocial services	GPR	A	1,878,700	–0–
(bw)	Child psychiatry consultation program	GPR	B	500,000	500,000
(cd)	Crisis intervention training grants	GPR	B	125,000	125,000
(cf)	Mobile crisis team grants	GPR	B	125,000	125,000
(co)	Initiatives for coordinated services	GPR	A	2,599,100	2,599,100
(da)	Reimbursements to local units of government	GPR	S	507,800	507,800
(gb)	Alcohol and drug abuse initiatives	PR	C	659,900	659,900
(gg)	Collection remittances to local units of government	PR	C	4,400	4,400
(hx)	Services related to drivers, receipts	PR	A	–0–	–0–
(hy)	Services for drivers, local assistance	PR	A	1,000,000	1,000,000
(i)	Gifts and grants	PR	C	133,700	133,700
(jb)	Fees for administrative services	PR	C	23,900	23,900
(kc)	Severely emotionally disturbed children	PR–S	C	724,500	724,500
(kf)	Milwaukee County mental health board; audit	PR	C	–0–	–0–
(kg)	Compulsive gambling awareness campaigns	PR–S	A	396,000	396,000
(kL)	Indian aids	PR–S	A	242,000	242,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(km)	Indian drug abuse prevention and education	PR–S	A	445,500	445,500
(kx)	Interagency and intra–agency programs	PR–S	C	3,462,300	3,541,400
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	437,600	437,600
(ma)	Federal project aids	PR–F	C	334,600	334,600
(mb)	Federal project local assistance	PR–F	C	–0–	–0–
(mc)	Federal block grant operations	PR–F	C	3,131,200	3,131,200
(md)	Federal block grant aids	PR–F	C	10,622,500	10,622,500
(me)	Federal block grant local assistance	PR–F	C	9,612,800	9,612,800
(n)	Federal program operations	PR–F	C	849,700	849,700
(na)	Federal program aids	PR–F	C	–0–	–0–
(nL)	Federal program local assistance	PR–F	C	–0–	–0–
(o)	Federal aid; community aids	PR–F	C	12,249,100	12,249,100

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	23,272,100	17,386,500
PROGRAM REVENUE	44,329,700	44,408,800
FEDERAL	(37,237,500)	(37,237,500)
OTHER	(1,821,900)	(1,821,900)
SERVICE	(5,270,300)	(5,349,400)
TOTAL–ALL SOURCES	67,601,800	61,795,300

(6) QUALITY ASSURANCE SERVICES PLANNING, REGULATION AND DELIVERY

(a)	General program operations	GPR	A	5,556,300	5,556,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(dm)	Nursing home monitoring and receivership supplement	GPR	S	–0–	–0–
(g)	Nursing facility resident protection	PR	C	220,300	220,300
(ga)	Community–based residential facility monitoring and receivership operations	PR	C	–0–	–0–
(i)	Gifts and grants	PR	C	–0–	–0–
(jb)	Fees for administrative services	PR	C	186,300	186,300
(jm)	Licensing and support services	PR	A	5,252,400	5,252,400
(k)	Nursing home monitoring and receivership operations	PR	C	–0–	–0–
(kx)	Interagency and intra–agency programs	PR–S	C	–0–	–0–
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
(mc)	Federal block grant operations	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	15,982,400	15,982,400
(na)	Federal program aids	PR–F	C	–0–	–0–
(nL)	Federal program local assistance	PR–F	C	–0–	–0–

(6) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	5,556,300	5,556,300
PROGRAM REVENUE	21,641,400	21,641,400
FEDERAL	(15,982,400)	(15,982,400)
OTHER	(5,659,000)	(5,659,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			27,197,700	27,197,700
(7) DISABILITY AND ELDER SERVICES				
(b) Community aids and medical assistance payments	GPR	A	191,927,900	203,112,100
(bc) Grants for community programs	GPR	A	131,200	131,200
(bg) Alzheimer's disease; training and information grants	GPR	A	131,400	131,400
(bm) Purchased services for clients	GPR	A	93,900	93,900
(br) Respite care	GPR	A	225,000	225,000
(bt) Early intervention services for infants and toddlers with disabilities	GPR	C	5,789,000	5,789,000
(c) Independent living centers	GPR	A	1,017,700	1,017,700
(cg) Guardianship grant program	GPR	A	100,000	100,000
(cx) Healthy aging; evidence–based training and prevention	GPR	A	200,000	200,000
(d) Interpreter services and telecommunication aid for the hearing impaired	GPR	A	178,200	178,200
(dh) Programs for senior citizens; elder abuse services; benefit specialist program	GPR	A	15,694,200	15,707,800
(kc) Independent living center grants	PR–S	A	600,000	600,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kn)	Elderly nutrition; home–delivered and congregate meals	PR–S	A	445,500	445,500
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	1,257,800	1,257,800
(ma)	Federal project aids	PR–F	C	5,800,000	5,800,000
(mb)	Federal project local assistance	PR–F	C	–0–	–0–
(md)	Federal block grant aids	PR–F	C	–0–	62,000
(me)	Federal block grant local assistance	PR–F	C	–0–	–0–
(na)	Federal program aids	PR–F	C	29,898,700	30,898,700
(nl)	Federal program local assistance	PR–F	C	7,560,000	7,560,000
(o)	Federal aid; community aids	PR–F	C	36,685,200	36,524,100

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	215,488,500	226,686,300
PROGRAM REVENUE	82,247,200	83,148,100
FEDERAL	(79,943,900)	(80,844,800)
SERVICE	(2,303,300)	(2,303,300)
TOTAL–ALL SOURCES	297,735,700	309,834,400

(8) GENERAL ADMINISTRATION

(a)	General program operations	GPR	A	15,182,700	15,289,200
(b)	Inspector general; general operations	GPR	A	4,674,700	4,470,200
(c)	Inspector general; local assistance	GPR	A	500,000	500,000
(i)	Gifts and grants	PR	C	10,000	10,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(k)	Administrative and support services	PR–S	A	29,762,600	29,796,400
(kw)	Inspector general; interagency and intra–agency programs	PR–S	C	431,200	431,200
(kx)	Interagency and intra–agency programs	PR–S	C	41,800	41,800
(ky)	Interagency and intra–agency aids	PR–S	C	2,000,000	2,000,000
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
(ma)	Federal project aids	PR–F	C	–0–	–0–
(mb)	Income augmentation services receipts	PR–F	C	6,634,900	6,634,900
(mc)	Federal block grant operations	PR–F	C	1,219,600	1,219,600
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	2,783,200	2,783,200
(o)	Inspector general; federal program local assistance	PR–F	C	814,200	814,200
(p)	Inspector general; federal program operations	PR–F	C	7,203,800	6,590,300
(pz)	Indirect cost reimbursements	PR–F	C	2,530,400	2,530,400

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	20,357,400	20,259,400
PROGRAM REVENUE	53,431,700	52,852,000
FEDERAL	(21,186,100)	(20,572,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
OTHER			(10,000)	(10,000)
SERVICE			(32,235,600)	(32,269,400)
TOTAL–ALL SOURCES			73,789,100	73,111,400
20.435 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			3,618,577,400	3,771,544,500
PROGRAM REVENUE			6,926,782,600	7,029,531,500
FEDERAL			(5,813,682,200)	(5,850,824,900)
OTHER			(998,679,400)	(1,064,144,000)
SERVICE			(114,421,000)	(114,562,600)
SEGREGATED REVENUE			778,431,600	779,964,300
OTHER			(778,431,600)	(779,964,300)
TOTAL–ALL SOURCES			11,323,791,600	11,581,040,300
20.437 Children and Families, Department of				
(1) CHILDREN AND FAMILY SERVICES				
(a) General program operations	GPR	A	9,162,400	9,202,600
(ab) Child abuse and neglect prevention grants	GPR	A	985,700	985,700
(ac) Child abuse and neglect prevention technical assistance	GPR	A	–0–	–0–
(b) Children and family aids payments	GPR	A	29,359,100	25,658,600
(bc) Grants for children's community programs	GPR	A	625,200	625,200
(bd) Tribal family services grants	GPR	A	1,271,900	1,271,900
(cd) Domestic abuse grants	GPR	A	7,434,600	12,434,600
(cf) Foster and family–operated group home parent insurance and liability	GPR	A	59,400	59,400
(cj) Community youth and family aids	GPR	A	44,291,200	88,591,400
(cm) Community intervention program	GPR	A	1,856,300	3,712,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(cw)	Milwaukee child welfare services; general program operations	GPR	A	17,077,600	17,379,600
(cx)	Child welfare services; aids	GPR	A	59,551,800	62,280,500
(d)	Interstate Compact for the Placement of Children assessments	GPR	A	–0–	–0–
(da)	Child Welfare Program Enhancement Plan; aids	GPR	A	1,796,500	1,796,500
(dd)	State out–of–home care, guardianship, and adoption services	GPR	A	56,212,000	56,458,600
(dg)	State adoption information exchange and state adoption center	GPR	A	169,600	169,600
(e)	Services for sex–trafficking victims	GPR	A	–0–	2,000,000
(eg)	Brighter futures initiative	GPR	A	864,900	864,900
(f)	Second–chance homes	GPR	A	–0–	–0–
(fm)	Literacy improvement aids	GPR	A	23,600	23,600
(gg)	Collection remittances to local units of government	PR	C	–0–	–0–
(gx)	Milwaukee child welfare services; collections	PR	C	7,234,000	4,487,200
(hh)	Domestic abuse surcharge grants	PR	C	573,200	573,200
(i)	Gifts and grants	PR	C	5,000	5,000
(j)	Statewide automated child welfare information system receipts	PR	C	581,300	581,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(jb)	Fees for administrative services	PR	C	78,000	78,000
(jj)	Searches for birth parents and adoption record information; foreign adoptions	PR	A	79,800	79,800
(jm)	Licensing activities	PR	C	90,900	90,900
(kb)	Interagency aids; brighter futures initiative	PR–S	C	865,000	865,000
(km)	Interagency and intra–agency aids; children and family aids; local assistance	PR–S	C	7,680,700	7,296,700
(kp)	Interagency and intra–agency aids; tribal delinquency placements	PR–S	A	37,500	75,000
(kw)	Interagency and intra–agency aids; Milwaukee child welfare services	PR–S	A	20,101,300	20,101,300
(kx)	Interagency and intra–agency programs	PR–S	C	3,495,500	3,538,700
(ky)	Interagency and intra–agency aids	PR–S	C	3,290,100	3,290,100
(kz)	Interagency and intra–agency aids; tribal placements and guardianships	PR–S	A	395,000	395,000
(m)	Federal project operations	PR–F	C	795,800	742,600
(ma)	Federal project aids	PR–F	C	2,438,700	2,438,700
(mb)	Federal project local assistance	PR–F	C	1,100,000	–0–
(mc)	Federal block grant operations	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(md)	Federal block grant aids	PR-F	C	-0-	-0-
(me)	Federal block grant local assistance	PR-F	C	-0-	-0-
(mw)	Federal aid; Milwaukee child welfare services general program operations	PR-F	C	3,978,700	4,025,000
(mx)	Federal aid; Milwaukee child welfare services aids	PR-F	C	15,697,300	15,757,600
(n)	Federal program operations	PR-F	C	10,197,900	10,203,200
(na)	Federal program aids	PR-F	C	9,824,300	9,824,300
(nL)	Federal program local assistance	PR-F	C	10,478,000	10,088,000
(o)	Federal aid; children, youth, and family aids	PR-F	C	32,863,000	38,651,400
(pd)	Federal aid; state out-of-home care, guardianship, and adoption services	PR-F	C	44,939,700	45,249,100
(pm)	Federal aid; adoption incentive payments	PR-F	C	136,000	136,000
(q)	Grants for literacy and early childhood development programs	SEG	S	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	230,741,800	283,515,200
PROGRAM REVENUE	176,956,700	178,573,100
FEDERAL	(132,449,400)	(137,115,900)
OTHER	(8,642,200)	(5,895,400)
SERVICE	(35,865,100)	(35,561,800)
SEGREGATED REVENUE	-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES	407,698,500	462,088,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(2)	ECONOMIC SUPPORT				
(a)	General program operations	GPR	A	3,987,200	3,994,100
(bc)	Child support local assistance	GPR	C	8,500,000	8,500,000
(cm)	Wisconsin works child care	GPR	A	28,849,400	28,849,400
(dz)	Temporary Assistance for Needy Families programs; maintenance of effort	GPR	A	131,077,000	131,077,000
(e)	Incentive payments for identifying children with health insurance	GPR	A	300,000	300,000
(em)	Drug testing and treatment costs	GPR	A	250,000	250,000
(f)	Emergency Shelter of the Fox Valley	GPR	A	50,000	50,000
(fr)	Skills enhancement grants	GPR	A	250,000	250,000
(i)	Gifts and grants	PR	C	2,500	2,500
(ja)	Child support state operations – fees and reimbursements	PR	C	19,735,800	19,550,800
(jb)	Fees for administrative services	PR	C	725,000	725,000
(jL)	Job access loan repayments	PR	C	610,200	610,200
(jn)	Child care licensing and certification activities	PR	C	1,700,400	1,715,900
(k)	Child support transfers	PR–S	C	7,027,800	7,027,800
(kp)	Delinquent support, maintenance, and fee payments	PR–S	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kx)	Interagency and intra–agency programs	PR–S	C	1,342,800	1,342,800
(L)	Public assistance overpayment recovery, fraud investigation, and error reduction	PR	C	160,600	160,600
(ma)	Federal project activities and administration	PR–F	C	8,226,000	7,994,500
(mc)	Federal block grant operations	PR–F	A	48,114,200	46,318,000
(md)	Federal block grant aids	PR–F	A	381,226,300	409,916,700
(me)	Child care and temporary assistance overpayment recovery	PR–F	C	4,286,600	4,287,600
(mg)	Community services block grant; federal funds	PR–F	C	7,888,500	7,888,500
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
(n)	Child support state operations; federal funds	PR–F	C	17,852,600	17,855,300
(nL)	Child support local assistance; federal funds	PR–F	C	70,389,100	70,340,600
(om)	Refugee assistance; federal funds	PR–F	C	5,842,100	5,842,600
(pz)	Income augmentation services receipts	PR–F	C	–0–	–0–
(q)	Centralized support receipt and disbursement; interest	SEG	S	30,000	35,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(qm)	Child support state operations and reimbursement for claims and expenses; unclaimed payments	SEG	S	100,000	100,000
(s)	Economic support – public benefits	SEG	A	9,139,700	9,139,700
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			173,263,600	173,270,500
	PROGRAM REVENUE			575,130,500	601,579,400
	FEDERAL			(543,825,400)	(570,443,800)
	OTHER			(22,934,500)	(22,765,000)
	SERVICE			(8,370,600)	(8,370,600)
	SEGREGATED REVENUE			9,269,700	9,274,700
	OTHER			(9,269,700)	(9,274,700)
	TOTAL–ALL SOURCES			757,663,800	784,124,600
(3)	GENERAL ADMINISTRATION				
(a)	General program operations	GPR	A	1,765,500	1,765,500
(i)	Gifts and grants	PR	C	5,000	5,000
(jb)	Fees for administrative services	PR	C	–0–	–0–
(k)	Administrative and support services	PR–S	A	22,257,600	22,288,500
(kp)	Interagency and intra–agency aids; income augmentation services receipts	PR–S	C	5,580,300	850,000
(kx)	Interagency and intra–agency programs	PR–S	C	15,607,500	14,786,400
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(mc)	Federal block grant operations	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(md)	Federal block grant aids	PR-F	C	-0-	-0-
(mf)	Federal economic stimulus funds	PR-F	C	-0-	-0-
(mm)	Reimbursements from federal government	PR-F	C	-0-	-0-
(n)	Federal project activities	PR-F	C	-0-	-0-
(pz)	Indirect cost reimbursements	PR-F	C	-0-	-0-

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	1,765,500	1,765,500
PROGRAM REVENUE	43,450,400	37,929,900
FEDERAL	(-0-)	(-0-)
OTHER	(5,000)	(5,000)
SERVICE	(43,445,400)	(37,924,900)
TOTAL-ALL SOURCES	45,215,900	39,695,400

20.437 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	405,770,900	458,551,200
PROGRAM REVENUE	795,537,600	818,082,400
FEDERAL	(676,274,800)	(707,559,700)
OTHER	(31,581,700)	(28,665,400)
SERVICE	(87,681,100)	(81,857,300)
SEGREGATED REVENUE	9,269,700	9,274,700
OTHER	(9,269,700)	(9,274,700)
TOTAL-ALL SOURCES	1,210,578,200	1,285,908,300

20.438 Board for People with Developmental Disabilities

(1) DEVELOPMENTAL DISABILITIES

(a)	General program operations	GPR	A	47,000	47,900
(h)	Program services	PR	C	-0-	-0-
(i)	Gifts and grants	PR	C	-0-	-0-
(mc)	Federal project operations	PR-F	C	808,500	809,500
(md)	Federal project aids	PR-F	C	543,600	543,600

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	47,000	47,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
PROGRAM REVENUE			1,352,100	1,353,100
FEDERAL			(1,352,100)	(1,353,100)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,399,100	1,401,000
20.438 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			47,000	47,900
PROGRAM REVENUE			1,352,100	1,353,100
FEDERAL			(1,352,100)	(1,353,100)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,399,100	1,401,000
20.440 Health and Educational Facilities Authority				
(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
(a) General program operations	GPR	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(2) RURAL HOSPITAL LOAN GUARANTEE				
(a) Rural assistance loan fund	GPR	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.445 Workforce Development, Department of				
(1) WORKFORCE DEVELOPMENT				
(a) General program operations	GPR	A	8,073,100	8,073,100
(aa) Special death benefit	GPR	S	525,000	525,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(al)	Unemployment insurance administration; controlled substances testing and treatment	GPR	B	250,000	250,000
(b)	Workforce training program; grants and services	GPR	C	10,400,000	10,400,000
(bm)	Workforce training program, administration	GPR	B	3,274,400	3,274,400
(cr)	State supplement to employment opportunity demonstration projects	GPR	A	200,600	200,600
(d)	Apprenticeship completion award program	GPR	A	225,000	225,000
(e)	Local youth apprenticeship grants	GPR	A	2,233,700	2,233,700
(f)	Death and disability benefit payments; public insurrections	GPR	S	–0–	–0–
(fg)	Employment transit aids, state funds	GPR	A	464,800	464,800
(fm)	Youth summer jobs programs	GPR	A	422,400	422,400
(g)	Gifts and grants	PR	C	–0–	–0–
(ga)	Auxiliary services	PR	C	379,800	379,800
(gb)	Local agreements	PR	C	258,200	258,200
(gc)	Unemployment administration	PR	C	–0–	–0–
(gd)	Unemployment interest and penalty payments	PR	C	2,080,900	2,080,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(gg)	Unemployment information technology systems; interest and penalties	PR	C	–0–	–0–
(gh)	Unemployment information technology systems; assessments	PR	C	–0–	–0–
(gk)	Child labor permit system; fees	PR	A	354,200	354,200
(gm)	Unemployment insurance handbook	PR	C	–0–	–0–
(ka)	Interagency and intra–agency agreements	PR–S	C	36,802,700	36,802,700
(kc)	Administrative services	PR–S	A	36,056,500	36,056,500
(km)	Nursing workforce survey and grants	PR–S	C	155,600	155,600
(m)	Workforce investment and assistance; federal moneys	PR–F	C	74,495,600	73,600,600
(n)	Employment assistance and unemployment insurance administration; federal moneys	PR–F	C	60,541,200	60,541,200
(na)	Employment security buildings and equipment	PR–F	C	–0–	–0–
(nb)	Unemployment administration; information technology systems	PR–F	C	–0–	–0–
(nd)	Unemployment administration; apprenticeship and other employment services	PR–F	A	2,235,900	1,423,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ne)	Unemployment insurance administration and bank service costs	PR–F	C	–0–	–0–
(o)	Equal rights; federal moneys	PR–F	C	812,100	812,100
(p)	Worker's compensation; federal moneys	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	25,300	25,300
(ra)	Worker's compensation operations fund; administration	SEG	A	12,663,000	12,663,000
(rb)	Worker's compensation operations fund; contracts	SEG	C	93,900	93,900
(rp)	Worker's compensation operations fund; uninsured employers program; administration	SEG	A	1,129,400	1,129,400
(s)	Self–insured employers liability fund	SEG	C	–0–	–0–
(sm)	Uninsured employers fund; payments	SEG	S	5,500,000	5,500,000
(t)	Work injury supplemental benefit fund	SEG	C	10,629,900	10,629,900
(u)	Unemployment interest payments and transfers	SEG	S	–0–	–0–
(v)	Unemployment program integrity	SEG	S	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	26,069,000	26,069,000
PROGRAM REVENUE	214,198,000	212,490,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
FEDERAL			(138,110,100)	(136,402,600)
OTHER			(3,073,100)	(3,073,100)
SERVICE			(73,014,800)	(73,014,800)
SEGREGATED REVENUE			30,016,200	30,016,200
OTHER			(30,016,200)	(30,016,200)
TOTAL–ALL SOURCES			270,283,200	268,575,700
(5) VOCATIONAL REHABILITATION SERVICES				
(a) General program operations; purchased services for clients	GPR	C	17,525,200	17,525,200
(gg) Contractual services	PR	C	–0–	–0–
(gp) Contractual aids	PR	C	–0–	–0–
(h) Enterprises and services for blind and visually impaired	PR	C	149,100	149,100
(he) Supervised business enterprise	PR	C	125,000	125,000
(i) Gifts and grants	PR	C	1,000	1,000
(kg) Vocational rehabilitation services for tribes	PR–S	A	314,900	314,900
(kx) Interagency and intra–agency programs	PR–S	C	–0–	–0–
(ky) Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz) Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m) Federal project operations	PR–F	C	50,000	50,000
(ma) Federal project aids	PR–F	C	6,599,800	6,393,100
(n) Federal program aids and operations	PR–F	C	66,996,700	66,996,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(nL) Federal program local assistance	PR-F	C	-0-	-0-
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			17,525,200	17,525,200
PROGRAM REVENUE			74,236,500	74,029,800
FEDERAL			(73,646,500)	(73,439,800)
OTHER			(275,100)	(275,100)
SERVICE			(314,900)	(314,900)
TOTAL-ALL SOURCES			91,761,700	91,555,000
20.445 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			43,594,200	43,594,200
PROGRAM REVENUE			288,434,500	286,520,300
FEDERAL			(211,756,600)	(209,842,400)
OTHER			(3,348,200)	(3,348,200)
SERVICE			(73,329,700)	(73,329,700)
SEGREGATED REVENUE			30,016,200	30,016,200
OTHER			(30,016,200)	(30,016,200)
TOTAL-ALL SOURCES			362,044,900	360,130,700
20.455 Justice, Department of				
(1) LEGAL SERVICES				
(a) General program operations	GPR	A	13,478,700	13,497,700
(d) Legal expenses	GPR	B	738,500	738,800
(gh) Investigation and prosecution	PR	C	443,200	584,500
(gs) Delinquent obligation collection	PR	A	7,000	7,000
(hm) Restitution	PR	C	-0-	-0-
(k) Environment litigation project	PR-S	C	608,500	613,000
(km) Interagency and intra-agency assistance	PR-S	C	1,380,400	1,406,800
(m) Federal aid	PR-F	C	1,166,600	1,169,900
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			14,217,200	14,236,500
PROGRAM REVENUE			3,605,700	3,781,200
FEDERAL			(1,166,600)	(1,169,900)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
OTHER			(450,200)	(591,500)
SERVICE			(1,988,900)	(2,019,800)
TOTAL–ALL SOURCES			17,822,900	18,017,700
(2) LAW ENFORCEMENT SERVICES				
(a) General program operations	GPR	A	21,065,000	21,117,400
(am) Officer training reimbursement	GPR	S	150,000	150,000
(b) Investigations and operations	GPR	A	–0–	–0–
(c) Crime laboratory equipment	GPR	B	–0–	–0–
(cv) Shot Spotter Program	GPR	A	175,000	175,000
(dg) Weed and seed and law enforcement technology	GPR	A	–0–	–0–
(eg) Drug courts	GPR	A	500,000	500,000
(em) Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; presentencing assessments	GPR	A	2,500,000	2,500,000
(g) Gaming law enforcement; racing revenues	PR	A	–0–	–0–
(gb) Gifts and grants	PR	C	–0–	–0–
(gc) Gaming law enforcement; Indian gaming	PR	A	144,600	144,800
(gm) Criminal history searches; fingerprint identification	PR	C	4,411,900	4,428,200
(gp) Crime information alerts	PR	C	50,000	50,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(gr)	Handgun purchaser record check; checks for licenses or certifications to carry concealed weapons	PR	C	2,008,900	2,011,900
(gu)	Sobriety Programs	PR	A	–0–	–0–
(h)	Terminal charges	PR	A	2,463,300	2,463,400
(hm)	Public safety interoperable communication system; general usage fees	PR	A	–0–	–0–
(i)	Penalty surcharge, receipts	PR	A	–0–	–0–
(j)	Law enforcement training fund, local assistance	PR–S	A	4,364,800	4,364,800
(ja)	Law enforcement training fund, state operations	PR–S	A	3,063,600	3,067,000
(jb)	Crime laboratory equipment and supplies	PR–S	A	558,100	558,100
(k)	Interagency and intra–agency assistance	PR–S	C	1,475,300	1,477,200
(ka)	Public safety interoperable communication system; state fees	PR–S	A	–0–	–0–
(kb)	Law enforcement officer supplement grants	PR–S	A	1,224,900	1,224,900
(kc)	Transaction information management of enforcement system	PR–S	A	713,700	714,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(kd)	Drug law enforcement, crime laboratories, and genetic evidence activities	PR–S	A	8,602,100	8,647,300
(ke)	Drug enforcement intelligence operations	PR–S	A	1,652,700	1,667,500
(kg)	Interagency and intra–agency assistance; fingerprint identification	PR–S	A	–0–	–0–
(ki)	Interoperable communications system	PR–S	A	1,045,000	1,045,500
(kj)	Youth diversion program	PR–S	A	672,400	672,400
(km)	Lottery background investigations	PR–S	A	–0–	–0–
(kn)	Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; justice information fee	PR–S	A	1,078,400	1,078,400
(ko)	Wisconsin justice information sharing program	PR–S	A	714,100	714,800
(kp)	Drug crimes enforcement; local grants	PR–S	A	717,900	717,900
(kq)	County law enforcement services	PR–S	A	490,000	490,000
(kt)	County–tribal programs, local assistance	PR–S	A	631,200	631,200
(ku)	County–tribal programs, state operations	PR–S	A	84,800	84,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kv)	Grants for substance abuse treatment programs for criminal offenders	PR	C	5,600	5,700
(kw)	Tribal law enforcement assistance	PR–S	A	695,000	695,000
(ky)	Law enforcement programs and youth diversion – administration	PR–S	A	145,800	146,000
(Lm)	Crime laboratories; deoxyribonucleic acid analysis	PR	C	4,277,700	4,321,200
(m)	Federal aid, state operations	PR–F	C	3,151,700	3,156,500
(n)	Federal aid, local assistance	PR–F	C	5,755,000	5,755,000
(r)	Gaming law enforcement; lottery revenues	SEG	A	387,500	388,200
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			24,390,000	24,442,400
	PROGRAM REVENUE			50,198,500	50,333,900
	FEDERAL			(8,906,700)	(8,911,500)
	OTHER			(13,362,000)	(13,425,200)
	SERVICE			(27,929,800)	(27,997,200)
	SEGREGATED REVENUE			387,500	388,200
	OTHER			(387,500)	(388,200)
	TOTAL–ALL SOURCES			74,976,000	75,164,500
(3)	ADMINISTRATIVE SERVICES				
(a)	General program operations	GPR	A	6,313,100	6,325,100
(g)	Gifts, grants and proceeds	PR	C	–0–	–0–
(k)	Interagency and intra–agency assistance	PR–S	A	–0–	–0–
(m)	Federal aid, state operations	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(pz)	Indirect cost reimbursements	PR–F	C	522,600	522,600
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,313,100	6,325,100
	PROGRAM REVENUE			522,600	522,600
	FEDERAL			(522,600)	(522,600)
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			6,835,700	6,847,700
(5)	VICTIMS AND WITNESSES				
(a)	General program operations	GPR	A	1,111,300	1,111,700
(b)	Awards for victims of crimes	GPR	A	2,388,100	2,388,100
(br)	Global positioning system tracking	GPR	A	–0–	–0–
(d)	Reimbursement for forensic examinations	GPR	S	700,000	700,000
(e)	Sexual assault victim services	GPR	A	2,036,500	2,136,500
(es)	Court appointed special advocates	GPR	A	80,000	80,000
(g)	Crime victim and witness assistance surcharge, general services	PR	A	6,748,200	6,748,400
(gj)	General operations; child pornography surcharge	PR	C	75,000	75,000
(h)	Crime victim compensation services	PR	A	52,600	52,700
(hh)	Crime victim restitution	PR	C	267,300	267,300
(i)	Victim compensation, inmate payments	PR	C	9,000	9,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(k)	Interagency and intra-agency assistance; reimbursement to counties	PR-S	A	542,300	542,300
(ke)	Child advocacy centers	PR-S	A	238,100	238,100
(kp)	Reimbursement to counties for victim-witness services	PR-S	A	748,900	748,900
(m)	Federal aid; victim compensation	PR-F	C	1,823,900	1,823,900
(ma)	Federal aid, state operations relating to crime victim services	PR-F	C	865,500	865,500
(mh)	Federal aid; victim assistance	PR-F	C	9,107,600	9,113,600

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	6,315,900	6,416,300
PROGRAM REVENUE	20,478,400	20,484,700
FEDERAL	(11,797,000)	(11,803,000)
OTHER	(7,152,100)	(7,152,400)
SERVICE	(1,529,300)	(1,529,300)
TOTAL-ALL SOURCES	26,794,300	26,901,000

20.455 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	51,236,200	51,420,300
PROGRAM REVENUE	74,805,200	75,122,400
FEDERAL	(22,392,900)	(22,407,000)
OTHER	(20,964,300)	(21,169,100)
SERVICE	(31,448,000)	(31,546,300)
SEGREGATED REVENUE	387,500	388,200
OTHER	(387,500)	(388,200)
TOTAL-ALL SOURCES	126,428,900	126,930,900

20.465 Military Affairs, Department of

(1) NATIONAL GUARD OPERATIONS

(a)	General program operations	GPR	A	6,021,200	6,021,200
(b)	Repair and maintenance	GPR	A	806,900	806,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(c)	Public emergencies	GPR	S	40,000	40,000
(d)	Principal repayment and interest	GPR	S	6,357,500	6,265,600
(e)	State flags	GPR	A	400	400
(f)	Energy costs; energy–related assessments	GPR	A	2,380,100	2,453,600
(g)	Military property	PR	A	980,400	980,400
(h)	Intergovernmental services	PR	A	–0–	–0–
(i)	Distance learning centers	PR	C	–0–	–0–
(k)	Armory store operations	PR–S	A	83,000	83,000
(km)	Agency services	PR–S	A	60,800	60,800
(Li)	Gifts and grants	PR	C	135,000	135,000
(m)	Federal aid	PR–F	C	31,010,300	31,010,300
(pz)	Indirect cost reimbursements	PR–F	C	774,500	774,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			15,606,100	15,587,700
	PROGRAM REVENUE			33,044,000	33,044,000
	FEDERAL			(31,784,800)	(31,784,800)
	OTHER			(1,115,400)	(1,115,400)
	SERVICE			(143,800)	(143,800)
	TOTAL–ALL SOURCES			48,650,100	48,631,700
(2)	GUARD MEMBERS' BENEFITS				
(a)	Tuition grants	GPR	S	5,500,000	5,500,000
(r)	Military family relief	SEG	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,500,000	5,500,000
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			5,500,000	5,500,000

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2015-2016	2016-2017
(3)	EMERGENCY MANAGEMENT SERVICES					
(a)	General program operations		GPR	A	1,073,300	1,065,100
(am)	Worker's compensation for local unit of government volunteers		GPR	S	27,600	27,600
(b)	State disaster assistance		GPR	A	–0–	–0–
(dd)	Regional emergency response teams		GPR	A	1,247,400	1,247,400
(dp)	Emergency response equipment		GPR	A	417,000	417,000
(dr)	Emergency response supplement		GPR	C	–0–	–0–
(dt)	Emergency response training		GPR	B	57,900	57,900
(e)	Disaster recovery aid; public health emergency quarantine costs		GPR	S	2,500,000	2,500,000
(f)	Civil air patrol aids		GPR	A	16,900	16,900
(g)	Program services		PR	C	2,568,900	2,568,900
(h)	Interstate emergency assistance		PR	A	–0–	–0–
(i)	Emergency planning and reporting; administration		PR	A	1,162,000	1,165,900
(j)	Division of emergency management; gifts and grants		PR	C	–0–	–0–
(jm)	Division of emergency management; emergency planning grants		PR	C	1,043,800	1,043,800
(jt)	Regional emergency response reimbursement		PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m)	Federal aid, state operations	PR–F	C	4,467,000	4,474,800
(mb)	Federal aid, homeland security	PR–F	C	16,835,400	16,835,400
(n)	Federal aid, local assistance	PR–F	C	12,800,000	12,800,000
(o)	Federal aid, individuals and organizations	PR–F	C	1,926,400	1,926,400
(r)	Division of emergency management; petroleum inspection fund	SEG	A	462,100	462,100
(s)	State disaster assistance; petroleum inspection fund	SEG	C	711,200	711,200
(t)	Emergency response training – environmental fund	SEG	B	7,600	7,600
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,340,100	5,331,900
	PROGRAM REVENUE			40,803,500	40,815,200
	FEDERAL			(36,028,800)	(36,036,600)
	OTHER			(4,774,700)	(4,778,600)
	SEGREGATED REVENUE			1,180,900	1,180,900
	OTHER			(1,180,900)	(1,180,900)
	TOTAL–ALL SOURCES			47,324,500	47,328,000
(4)	NATIONAL GUARD YOUTH PROGRAMS				
(h)	Gifts and grants	PR	C	–0–	–0–
(ka)	Challenge academy program; public instruction funds	PR–S	C	1,147,800	1,147,800
(m)	Federal aid	PR–F	C	3,443,400	3,443,400
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			4,591,200	4,591,200
	FEDERAL			(3,443,400)	(3,443,400)
	OTHER			(–0–)	(–0–)
	SERVICE			(1,147,800)	(1,147,800)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			4,591,200	4,591,200
20.465 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			26,446,200	26,419,600
PROGRAM REVENUE			78,438,700	78,450,400
FEDERAL			(71,257,000)	(71,264,800)
OTHER			(5,890,100)	(5,894,000)
SERVICE			(1,291,600)	(1,291,600)
SEGREGATED REVENUE			1,180,900	1,180,900
OTHER			(1,180,900)	(1,180,900)
TOTAL–ALL SOURCES			106,065,800	106,050,900
20.475 District Attorneys				
(1) DISTRICT ATTORNEYS				
(d) Salaries and fringe benefits	GPR	A	44,004,000	44,199,100
(em) Salary adjustments	GPR	A	–0–	556,900
(h) Gifts and grants	PR	C	3,053,700	2,985,300
(i) Other employees	PR	A	357,600	361,100
(k) Interagency and intra–agency assistance	PR–S	C	–0–	–0–
(km) Deoxyribonucleic acid evidence activities	PR–S	A	153,900	153,900
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			44,004,000	44,756,000
PROGRAM REVENUE			3,565,200	3,500,300
FEDERAL			(–0–)	(–0–)
OTHER			(3,411,300)	(3,346,400)
SERVICE			(153,900)	(153,900)
TOTAL–ALL SOURCES			47,569,200	48,256,300
20.475 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			44,004,000	44,756,000
PROGRAM REVENUE			3,565,200	3,500,300
FEDERAL			(–0–)	(–0–)
OTHER			(3,411,300)	(3,346,400)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
SERVICE			(153,900)	(153,900)
TOTAL–ALL SOURCES			47,569,200	48,256,300
20.485 Veterans Affairs, Department of				
(1) VETERANS HOMES				
(a) Aids to indigent veterans	GPR	A	178,200	178,200
(b) General fund supplement to institutional operations	GPR	B	–0–	–0–
(d) Cemetery maintenance and beautification	GPR	A	23,200	23,200
(e) Lease rental payments	GPR	S	–0–	–0–
(f) Principal repayment and interest	GPR	S	1,552,200	1,247,900
(g) Home exchange	PR	A	262,400	262,400
(gd) Veterans home cemetery operations	PR	C	5,000	5,000
(gk) Institutional operations	PR	A	107,411,300	106,411,300
(go) Self–amortizing facilities; principal repayment and interest	PR	S	1,848,500	2,040,700
(h) Gifts and bequests	PR	C	239,600	239,600
(hm) Gifts and grants	PR	C	–0–	–0–
(i) State–owned housing maintenance	PR	C	59,700	59,700
(kg) Grants to counties	PR–S	A	76,200	76,200
(kj) Grants to local governments	PR–S	B	150,000	–0–
(m) Federal aid; care at veterans homes	PR–F	C	–0–	–0–
(mj) Federal aid; geriatric unit	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(mn)	Federal projects	PR-F	C	21,700	21,700
(r)	Institutional operations	SEG	A	-0-	-0-
(t)	Veterans homes member accounts	SEG	C	-0-	-0-
(u)	Rentals; improvements; equipment; land acquisition	SEG	A	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,753,600	1,449,300
	PROGRAM REVENUE			110,074,400	109,116,600
	FEDERAL			(21,700)	(21,700)
	OTHER			(109,826,500)	(109,018,700)
	SERVICE			(226,200)	(76,200)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			111,828,000	110,565,900
(2)	LOANS AND AIDS TO VETERANS				
(a)	General program operations; loans and aids	GPR	A	-0-	-0-
(b)	Housing vouchers for homeless veterans	GPR	A	-0-	-0-
(d)	Veterans memorials at the Highground	GPR	C	-0-	-0-
(db)	General fund supplement to veterans trust fund	GPR	A	-0-	-0-
(e)	Korean War memorial grant	GPR	A	-0-	-0-
(g)	Consumer reporting agency fees	PR	C	-0-	-0-
(h)	Public and private receipts	PR	C	18,200	18,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kg)	American Indian services coordinator	PR–S	A	96,500	96,500
(km)	American Indian grants	PR–S	A	61,200	61,200
(m)	Federal payments; veterans assistance	PR–F	C	457,300	457,300
(q)	Veteran employment grants	SEG	S	500,000	500,000
(rm)	Veterans assistance programs; fish and game vouchers	SEG	B	594,100	862,000
(rp)	Veterans assistance program receipts	SEG	C	115,500	115,500
(s)	Transportation payment	SEG	A	220,000	220,000
(sm)	Military funeral honors	SEG	S	304,500	304,500
(tf)	Veterans tuition reimbursement program; grants to nonprofit organizations that serve veterans and their families	SEG	B	653,100	1,403,100
(tj)	Retraining assistance program	SEG	A	210,000	210,000
(tm)	Facilities	SEG	C	–0–	–0–
(u)	Administration of loans and aids to veterans	SEG	A	8,899,000	8,899,000
(vm)	Assistance to needy veterans and veteran start–up businesses	SEG	A	970,000	970,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(vw)	Payments to veterans organizations for claims service; grants for the operation of Camp American Legion; grants to American Indian tribes and bands	SEG	A	386,800	386,800
(vx)	County grants	SEG	A	342,400	342,400
(vy)	American Indian services coordinator	SEG	A	–0–	–0–
(x)	Federal per diem payments	SEG–F	C	1,343,600	1,343,600
(yg)	Acquisition of 1981 revenue bond mortgages	SEG	S	–0–	–0–
(yn)	Veterans trust fund loans and expenses	SEG	B	50,000	50,000
(yo)	Debt payment	SEG	S	–0–	–0–
(z)	Gifts	SEG	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			633,200	633,200
	FEDERAL			(457,300)	(457,300)
	OTHER			(18,200)	(18,200)
	SERVICE			(157,700)	(157,700)
	SEGREGATED REVENUE			14,589,000	15,606,900
	FEDERAL			(1,343,600)	(1,343,600)
	OTHER			(13,245,400)	(14,263,300)
	TOTAL–ALL SOURCES			15,222,200	16,240,100
(3)	SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
(b)	Self insurance	GPR	S	–0–	–0–
(e)	General program deficiency	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(q)	Foreclosure loss payments	SEG	C	801,000	801,000
(r)	Funded reserves	SEG	C	50,000	50,000
(rm)	Other reserves	SEG	C	–0–	–0–
(s)	General program operations	SEG	A	644,300	644,300
(sm)	County grants	SEG	A	342,400	342,400
(t)	Debt service	SEG	C	7,687,700	8,191,300
(v)	Revenue obligation repayment	SEG	C	–0–	–0–
(wd)	Loan–servicing administration	SEG	A	–0–	–0–
(wg)	Escrow payments, recoveries, and refunds	SEG	C	–0–	–0–
(wp)	Loan–servicing rights	SEG	B	–0–	–0–
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	SEGREGATED REVENUE			9,525,400	10,029,000
	OTHER			(9,525,400)	(10,029,000)
	TOTAL–ALL SOURCES			9,525,400	10,029,000
(4)	VETERANS MEMORIAL CEMETERIES				
(g)	Cemetery operations	PR	A	277,800	277,800
(h)	Gifts, grants and bequests	PR	C	–0–	–0–
(m)	Federal aid; cemetery operations and burials	PR–F	C	1,105,300	1,105,300
(q)	Cemetery administration and maintenance	SEG	A	554,800	554,800
(qm)	Repayment of principal and interest	SEG	S	90,400	89,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(r) Cemetery energy costs; energy–related assessments	SEG	A	106,300	106,300
(4) PROGRAM TOTALS				
PROGRAM REVENUE			1,383,100	1,383,100
FEDERAL			(1,105,300)	(1,105,300)
OTHER			(277,800)	(277,800)
SEGREGATED REVENUE			751,500	750,600
OTHER			(751,500)	(750,600)
TOTAL–ALL SOURCES			2,134,600	2,133,700
(5) WISCONSIN VETERANS MUSEUM				
(c) Operation of Wisconsin Veterans Museum	GPR	A	248,500	248,500
(mn) Federal projects; museum acquisitions and operations	PR–F	C	–0–	–0–
(tm) Museum facilities	SEG	C	52,800	52,800
(v) Museum sales receipts	SEG	C	170,700	170,700
(vo) Veterans of World War I	SEG	A	2,500	2,500
(wd) Operation of Wisconsin Veterans Museum	SEG	A	2,431,200	2,431,200
(zm) Museum gifts and bequests	SEG	C	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			248,500	248,500
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
SEGREGATED REVENUE			2,657,200	2,657,200
OTHER			(2,657,200)	(2,657,200)
TOTAL–ALL SOURCES			2,905,700	2,905,700
(6) ADMINISTRATION				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(k) Funds received from other state agencies	PR–S	C	–0–	–0–
(6) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			2,002,100	1,697,800
PROGRAM REVENUE			112,090,700	111,132,900
FEDERAL			(1,584,300)	(1,584,300)
OTHER			(110,122,500)	(109,314,700)
SERVICE			(383,900)	(233,900)
SEGREGATED REVENUE			27,523,100	29,043,700
FEDERAL			(1,343,600)	(1,343,600)
OTHER			(26,179,500)	(27,700,100)
TOTAL–ALL SOURCES			141,615,900	141,874,400
20.490 Wisconsin Housing and Economic Development Authority				
(1) FACILITATION OF CONSTRUCTION				
(a) Capital reserve fund deficiency	GPR	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(2) HOUSING REHABILITATION LOAN PROGRAM				
(a) General program operations	GPR	C	–0–	–0–
(q) Loan loss reserve fund	SEG	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(3) HOMEOWNERSHIP MORTGAGE ASSISTANCE				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(a) Homeowner eviction lien protection program	GPR	C	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
(g) Disadvantaged business mobilization loan guarantee	PR	C	–0–	–0–
(4) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
(a) Wisconsin development reserve fund	GPR	C	–0–	–0–
(q) Environmental fund transfer to Wisconsin development reserve fund	SEG	C	–0–	–0–
(r) Agrichemical management fund transfer to Wisconsin development reserve fund	SEG	C	–0–	–0–
(s) Petroleum inspection fund transfer to Wisconsin development reserve fund	SEG	A	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
Human Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			5,328,564,500	5,484,606,800
PROGRAM REVENUE			8,401,080,100	8,529,749,500
FEDERAL			(6,803,657,000)	(6,870,193,300)
OTHER			(1,238,439,100)	(1,300,786,000)
SERVICE			(358,984,000)	(358,770,200)
SEGREGATED REVENUE			847,601,100	850,660,100
FEDERAL			(1,343,600)	(1,343,600)
OTHER			(846,257,500)	(849,316,500)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			14,577,245,700	14,865,016,400

General Executive Functions

20.505 Administration, Department of

(1) SUPERVISION AND MANAGEMENT

(a) General program operations	GPR	A	6,514,800	6,533,900
(b) Midwest interstate low–level radioactive waste compact; loan from general fund	GPR	C	–0–	–0–
(bq) Appropriation obligations repayment; tobacco settlement revenues	GPR	A	113,262,000	107,423,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(br)	Appropriation obligations repayment; unfunded liabilities under the Wisconsin Retirement System	GPR	A	279,865,100	662,930,000
(cg)	Relocation assistance	GPR	A	88,000	88,000
(cm)	Comprehensive planning grants; general purpose revenue	GPR	A	–0–	–0–
(cn)	Comprehensive planning; administrative support	GPR	A	–0–	–0–
(d)	Special counsel	GPR	S	611,900	611,900
(fm)	Fund of funds investment program	GPR	A	–0–	–0–
(fz)	Administrative code and register subscription refunds	GPR	S	92,800	92,800
(g)	Midwest interstate low–level radioactive waste compact; membership and costs	PR	A	4,100	4,100
(gc)	Processing services	PR	A	141,500	141,500
(ge)	High–voltage transmission line annual impact fee distributions	PR	C	–0–	–0–
(gm)	Federal resource acquisition	PR	A	–0–	377,600
(gr)	Disabled veteran–owned, woman–owned, and minority business certification fees	PR	C	31,500	31,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(gs)	High–voltage transmission line environmental impact fee distributions	PR	C	–0–	–0–
(ic)	Services to nonstate governmental units	PR	A	212,600	212,700
(id)	Justice information fee receipts	PR	C	–0–	–0–
(im)	Services to nonstate governmental units; entity contract	PR	A	1,536,600	1,538,200
(ip)	Information technology and communication services; self–funded portal	PR	A	5,624,000	5,761,500
(ir)	Relay service	PR	A	4,022,500	4,022,600
(is)	Information technology and communications services; nonstate entities	PR	A	17,765,400	17,765,700
(it)	Appropriation obligations; agreements and ancillary arrangements	PR	C	–0–	–0–
(iu)	Plat and proposed incorporation and annexation review	PR	C	313,000	313,400
(iv)	Enterprise resource planning system; nonstate entities	PR	C	–0–	–0–
(j)	Gifts, grants, and bequests	PR	C	–0–	–0–
(jc)	Employee development and training services	PR	A	259,000	259,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ka)	Materials and services to state agencies and certain districts	PR–S	A	6,969,500	6,979,100
(kb)	Transportation, records, and document services	PR–S	A	19,947,800	19,969,200
(kc)	Capital planning and building construction services	PR–S	A	12,915,200	12,922,700
(kd)	Enterprise resource planning system	PR–S	C	9,321,100	9,321,100
(kf)	Procurement services	PR–S	C	4,232,300	4,235,500
(kg)	Federal resource acquisition	PR–S	C	–0–	–0–
(kh)	Justice information systems	PR–S	A	4,138,200	4,140,100
(ki)	Postage costs	PR–S	C	16,137,900	16,536,900
(kj)	Financial services	PR–S	A	8,866,100	8,869,700
(kL)	Printing, mail, communication, and information technology services; state agencies; veterans services	PR–S	A	99,712,000	99,904,900
(km)	University of Wisconsin–Green Bay programming	PR–S	A	247,500	247,500
(kn)	Publications	PR	A	102,100	102,100
(kp)	Interagency assistance; justice information systems	PR–S	A	326,700	326,700
(kq)	Justice information systems development, operation and maintenance	PR–S	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(kr)	Legal services	PR–S	A	1,247,800	1,248,300
(ks)	Collective bargaining grievance arbitrations	PR–S	A	70,600	70,600
(ku)	Management assistance grants to counties	PR–S	A	563,200	563,200
(kx)	American Indian economic development; technical assistance	PR–S	A	79,500	79,500
(kz)	General program operations	PR–S	A	5,779,300	5,835,200
(mb)	Federal aid	PR–F	C	6,584,600	6,586,800
(n)	Federal aid; local assistance	PR–F	C	90,000,000	90,000,000
(ng)	Sale of forest products; funds for public schools and public roads	PR	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	3,200	3,200
(r)	VendorNet fund administration	SEG	A	84,700	84,700
(s)	Diesel truck idling reduction grant administration	SEG	A	76,100	76,200
(sa)	Diesel truck idling reduction grants	SEG	A	1,000,000	1,000,000
(tb)	Payment of qualified higher education expenses and refunds; college tuition and expenses program	SEG	S	–0–	–0–
(td)	Administrative expenses; college tuition and expenses program	SEG	A	118,300	118,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(tf)	Payment of qualified higher education expenses and refunds; college savings program trust fund	SEG	S	–0–	–0–
(th)	Administrative expenses; college savings program trust fund	SEG	A	607,900	624,100
(tj)	Payment of qualified higher education expenses and refunds; college savings program bank deposit trust fund	SEG	S	–0–	–0–
(tL)	Administrative expenses; college savings program bank deposit trust fund	SEG	A	–0–	–0–
(tn)	Payment of qualified higher education expenses and refunds; college savings program credit union deposit trust fund	SEG	S	–0–	–0–
(tp)	Administrative expenses; college savings program credit union deposit trust fund	SEG	A	–0–	–0–
(ub)	Land	SEG	C	7,673,300	7,673,300
(ud)	Comprehensive planning grants; land information fund	SEG	A	–0–	–0–
(v)	General program operations — environmental improvement programs; state funds	SEG	A	841,900	843,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(x) General program operations — clean water fund program; federal funds	SEG–F	C	–0–	–0–
(y) General program operations — safe drinking water loan program; federal funds	SEG–F	C	–0–	–0–
(z) Transportation planning grants to local governmental units	SEG–S	B	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			400,434,600	777,680,100
PROGRAM REVENUE			317,154,800	318,370,300
FEDERAL			(96,587,800)	(96,590,000)
OTHER			(30,012,300)	(30,530,100)
SERVICE			(190,554,700)	(191,250,200)
SEGREGATED REVENUE			10,402,200	10,419,600
FEDERAL			(–0–)	(–0–)
OTHER			(10,402,200)	(10,419,600)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			727,991,600	1,106,470,000
(2) RISK MANAGEMENT				
(a) General fund supplement — risk management claims	GPR	S	–0–	–0–
(am) Costs and judgments	GPR	S	–0–	–0–
(k) Risk management costs	PR–S	C	35,406,200	35,406,200
(ki) Risk management administration	PR–S	A	9,253,400	9,255,200
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			44,659,600	44,661,400
SERVICE			(44,659,600)	(44,661,400)
TOTAL–ALL SOURCES			44,659,600	44,661,400

(3) UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(q)	General program operations; utility public benefits	SEG	A	11,882,600	11,883,200
(r)	Low–income assistance grants	SEG	S	19,447,300	19,447,300
(rr)	Air quality improvement grants	SEG	S	–0–	–0–
(s)	Transfer to air quality improvement fund	SEG	S	–0–	–0–
	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			31,329,900	31,330,500
	OTHER			(31,329,900)	(31,330,500)
	TOTAL–ALL SOURCES			31,329,900	31,330,500
(4)	ATTACHED DIVISIONS AND OTHER BODIES				
(a)	Adjudication of tax appeals	GPR	A	564,600	564,200
(b)	Adjudication of equalization appeals	GPR	S	–0–	–0–
(d)	Claims awards	GPR	S	25,000	25,000
(ea)	Women's council operations	GPR	A	143,800	143,800
(ec)	Service award program; general program operations	GPR	A	17,200	17,200
(er)	Service award program; state matching awards	GPR	S	2,035,100	2,035,100
(es)	Principal, interest, and rebates; general purpose revenue — schools	GPR	S	1,458,400	1,085,900
(et)	Principal, interest, and rebates; general purpose revenue — public library boards	GPR	S	16,000	4,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(h)	Program services	PR	A	27,200	27,200
(ha)	Principal, interest, and rebates; program revenue — schools	PR	C	–0–	–0–
(hb)	Principal, interest, and rebates; program revenue — public library boards	PR	C	–0–	–0–
(hc)	Administration of Governor's Wisconsin Educational Technology Conference	PR	A	150,200	150,200
(j)	National and community service board; gifts and grants	PR	C	–0–	–0–
(js)	Educational technology block grants; Wisconsin Advanced Telecommunications Foundation assessments	PR	C	–0–	–0–
(k)	Waste facility siting board; general program operations	PR–S	A	45,500	45,500
(ka)	State use board — general program operations	PR–S	A	132,300	132,400
(kb)	National and community service board; administrative support	PR–S	A	306,300	306,600
(kp)	Hearings and appeals fees	PR–S	A	7,721,900	9,519,500
(L)	Equipment purchases and leases	PR	C	–0–	–0–
(Lm)	Educational telecommunications; additional services	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(mp)	Federal e-rate aid	PR-F	C	5,562,300	5,562,400
(o)	National and community service board; federal aid for administration	PR-F	C	580,700	581,100
(p)	National and community service board; federal aid for grants	PR-F	C	3,354,300	3,354,300
(r)	State capitol and executive residence board; gifts and grants	SEG	C	-0-	-0-
(s)	School districts; telecommunications access, infrastructure grants, and teacher training grants	SEG	B	9,105,100	10,105,100
(t)	Telecommunications access; private and technical colleges and libraries	SEG	B	5,016,000	5,016,000
(tm)	Telecommunications access; private schools	SEG	B	694,300	694,300
(tu)	Telecommunications access; state schools	SEG	B	82,500	82,500
(tw)	Telecommunications access; juvenile correctional facilities	SEG	B	86,300	86,300

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	4,260,100	3,875,700
PROGRAM REVENUE	17,880,700	19,679,200
FEDERAL	(9,497,300)	(9,497,800)
OTHER	(177,400)	(177,400)
SERVICE	(8,206,000)	(10,004,000)
SEGREGATED REVENUE	14,984,200	15,984,200
OTHER	(14,984,200)	(15,984,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			37,125,000	39,539,100
(5) FACILITIES MANAGEMENT				
(c) Principal repayment and interest; Black Point Estate	GPR	S	157,400	172,800
(g) Principal repayment, interest and rebates; parking	PR–S	S	1,425,900	1,445,600
(ka) Facility operations and maintenance; police and protection functions	PR–S	A	39,403,000	39,503,400
(kb) Parking	PR	A	1,113,000	1,115,500
(kc) Principal repayment, interest and rebates	PR–S	C	19,641,000	22,498,200
(ke) Additional energy conservation construction projects	PR–S	C	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			157,400	172,800
PROGRAM REVENUE			61,582,900	64,562,700
OTHER			(1,113,000)	(1,115,500)
SERVICE			(60,469,900)	(63,447,200)
TOTAL–ALL SOURCES			61,740,300	64,735,500
(7) HOUSING AND COMMUNITY DEVELOPMENT				
(a) General program operations	GPR	A	8,978,700	867,500
(b) Housing grants and loans; general purpose revenue	GPR	B	3,097,800	3,097,800
(c) Payments to designated agents	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(fm)	Shelter for homeless and transitional housing grants	GPR	B	1,413,600	1,413,600
(fr)	Mental health for homeless individuals	GPR	A	42,200	42,200
(gg)	Housing program services; other entities	PR	C	168,900	168,900
(h)	Funding for the homeless	PR	C	422,400	422,400
(k)	Sale of materials or services	PR–S	C	–0–	–0–
(kg)	Housing program services	PR–S	C	422,400	422,400
(m)	Federal aid; state operations	PR–F	C	1,657,400	1,658,800
(n)	Federal aid; local assistance	PR–F	C	10,000,000	10,000,000
(o)	Federal aid; individuals and organizations	PR–F	C	23,000,000	23,000,000
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			13,532,300	5,421,100
	PROGRAM REVENUE			35,671,100	35,672,500
	FEDERAL			(34,657,400)	(34,658,800)
	OTHER			(591,300)	(591,300)
	SERVICE			(422,400)	(422,400)
	TOTAL–ALL SOURCES			49,203,400	41,093,600
(8)	DIVISION OF GAMING				
(am)	Interest on racing and bingo moneys	GPR	S	100	100
(g)	General program operations; racing	PR	A	–0–	–0–
(h)	General program operations; Indian gaming	PR	A	1,988,800	1,986,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(hm) Indian gaming receipts	PR	C	–0–	–0–
(j) General program operations; raffles	PR	A	280,300	280,700
(jm) General program operations; bingo	PR	A	336,800	337,200
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			100	100
PROGRAM REVENUE			2,605,900	2,604,500
OTHER			(2,605,900)	(2,604,500)
TOTAL–ALL SOURCES			2,606,000	2,604,600
20.505 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			418,384,500	787,149,800
PROGRAM REVENUE			479,555,000	485,550,600
FEDERAL			(140,742,500)	(140,746,600)
OTHER			(34,499,900)	(35,018,800)
SERVICE			(304,312,600)	(309,785,200)
SEGREGATED REVENUE			56,716,300	57,734,300
FEDERAL			(–0–)	(–0–)
OTHER			(56,716,300)	(57,734,300)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			954,655,800	1,330,434,700

20.507 Board of Commissioners of Public Lands

(1) TRUST LANDS AND INVESTMENTS

(h) Trust lands and investments — general program operations	PR–S	A	1,578,900	1,583,500
(j) Payments to American Indian tribes or bands for raised sunken logs	PR	C	–0–	–0–
(k) Trust lands and investments — interagency and intra–agency assistance	PR–S	A	–0–	–0–
(mg) Federal aid — flood control	PR–F	C	52,700	52,700
(1) PROGRAM TOTALS				
PROGRAM REVENUE			1,631,600	1,636,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
FEDERAL			(52,700)	(52,700)
OTHER			(–0–)	(–0–)
SERVICE			(1,578,900)	(1,583,500)
TOTAL–ALL SOURCES			1,631,600	1,636,200
20.507 DEPARTMENT TOTALS				
PROGRAM REVENUE			1,631,600	1,636,200
FEDERAL			(52,700)	(52,700)
OTHER			(–0–)	(–0–)
SERVICE			(1,578,900)	(1,583,500)
TOTAL–ALL SOURCES			1,631,600	1,636,200

20.511 Government Accountability Board

(1) ADMINISTRATION OF ELECTIONS, ETHICS, AND LOBBYING LAWS

(a)	General program operations; general purpose revenue	GPR	B	2,576,600	2,587,900
(be)	Investigations	GPR	S	250,000	250,000
(bm)	Training of chief inspectors	GPR	B	–0–	–0–
(c)	Voter identification training	GPR	A	82,600	82,600
(d)	Election administration transfer	GPR	A	–0–	–0–
(g)	Recount fees	PR	C	–0–	–0–
(h)	Materials and services	PR	A	19,200	19,200
(i)	Elections administration; program revenue	PR	A	31,700	31,700
(im)	Lobbying administration; program revenue	PR	A	507,300	508,600
(j)	Electronic filing software	PR	C	–0–	–0–
(jm)	Gifts and grants	PR	C	–0–	–0–
(m)	Federal aid	PR–F	C	503,800	195,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(t)	Election administration	SEG	A	100	100
(x)	Federal aid; election administration fund	SEG-F	C	2,815,500	2,819,400

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	2,909,200	2,920,500
PROGRAM REVENUE	1,062,000	755,200
FEDERAL	(503,800)	(195,700)
OTHER	(558,200)	(559,500)
SEGREGATED REVENUE	2,815,600	2,819,500
FEDERAL	(2,815,500)	(2,819,400)
OTHER	(100)	(100)
TOTAL-ALL SOURCES	6,786,800	6,495,200

20.511 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	2,909,200	2,920,500
PROGRAM REVENUE	1,062,000	755,200
FEDERAL	(503,800)	(195,700)
OTHER	(558,200)	(559,500)
SEGREGATED REVENUE	2,815,600	2,819,500
FEDERAL	(2,815,500)	(2,819,400)
OTHER	(100)	(100)
TOTAL-ALL SOURCES	6,786,800	6,495,200

20.515 Employee Trust Funds, Department of

(1) EMPLOYEE BENEFIT PLANS

(a)	Annuity supplements and payments	GPR	S	205,400	173,200
(c)	Contingencies	GPR	S	-0-	-0-
(gm)	Gifts and grants	PR	C	-0-	-0-
(m)	Federal aid	PR-F	C	-0-	-0-
(sr)	Gifts and grants; public employee trust fund	SEG	C	-0-	-0-
(t)	Automated operating system	SEG	C	8,393,600	8,393,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(tm) Health savings account plan	SEG	C	–0–	–0–
(u) Employee–funded reimbursement account plan	SEG	C	–0–	–0–
(um) Benefit administration	SEG	B	4,900	4,900
(ut) Health insurance data collection and analysis contracts	SEG	A	968,100	968,100
(w) Administration	SEG	A	35,331,200	35,311,700
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			205,400	173,200
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			44,697,800	44,678,300
OTHER			(44,697,800)	(44,678,300)
TOTAL–ALL SOURCES			44,903,200	44,851,500
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			205,400	173,200
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			44,697,800	44,678,300
OTHER			(44,697,800)	(44,678,300)
TOTAL–ALL SOURCES			44,903,200	44,851,500
20.525 Governor, Office of the				
(1) EXECUTIVE ADMINISTRATION				
(a) General program operations	GPR	S	3,608,900	3,608,900
(b) Contingent fund	GPR	S	20,400	20,400
(c) Membership in national associations	GPR	S	118,300	118,300
(d) Disability board	GPR	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(i) Gifts and grants	PR	C	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			3,747,600	3,747,600
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			3,747,600	3,747,600
(2) EXECUTIVE RESIDENCE				
(a) General program operations	GPR	S	228,900	228,900
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			228,900	228,900
TOTAL–ALL SOURCES			228,900	228,900
20.525 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			3,976,500	3,976,500
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			3,976,500	3,976,500
20.536 Investment Board				
(1) INVESTMENT OF FUNDS				
(k) General program operations	PR	C	46,853,600	46,853,600
(ka) General program operations; environmental improvement fund	PR–S	C	–0–	–0–
(1) PROGRAM TOTALS				
PROGRAM REVENUE			46,853,600	46,853,600
OTHER			(46,853,600)	(46,853,600)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			46,853,600	46,853,600
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			46,853,600	46,853,600
OTHER			(46,853,600)	(46,853,600)
SERVICE			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			46,853,600	46,853,600
20.540 Lieutenant Governor, Office of the				
(1) EXECUTIVE COORDINATION				
(a) General program operations	GPR	A	287,100	287,100
(g) Gifts, grants and proceeds	PR	C	–0–	–0–
(k) Grants from state agencies	PR–S	C	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			287,100	287,100
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			287,100	287,100
20.540 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			287,100	287,100
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			287,100	287,100
20.550 Public Defender Board				
(1) LEGAL ASSISTANCE				
(a) Program administration	GPR	A	2,947,800	2,757,900
(b) Appellate representation	GPR	A	4,576,000	4,581,700
(c) Trial representation	GPR	A	53,234,300	53,657,300
(d) Private bar and investigator reimbursement	GPR	B	22,887,400	21,210,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(e)	Private bar and investigator payments; administration costs	GPR	A	605,400	606,000
(em)	Salary adjustments	GPR	A	–0–	481,300
(f)	Transcripts, discovery and interpreters	GPR	A	1,325,700	1,325,700
(fb)	Payments from clients; administrative costs	PR	A	283,100	283,300
(g)	Gifts, grants and proceeds	PR	C	–0–	–0–
(h)	Contractual agreements	PR–S	A	–0–	–0–
(i)	Tuition payments	PR	C	–0–	–0–
(kj)	Conferences and training	PR–S	A	151,800	151,900
(L)	Private bar and investigator reimbursement; payments for legal representation	PR	C	913,000	913,000
(m)	Federal aid	PR–F	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	85,576,600	84,620,300
PROGRAM REVENUE	1,347,900	1,348,200
FEDERAL	(–0–)	(–0–)
OTHER	(1,196,100)	(1,196,300)
SERVICE	(151,800)	(151,900)
TOTAL–ALL SOURCES	86,924,500	85,968,500

20.550 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	85,576,600	84,620,300
PROGRAM REVENUE	1,347,900	1,348,200
FEDERAL	(–0–)	(–0–)
OTHER	(1,196,100)	(1,196,300)
SERVICE	(151,800)	(151,900)
TOTAL–ALL SOURCES	86,924,500	85,968,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	**20.566 Revenue, Department of**				
2	(1) COLLECTION OF TAXES				
3	(a) General program operations	GPR	A	62,363,100	64,035,300
4 5	(g) Administration of county sales and use taxes	PR	A	3,548,600	3,571,400
6	(ga) Cigarette tax stamps	PR	A	262,400	262,400
7	(gb) Business tax registration	PR	A	1,624,700	1,619,400
8 9	(gd) Administration of special district taxes	PR–S	A	455,200	456,200
10 11	(ge) Administration of local professional football stadium district taxes	PR–S	A	114,700	114,700
12	(gf) Administration of resort tax	PR–S	A	69,600	69,600
13	(gg) Administration of local taxes	PR	A	143,000	143,000
14 15	(gm) Administration of tax on controlled substances dealers	PR	A	–0–	–0–
16 17	(gn) Ambulatory surgical center assessment	PR	C	110,200	110,200
18	(h) Debt collection	PR	A	2,212,800	2,369,200
19 20	(ha) Administration of liquor tax and alcohol beverages enforcement	PR	A	1,146,700	1,153,100
21	(hb) Collections by the department	PR	A	1,176,700	1,206,300
22 23	(hc) Collections from the financial record matching program	PR	A	501,300	501,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(hd)	Administration of liquor tax and alcohol beverages enforcement; wholesaler fees funding special agent position	PR	C	100,200	100,800
(hm)	Collections under contracts	PR	S	357,300	357,300
(hn)	Collections under the multistate tax commission audit program	PR	S	58,300	58,300
(ho)	Collections under multistate streamlined sales tax project	PR	S	40,000	40,000
(hp)	Administration of income tax checkoff voluntary payments	PR	A	27,600	27,600
(i)	Gifts and grants	PR	C	–0–	–0–
(m)	Federal funds; state operations	PR–F	C	–0–	–0–
(q)	Economic development surcharge administration	SEG	A	257,400	257,400
(qm)	Administration of rental vehicle fee	SEG	A	62,600	62,600
(r)	Administration of dry cleaner fees	SEG	A	18,900	18,900
(s)	Petroleum inspection fee collection	SEG	A	127,200	127,200
(t)	Farmland preservation credit, 2010 and beyond	SEG	A	–0–	–0–
(u)	Motor fuel tax administration	SEG	A	1,623,400	1,629,100

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	62,363,100	64,035,300
PROGRAM REVENUE	11,949,300	12,161,100
FEDERAL	(–0–)	(–0–)
OTHER	(11,309,800)	(11,520,600)
SERVICE	(639,500)	(640,500)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
	SEGREGATED REVENUE			2,089,500	2,095,200
	OTHER			(2,089,500)	(2,095,200)
	TOTAL–ALL SOURCES			76,401,900	78,291,600
(2)	STATE AND LOCAL FINANCE				
(a)	General program operations	GPR	A	7,945,300	7,945,300
(b)	Valuation error loans	GPR	S	–0–	–0–
(bm)	Integrated property assessment system technology	GPR	A	2,477,000	2,477,000
(g)	County assessment studies	PR	C	–0–	–0–
(ga)	Commercial property assessment	PR	C	–0–	–0–
(gb)	Manufacturing property assessment	PR	A	1,160,300	1,160,300
(gi)	Municipal finance report compliance	PR	A	34,500	34,500
(h)	Reassessments	PR	A	535,200	535,200
(hm)	Administration of tax incremental, and environmental remediation tax incremental, financing programs	PR	C	150,300	150,200
(i)	Gifts and grants	PR	C	–0–	–0–
(m)	Federal funds; state operations	PR–F	C	–0–	–0–
(q)	Railroad and air carrier tax administration	SEG	A	244,000	244,900
(r)	Lottery and gaming credit administration	SEG	A	285,800	285,800
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,422,300	10,422,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
PROGRAM REVENUE			1,880,300	1,880,200
FEDERAL			(–0–)	(–0–)
OTHER			(1,880,300)	(1,880,200)
SEGREGATED REVENUE			529,800	530,700
OTHER			(529,800)	(530,700)
TOTAL–ALL SOURCES			12,832,400	12,833,200
(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
(a) General program operations	GPR	A	29,871,800	30,095,500
(b) Integrated tax system technology	GPR	A	4,087,100	4,087,100
(c) Expert professional services	GPR	B	63,300	63,300
(g) Services	PR	A	85,400	85,400
(gm) Reciprocity agreement and publications	PR	A	37,900	37,900
(go) Reciprocity agreement, Illinois	PR	A	–0–	–0–
(i) Gifts and grants	PR	C	–0–	–0–
(k) Internal services	PR–S	A	3,085,400	3,085,400
(m) Federal funds; state operations	PR–F	C	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			34,022,200	34,245,900
PROGRAM REVENUE			3,208,700	3,208,700
FEDERAL			(–0–)	(–0–)
OTHER			(123,300)	(123,300)
SERVICE			(3,085,400)	(3,085,400)
TOTAL–ALL SOURCES			37,230,900	37,454,600
(4) UNCLAIMED PROPERTY PROGRAM				
(a) Unclaimed property; contingency appropriation	GPR	S	–0–	–0–
(j) Unclaimed property; claims	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(k)	Unclaimed property; administrative expenses	PR-S	A	4,320,600	4,321,200
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			4,320,600	4,321,200
	OTHER			(-0-)	(-0-)
	SERVICE			(4,320,600)	(4,321,200)
	TOTAL-ALL SOURCES			4,320,600	4,321,200
(7)	INVESTMENT AND LOCAL IMPACT FUND				
(e)	Investment and local impact fund supplement	GPR	A	-0-	-0-
(g)	Investment and local impact fund administrative expenses	PR	A	-0-	-0-
(n)	Federal mining revenue	PR-F	C	-0-	-0-
(v)	Investment and local impact fund	SEG	C	-0-	-0-
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
(8)	LOTTERY				
(q)	General program operations	SEG	A	21,900,600	21,915,100
(r)	Retailer compensation	SEG	S	40,810,700	40,810,700
(s)	Prizes	SEG	S	-0-	-0-
(v)	Vendor fees	SEG	S	14,879,700	14,879,700
	(8) PROGRAM TOTALS				
	SEGREGATED REVENUE			77,591,000	77,605,500
	OTHER			(77,591,000)	(77,605,500)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL–ALL SOURCES			77,591,000	77,605,500
20.566 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			106,807,600	108,703,500
PROGRAM REVENUE			21,358,900	21,571,200
FEDERAL			(–0–)	(–0–)
OTHER			(13,313,400)	(13,524,100)
SERVICE			(8,045,500)	(8,047,100)
SEGREGATED REVENUE			80,210,300	80,231,400
OTHER			(80,210,300)	(80,231,400)
TOTAL–ALL SOURCES			208,376,800	210,506,100
20.575 Secretary of State				
(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(g) Program fees	PR	A	265,000	265,000
(ka) Agency collections	PR–S	A	3,400	3,400
(1) PROGRAM TOTALS				
PROGRAM REVENUE			268,400	268,400
OTHER			(265,000)	(265,000)
SERVICE			(3,400)	(3,400)
TOTAL–ALL SOURCES			268,400	268,400
20.575 DEPARTMENT TOTALS				
PROGRAM REVENUE			268,400	268,400
OTHER			(265,000)	(265,000)
SERVICE			(3,400)	(3,400)
TOTAL–ALL SOURCES			268,400	268,400
20.585 Treasurer, State				
(1) CUSTODIAN OF STATE FUNDS				
(b) Insurance	GPR	A	–0–	–0–
(h) Training conferences	PR	C	–0–	–0–
(i) Gifts and grants	PR	C	–0–	–0–
(k) Administrative expenses	PR–S	A	173,300	173,300
(kb) General program operations	PR–S	A	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			173,300	173,300
OTHER			(–0–)	(–0–)
SERVICE			(173,300)	(173,300)
TOTAL–ALL SOURCES			173,300	173,300
20.585 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			173,300	173,300
OTHER			(–0–)	(–0–)
SERVICE			(173,300)	(173,300)
TOTAL–ALL SOURCES			173,300	173,300
General Executive Functions FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			618,146,900	987,830,900
PROGRAM REVENUE			552,250,700	558,156,700
FEDERAL			(141,299,000)	(140,995,000)
OTHER			(96,686,200)	(97,417,300)
SERVICE			(314,265,500)	(319,744,400)
SEGREGATED REVENUE			184,440,000	185,463,500
FEDERAL			(2,815,500)	(2,819,400)
OTHER			(181,624,500)	(182,644,100)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,354,837,600	1,731,451,100

Judicial

20.625 Circuit Courts

(1) COURT OPERATIONS

(a)	Circuit courts	GPR	S	72,793,500	72,793,500
(b)	Permanent reserve judges	GPR	A	–0–	–0–
(c)	Court interpreter fees	GPR	A	1,433,500	–0–
(cg)	Circuit court costs	GPR	B	–0–	24,676,800
(d)	Circuit court support payments	GPR	B	18,552,200	–0–
(e)	Guardian ad litem costs	GPR	A	4,691,100	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(g)	Sale of materials and services	PR	C	–0–	–0–
(k)	Court interpreters	PR–S	A	232,700	232,700
(m)	Federal aid	PR–F	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	97,470,300	97,470,300
PROGRAM REVENUE	232,700	232,700
FEDERAL	(–0–)	(–0–)
OTHER	(–0–)	(–0–)
SERVICE	(232,700)	(232,700)
TOTAL–ALL SOURCES	97,703,000	97,703,000

20.625 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	97,470,300	97,470,300
PROGRAM REVENUE	232,700	232,700
FEDERAL	(–0–)	(–0–)
OTHER	(–0–)	(–0–)
SERVICE	(232,700)	(232,700)
TOTAL–ALL SOURCES	97,703,000	97,703,000

20.660 Court of Appeals

(1) APPELLATE PROCEEDINGS

(a)	General program operations	GPR	S	10,677,700	10,706,500
(m)	Federal aid	PR–F	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	10,677,700	10,706,500
PROGRAM REVENUE	–0–	–0–
FEDERAL	(–0–)	(–0–)
TOTAL–ALL SOURCES	10,677,700	10,706,500

20.660 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	10,677,700	10,706,500
PROGRAM REVENUE	–0–	–0–
FEDERAL	(–0–)	(–0–)
TOTAL–ALL SOURCES	10,677,700	10,706,500

20.665 Judicial Commission

(1) JUDICIAL CONDUCT

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	(a) General program operations	GPR	A	285,100	285,700
2	(cm) Contractual agreements	GPR	B	16,200	16,200
3	(mm) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			301,300	301,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			301,300	301,900
	20.665 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			301,300	301,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			301,300	301,900
4	**20.670 Judicial Council**				
5	(1) ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE				
6	(a) General program operations	GPR	A	-0-	-0-
7	(k) Director of state courts and law				
8	library transfer	PR-S	C	111,100	111,400
9	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			111,100	111,400
	FEDERAL			(-0-)	(-0-)
	SERVICE			(111,100)	(111,400)
	TOTAL-ALL SOURCES			111,100	111,400
	20.670 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			111,100	111,400
	FEDERAL			(-0-)	(-0-)
	SERVICE			(111,100)	(111,400)
	TOTAL-ALL SOURCES			111,100	111,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	**20.680 Supreme Court**				
2	(1) SUPREME COURT PROCEEDINGS				
3	(a) General program operations	GPR	S	5,286,800	5,292,500
4	(m) Federal aid	PR–F	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,286,800	5,292,500
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	TOTAL–ALL SOURCES			5,286,800	5,292,500
5	(2) DIRECTOR OF STATE COURTS AND LAW LIBRARY				
6	(a) General program operations	GPR	B	10,305,100	10,334,900
7	(g) Gifts and grants	PR	C	606,500	606,500
8	(ga) Court commissioner training	PR	C	65,100	65,100
9	(gc) Court interpreter training and				
10	certification	PR	C	45,100	45,100
11	(h) Materials and services	PR	C	127,200	127,200
12	(i) Municipal judge training	PR	C	164,500	164,800
13	(j) Court information systems	PR	C	7,000,000	7,000,000
14	(kc) Central services	PR–S	A	236,600	236,800
15	(ke) Interagency and intra–agency				
16	automation assistance	PR–S	C	–0–	–0–
17	(L) Library collections and services	PR	C	118,800	118,800
18	(m) Federal aid	PR–F	C	935,700	935,700
19	(qm) Mediation fund	SEG	C	763,000	764,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,305,100	10,334,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
PROGRAM REVENUE			9,299,500	9,300,000
FEDERAL			(935,700)	(935,700)
OTHER			(8,127,200)	(8,127,500)
SERVICE			(236,600)	(236,800)
SEGREGATED REVENUE			763,000	764,100
OTHER			(763,000)	(764,100)
TOTAL-ALL SOURCES			20,367,600	20,399,000
(3) BAR EXAMINERS AND RESPONSIBILITY				
(g) Board of bar examiners	PR	C	766,700	769,300
(h) Office of lawyer regulation	PR	C	3,043,100	3,050,400
(m) Federal aid; judicial commission	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS				
PROGRAM REVENUE			3,809,800	3,819,700
FEDERAL			(-0-)	(-0-)
OTHER			(3,809,800)	(3,819,700)
TOTAL-ALL SOURCES			3,809,800	3,819,700
20.680 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			15,591,900	15,627,400
PROGRAM REVENUE			13,109,300	13,119,700
FEDERAL			(935,700)	(935,700)
OTHER			(11,937,000)	(11,947,200)
SERVICE			(236,600)	(236,800)
SEGREGATED REVENUE			763,000	764,100
OTHER			(763,000)	(764,100)
TOTAL-ALL SOURCES			29,464,200	29,511,200
Judicial FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			124,041,200	124,106,100
PROGRAM REVENUE			13,453,100	13,463,800
FEDERAL			(935,700)	(935,700)
OTHER			(11,937,000)	(11,947,200)
SERVICE			(580,400)	(580,900)
SEGREGATED REVENUE			763,000	764,100
FEDERAL			(-0-)	(-0-)
OTHER			(763,000)	(764,100)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			138,257,300	138,334,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS

(a) General program operations — assembly	GPR	S	26,581,200	26,581,200
(b) General program operations — senate	GPR	S	18,167,100	18,167,100
(d) Legislative documents	GPR	S	4,005,600	3,919,100
(e) Gifts, grants, and bequests	PR	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	48,753,900	48,667,400
PROGRAM REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	48,753,900	48,667,400

(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS

(a) Revisor of statutes bureau	GPR	B	–0–	–0–
(b) Legislative reference bureau	GPR	B	6,191,900	6,191,900
(c) Legislative audit bureau	GPR	B	6,191,200	6,191,200
(d) Legislative fiscal bureau	GPR	B	3,997,700	3,997,700
(e) Joint legislative council; execution of functions, conduct of research, development of studies, and the provision of assistance to committees	GPR	B	3,941,100	3,941,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ec)	Joint legislative council; contractual studies	GPR	B	15,000	–0–
(em)	Legislative technology services bureau	GPR	B	4,265,200	4,280,000
(f)	Joint committee on legislative organization	GPR	B	–0–	–0–
(fa)	Membership in national associations	GPR	S	257,100	257,100
(g)	Gifts and grants to service agencies	PR	C	–0–	–0–
(ka)	Audit bureau reimbursable audits	PR–S	A	2,168,000	2,091,000
(m)	Federal aid	PR–F	C	–0–	–0–
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			24,859,200	24,859,000
	PROGRAM REVENUE			2,168,000	2,091,000
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(2,168,000)	(2,091,000)
	TOTAL–ALL SOURCES			27,027,200	26,950,000
(4)	CAPITOL OFFICES RELOCATION				
(a)	Capitol offices relocation costs	GPR	B	–0–	–0–
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	TOTAL–ALL SOURCES			–0–	–0–
	20.765 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			73,613,100	73,526,400
	PROGRAM REVENUE			2,168,000	2,091,000
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(2,168,000)	(2,091,000)
	TOTAL–ALL SOURCES			75,781,100	75,617,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			73,613,100	73,526,400
PROGRAM REVENUE			2,168,000	2,091,000
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(2,168,000)	(2,091,000)
SEGREGATED REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			75,781,100	75,617,400

General Appropriations

20.835 Shared Revenue and Tax Relief

(1) SHARED REVENUE PAYMENTS

(c)	Expenditure restraint program account	GPR	S	58,145,700	58,145,700
(db)	County and municipal aid account	GPR	S	695,975,700	696,275,700
(dm)	Public utility distribution account	GPR	S	71,900,000	73,200,000
(e)	State aid; tax exempt property	GPR	S	86,300,000	86,900,000
(q)	County and municipal aid account; wireless 911 fund	SEG	A	–0–	–0–
(r)	County and municipal aid account; police and fire protection fund	SEG	C	52,100,000	51,800,000

(1) PROGRAM TOTALS		
GENERAL PURPOSE REVENUE	912,321,400	914,521,400
SEGREGATED REVENUE	52,100,000	51,800,000
OTHER	(52,100,000)	(51,800,000)
TOTAL–ALL SOURCES	964,421,400	966,321,400

(2) TAX RELIEF

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(b)	Claim of right credit	GPR	S	227,000	227,000
(bb)	Jobs tax credit	GPR	S	13,600,000	15,300,000
(bc)	Woody biomass harvesting and processing credit	GPR	S	150,000	–0–
(bd)	Meat processing facility investment credit	GPR	S	100,000	–0–
(be)	Food processing plant and food warehouse investment credit	GPR	S	150,000	–0–
(bg)	Business development credit	GPR	S	–0–	4,250,000
(bL)	Film production company investment credit	GPR	S	–0–	–0–
(bm)	Film production services credit	GPR	S	–0–	–0–
(bn)	Dairy manufacturing facility investment credit	GPR	S	340,000	–0–
(bp)	Dairy manufacturing facility investment credit; dairy cooperatives	GPR	S	–0–	–0–
(br)	Interest payments on overassessments of manufacturing property	GPR	S	10,000	20,000
(c)	Homestead tax credit	GPR	S	112,500,000	111,900,000
(co)	Enterprise zone jobs credit	GPR	S	52,500,000	53,100,000
(dm)	Farmland preservation credit	GPR	S	1,072,000	1,028,000
(dn)	Farmland tax relief credit	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(do)	Farmland preservation credit, 2010 and beyond	GPR	S	18,000,000	18,200,000
(em)	Veterans and surviving spouses property tax credit	GPR	S	28,400,000	29,800,000
(en)	Beginning farmer and farm asset owner tax credit	GPR	S	–0–	–0–
(ep)	Cigarette and tobacco product tax refunds	GPR	S	36,680,000	38,380,000
(f)	Earned income tax credit	GPR	S	36,400,000	37,600,000
(ka)	Farmland tax relief credit; Indian gaming receipts	PR–S	C	–0–	–0–
(kf)	Earned income tax credit; temporary assistance for needy families	PR–S	A	67,600,000	69,700,000
(q)	Farmland tax relief credit	SEG	S	–0–	–0–

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	300,129,000	309,805,000
PROGRAM REVENUE	67,600,000	69,700,000
SERVICE	(67,600,000)	(69,700,000)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	367,729,000	379,505,000

(3) STATE PROPERTY TAX CREDITS

(b)	School levy tax credit and first dollar credit	GPR	S	895,437,100	1,003,000,000
(q)	Lottery and gaming credit	SEG	S	162,782,800	161,531,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(s) Lottery and gaming credit; late applications	SEG	S	167,100	167,100
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			895,437,100	1,003,000,000
SEGREGATED REVENUE			162,949,900	161,698,500
OTHER			(162,949,900)	(161,698,500)
TOTAL–ALL SOURCES			1,058,387,000	1,164,698,500
(4) COUNTY AND LOCAL TAXES				
(g) County taxes	PR	C	–0–	–0–
(gb) Special district taxes	PR	C	–0–	–0–
(gd) Premier resort area tax	PR	C	–0–	–0–
(ge) Local professional football stadium district taxes	PR	C	–0–	–0–
(gg) Local taxes	PR	C	–0–	–0–
(4) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(5) PAYMENTS IN LIEU OF TAXES				
(a) Payments for municipal services	GPR	A	18,584,200	18,584,200
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			18,584,200	18,584,200
TOTAL–ALL SOURCES			18,584,200	18,584,200
20.835 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			2,126,471,700	2,245,910,600
PROGRAM REVENUE			67,600,000	69,700,000
OTHER			(–0–)	(–0–)
SERVICE			(67,600,000)	(69,700,000)
SEGREGATED REVENUE			215,049,900	213,498,500
OTHER			(215,049,900)	(213,498,500)
TOTAL–ALL SOURCES			2,409,121,600	2,529,109,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
20.855 Miscellaneous Appropriations				
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
(a) Obligation on operating notes	GPR	S	–0–	–0–
(b) Operating note expenses	GPR	S	–0–	–0–
(bm) Payment of canceled drafts	GPR	S	1,125,000	1,125,000
(c) Interest payments to program revenue accounts	GPR	S	–0–	–0–
(d) Interest payments to segregated funds	GPR	S	–0–	–0–
(dm) Interest reimbursements to federal government	GPR	S	–0–	–0–
(e) Interest on prorated local government payments	GPR	S	–0–	–0–
(f) Payment of fees to financial institutions	GPR	S	1,500,000	1,500,000
(gm) Payment of canceled drafts; program revenues	PR	S	–0–	–0–
(q) Redemption of operating notes	SEG	S	–0–	–0–
(r) Interest payments to general fund	SEG	S	–0–	–0–
(rm) Payment of canceled drafts; segregated revenues	SEG	S	450,000	450,000

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	2,625,000	2,625,000
PROGRAM REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
SEGREGATED REVENUE	450,000	450,000
OTHER	(450,000)	(450,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL-ALL SOURCES			3,075,000	3,075,000
(3) CAPITOL RENOVATION EXPENSES				
(b) Capitol restoration and relocation planning	GPR	B	–0–	–0–
(c) Historically significant furnishings	GPR	B	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL-ALL SOURCES			–0–	–0–
(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
(a) Interest on overpayment of taxes	GPR	S	1,250,000	1,250,000
(am) Great Lakes protection fund contribution	GPR	C	–0–	–0–
(be) Study of engineering	GPR	A	–0–	–0–
(bm) Oil pipeline terminal tax distribution	GPR	S	2,450,000	2,700,000
(c) Minnesota income tax reciprocity	GPR	S	–0–	–0–
(ca) Minnesota income tax reciprocity bench mark	GPR	A	–0–	–0–
(cm) Illinois income tax reciprocity	GPR	S	78,800,000	62,500,000
(cn) Illinois income tax reciprocity bench mark	GPR	A	–0–	–0–
(co) Illinois income tax reciprocity, 1998 and 1999	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(d)	Grants for economic development district	GPR	C	–0–	–0–
(e)	Transfer to conservation fund; land acquisition reimbursement	GPR	S	16,300	200
(f)	Transfer to environmental fund; nonpoint sources	GPR	A	11,143,600	11,143,600
(fc)	Aids for certain local purchases and projects	GPR	A	–0–	–0–
(fm)	Transfer to transportation fund; hub facility exemptions	GPR	S	–0–	–0–
(fr)	Transfer to transportation fund; disaster damage aids	GPR	S	–0–	6,500,000
(gd)	American Red Cross, Badger Chapter	PR	C	–0–	–0–
(ge)	Feeding America; Second Harvest food banks	PR	C	–0–	–0–
(q)	Terminal tax distribution	SEG	S	1,906,000	1,906,000
(r)	Petroleum allowance	SEG	S	300,000	300,000
(s)	Transfer to conservation fund; motorboat formula	SEG	S	13,176,400	13,240,000
(t)	Transfer to conservation fund; snowmobile formula	SEG	S	5,268,000	5,270,000
(u)	Transfer to conservation fund; all–terrain vehicle formula	SEG	S	2,040,900	2,085,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(v) Transfer to conservation fund; utility terrain vehicle formula	SEG	S	194,800	232,000
(w) Transfer to transportation fund; petroleum inspection fund	SEG	A	6,258,500	6,258,500
(wc) Petroleum inspection fund supplement to environmental fund; environmental management	SEG	A	1,704,800	1,704,800
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			93,659,900	84,093,800
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			30,849,400	30,996,300
OTHER			(30,849,400)	(30,996,300)
TOTAL–ALL SOURCES			124,509,300	115,090,100
(5) STATE HOUSING AUTHORITY RESERVE FUND				
(a) Enhancement of credit of authority debt	GPR	A	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(6) MISCELLANEOUS RECEIPTS				
(g) Gifts and grants	PR	C	–0–	–0–
(h) Vehicle and aircraft receipts	PR	A	–0–	–0–
(i) Miscellaneous program revenue	PR	A	–0–	–0–
(j) Custody accounts	PR	C	–0–	–0–
(k) Aids to individuals and organizations	PR–S	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ka) Local assistance	PR–S	C	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
(pz) Indirect cost reimbursements	PR–F	C	–0–	–0–
(6) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(8) MARQUETTE UNIVERSITY				
(a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	S	2,116,500	2,193,500
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			2,116,500	2,193,500
TOTAL–ALL SOURCES			2,116,500	2,193,500
(9) STATE CAPITOL RENOVATION AND RESTORATION				
(a) South wing renovation and restoration	GPR	C	–0–	–0–
(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			98,401,400	88,912,300
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			31,299,400	31,446,300
OTHER			(31,299,400)	(31,446,300)
TOTAL–ALL SOURCES			129,700,800	120,358,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
1	**20.865 Program Supplements**				
2	(1) EMPLOYEE COMPENSATION AND SUPPORT				
3	(a) Judgments and legal expenses	GPR	S	–0–	–0–
4 5	(c) Compensation and related adjustments	GPR	S	–0–	–0–
6 7 8	(ci) Nonrepresented university system senior executive, faculty and academic pay adjustments	GPR	S	–0–	–0–
9 10	(cj) Pay adjustments for certain university employees	GPR	A	–0–	–0–
11	(d) Employer fringe benefit costs	GPR	S	–0–	–0–
12	(e) Additional biweekly payroll	GPR	A	–0–	–0–
13	(em) Financial and procurement services	GPR	A	–0–	–0–
14	(fm) Risk management	GPR	A	–0–	–0–
15 16	(fn) Physically handicapped supplements	GPR	A	5,800	5,800
17 18	(g) Judgments and legal expenses; program revenues	PR	S	–0–	–0–
19 20	(i) Compensation and related adjustments; program revenues	PR	S	–0–	–0–
21 22 23	(ic) Nonrepresented university system senior executive, faculty and academic pay adjustments	PR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(j)	Employer fringe benefit costs; program revenues	PR	S	–0–	–0–
(jm)	Additional biweekly payroll; nonfederal program revenues	PR	S	–0–	–0–
(js)	Financial and procurement services; program revenues	PR	S	–0–	–0–
(kr)	Risk management; program revenues	PR	S	–0–	–0–
(Ln)	Physically handicapped supplements; program revenues	PR	S	–0–	–0–
(m)	Additional biweekly payroll; federal program revenues	PR–F	S	–0–	–0–
(q)	Judgments and legal expenses; segregated revenues	SEG	S	–0–	–0–
(s)	Compensation and related adjustments; segregated revenues	SEG	S	–0–	–0–
(si)	Nonrepresented university system senior executive, faculty and academic pay adjustments	SEG	S	–0–	–0–
(t)	Employer fringe benefit costs; segregated revenues	SEG	S	–0–	–0–
(tm)	Additional biweekly payroll; nonfederal segregated revenues	SEG	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(ts)	Financial and procurement services; segregated revenues	SEG	S	–0–	–0–
(ur)	Risk management; segregated revenues	SEG	S	–0–	–0–
(vn)	Physically handicapped supplements; segregated revenues	SEG	S	–0–	–0–
(x)	Additional biweekly payroll; federal segregated revenues	SEG–F	S	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	5,800	5,800
PROGRAM REVENUE	–0–	–0–
FEDERAL	(–0–)	(–0–)
OTHER	(–0–)	(–0–)
SEGREGATED REVENUE	–0–	–0–
FEDERAL	(–0–)	(–0–)
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	5,800	5,800

(2) STATE PROGRAMS AND FACILITIES

(a)	Private facility rental increases	GPR	A	–0–	–0–
(ag)	State–owned office rent supplement	GPR	A	–0–	–0–
(am)	Space management	GPR	A	–0–	–0–
(d)	State deposit fund	GPR	S	–0–	–0–
(e)	Maintenance of capitol and executive residence	GPR	A	4,508,900	4,508,900
(eb)	Executive residence furnishings replacement	GPR	C	10,200	10,200
(em)	Groundwater survey and analysis	GPR	A	182,500	182,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2015-2016	2016-2017
(g)	Private facility rental increases; program revenues	PR	S	–0–	–0–
(gg)	State–owned office rent supplement; program revenues	PR	S	–0–	–0–
(gm)	Space management; program revenues	PR	S	–0–	–0–
(i)	Enterprise resource planning system; program revenues	PR	S	–0–	–0–
(j)	State deposit fund; program revenues	PR	S	–0–	–0–
(L)	Data processing and telecommunications study; program revenues	PR	S	–0–	–0–
(q)	Private facility rental increases; segregated revenues	SEG	S	–0–	–0–
(qg)	State–owned office rent supplement; segregated revenues	SEG	S	–0–	–0–
(qm)	Space management; segregated revenues	SEG	S	–0–	–0–
(r)	Enterprise resource planning system; segregated revenues	SEG	S	–0–	–0–
(t)	State deposit fund; segregated revenues	SEG	S	–0–	–0–

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	4,701,600	4,701,600
PROGRAM REVENUE	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			4,701,600	4,701,600
(3) TAXES AND SPECIAL CHARGES				
(a) Property taxes	GPR	S	–0–	–0–
(g) Property taxes; program revenues	PR	S	–0–	–0–
(i) Payments for municipal services; program revenues	PR	S	–0–	–0–
(q) Property taxes; segregated revenues	SEG	S	–0–	–0–
(s) Payments for municipal services; segregated revenues	SEG	S	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
(a) General purpose revenue funds general program supplementation	GPR	B	23,503,200	34,711,000
(g) Program revenue funds general program supplementation	PR	S	–0–	–0–
(k) Public assistance programs supplementation	PR–S	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(m) Federal funds general program supplementation	PR–F	C	–0–	–0–
(u) Segregated funds general program supplementation	SEG	S	–0–	355,000
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			23,503,200	34,711,000
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	355,000
OTHER			(–0–)	(355,000)
TOTAL–ALL SOURCES			23,503,200	35,066,000
(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE–SERVICE APPROPRIATIONS				
(g) Supplementation of program revenue and program revenue–service appropriations	PR	S	–0–	–0–
(8) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.865 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			28,210,600	39,418,400
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	355,000
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(355,000)
TOTAL–ALL SOURCES			28,210,600	39,773,400
20.866 Public Debt				
(1) BOND SECURITY AND REDEMPTION FUND				
(u) Principal repayment and interest	SEG	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(1) PROGRAM TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.866 DEPARTMENT TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.867 Building Commission				
(1) STATE OFFICE BUILDINGS				
(a) Principal repayment and interest; housing of state agencies	GPR	S	–0–	–0–
(b) Principal repayment and interest; capitol and executive residence	GPR	S	13,845,000	9,990,100
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			13,845,000	9,990,100
TOTAL–ALL SOURCES			13,845,000	9,990,100
(2) ALL STATE-OWNED FACILITIES				
(b) Asbestos removal	GPR	A	–0–	–0–
(c) Hazardous materials removal	GPR	A	–0–	–0–
(f) Facilities preventive maintenance	GPR	A	–0–	–0–
(q) Building trust fund	SEG	C	–0–	–0–
(r) Planning and design	SEG	C	–0–	–0–
(u) Aids for buildings	SEG	C	–0–	–0–
(v) Building program funding contingency	SEG	C	–0–	–0–
(w) Building program funding	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(3) STATE BUILDING PROGRAM				
(a) Principal repayment and interest	GPR	S	24,239,400	52,355,000
(b) Principal repayment and interest	GPR	S	1,759,600	1,560,200
(bb) Principal repayment, interest and rebates; AIDS Network, Inc.	GPR	S	24,500	24,500
(bc) Principal repayment, interest and rebates; Grand Opera House in Oshkosh	GPR	S	32,100	35,500
(bd) Principal repayment, interest and rebates; Aldo Leopold climate change classroom and interactive laboratory	GPR	S	38,300	38,300
(be) Principal repayment, interest and rebates; Bradley Center Sports and Entertainment Corporation	GPR	S	839,300	904,700
(bf) Principal repayment, interest and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	S	65,300	65,300
(bg) Principal repayment, interest, and rebates; Madison Children's Museum	GPR	S	20,400	20,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bh)	Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	S	41,500	41,500
(bj)	Principal repayment, interest and rebates: Lac du Flambeau Indian Tribal Cultural Center	GPR	S	20,100	20,100
(bL)	Principal repayment, interest and rebates; family justice center	GPR	S	–0–	284,200
(bm)	Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	S	133,900	113,300
(bn)	Principal repayment, interest and rebates; Hmong cultural center	GPR	S	22,100	22,100
(bq)	Principal repayment, interest and rebates; children's research institute	GPR	S	928,500	1,022,400
(br)	Principal repayment, interest and rebates	GPR	S	96,800	96,100
(bt)	Principal repayment, interest, and rebates; Wisconsin Agriculture Education Center, Inc.	GPR	S	–0–	–0–
(bu)	Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums	GPR	S	42,800	42,800
(bv)	Principal repayment, interest, and rebates; Bond Health Center	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(bw)	Principal repayment, interest, and rebates; Eau Claire Confluence Arts, Inc.	GPR	S	–0–	1,075,700
(bx)	Principal repayment, interest, and rebates; Carroll University	GPR	S	–0–	–0–
(cb)	Principal repayment, interest, and rebates; Domestic Abuse Intervention Services, Inc.	GPR	S	26,900	44,900
(cd)	Principal repayment, interest and rebates; K I Convention Center	GPR	S	–0–	105,200
(cf)	Principal repayment, interest and rebates; Dane County; livestock facilities	GPR	S	722,200	722,200
(ch)	Principal repayment, interest, and rebates; Wisconsin Maritime Center of Excellence	GPR	S	–0–	133,700
(cj)	Principal repayment, interest, and rebates; Norskedalen Nature and Heritage Center	GPR	S	–0–	84,100
(d)	Interest rebates on obligation proceeds; general fund	GPR	S	–0–	–0–
(e)	Principal repayment, interest and rebates; parking ramp	GPR	S	–0–	–0–
(g)	Principal repayment, interest and rebates; program revenues	PR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(h)	Principal repayment, interest, and rebates	PR	S	–0–	–0–
(i)	Principal repayment, interest and rebates; capital equipment	PR	S	–0–	–0–
(k)	Interest rebates on obligation proceeds; program revenues	PR–S	C	–0–	–0–
(kd)	Energy conservation construction projects; principal repayment, interest and rebates	PR–S	C	194,100	1,261,900
(km)	Aquaculture demonstration facility; principal repayment and interest	PR–S	S	256,700	200,200
(q)	Principal repayment and interest; segregated revenues	SEG	S	–0–	–0–
(r)	Interest rebates on obligation proceeds; conservation fund	SEG	S	–0–	–0–
(s)	Interest rebates on obligation proceeds; transportation fund	SEG	S	–0–	–0–
(t)	Interest rebates on obligation proceeds; veterans trust fund	SEG	S	–0–	–0–
(w)	Bonding services	SEG	S	1,024,200	1,024,200

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	29,053,700	58,812,200
PROGRAM REVENUE	450,800	1,462,100
OTHER	(–0–)	(–0–)
SERVICE	(450,800)	(1,462,100)
SEGREGATED REVENUE	1,024,200	1,024,200
OTHER	(1,024,200)	(1,024,200)
TOTAL–ALL SOURCES	30,528,700	61,298,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
(q) Funding in lieu of borrowing	SEG	C	–0–	–0–
(r) Interest on veterans obligations	SEG	C	–0–	–0–
(4) PROGRAM TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(5) SERVICES TO NONSTATE GOVERNMENTAL UNITS				
(g) Financial consulting services	PR	C	–0–	–0–
(5) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			42,898,700	68,802,300
PROGRAM REVENUE			450,800	1,462,100
OTHER			(–0–)	(–0–)
SERVICE			(450,800)	(1,462,100)
SEGREGATED REVENUE			1,024,200	1,024,200
OTHER			(1,024,200)	(1,024,200)
TOTAL–ALL SOURCES			44,373,700	71,288,600
20.875 Budget Stabilization Fund				
(1) TRANSFERS TO FUND				
(a) General fund transfer	GPR	S	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(2) TRANSFERS FROM FUND				
(q) Budget stabilization fund transfer	SEG	A	–0–	–0–
(2) PROGRAM TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
TOTAL-ALL SOURCES			-0-	-0-
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			-0-	-0-
SEGREGATED REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
General Appropriations FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			2,295,982,400	2,443,043,600
PROGRAM REVENUE			68,050,800	71,162,100
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(68,050,800)	(71,162,100)
SEGREGATED REVENUE			247,373,500	246,324,000
FEDERAL			(-0-)	(-0-)
OTHER			(247,373,500)	(246,324,000)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			2,611,406,700	2,760,529,700
STATE TOTALS			35,739,912,100	36,870,634,900
GENERAL PURPOSE REVENUE			15,905,604,000	17,029,191,800
PROGRAM REVENUE			15,164,306,900	15,239,965,600
FEDERAL			(9,718,387,400)	(9,784,324,800)
OTHER			(4,597,027,300)	(4,598,448,500)
SERVICE			(848,892,200)	(857,192,300)
SEGREGATED REVENUE			4,670,001,200	4,601,477,500
FEDERAL			(884,751,000)	(884,552,500)
OTHER			(3,536,296,400)	(3,503,685,400)
SERVICE			(141,067,700)	(105,353,500)
LOCAL			(107,886,100)	(107,886,100)

SECTION 482. 20.115 (1) (gb) of the statutes is amended to read:

20.115 **(1)** (gb) *Food ~~regulation~~, lodging, and recreation*. The amounts in the schedule for the regulation of food, lodging, and recreation under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w), 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.27, 97.29, 97.30 (3) (a), (b) and (c), 97.41, 97.60 to 97.653, 97.67, 98.145 and 98.146 for the regulation of food, lodging, and recreation shall be credited to this appropriation.

SECTION 483. 20.115 (2) (jm) of the statutes is created to read:

20.115 **(2)** (jm) *Veterinary examining board.* All moneys received from issuing and renewing credentials under ch. 89 for the licensing, rule–making, and regulatory functions of the veterinary examining board.

SECTION 485. 20.115 (7) (qf) of the statutes is amended to read:

20.115 **(7)** (qf) *Soil and water management; aids.* From the environmental fund, the amounts in the schedule for cost–sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support of local land conservation personnel, and for producer led watershed protection grants under s. 93.59. The department shall allocate funds, in an amount that does not exceed $250,000 in each fiscal year for the producer led watershed protection grants.

SECTION 497m. 20.144 (1) (g) of the statutes is amended to read:

20.144 **(1)** (g) *General program operations.* The amounts in the schedule for the general program operations of the department of financial institutions. Except as provided in pars. (a), (h), (i), (j), and (u), all moneys received by the department, other than by the office of credit unions and the division of banking, and 88% of all moneys received by the office of credit unions and the department's division of banking shall be credited to this appropriation, but any balance at the close of a fiscal year under this appropriation shall lapse to the general fund. Annually, ~~$325,000~~ $150,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.575 (1) (g).

SECTION 505. 20.145 (5) of the statutes is repealed.

SECTION 510m. 20.155 (1) (j) of the statutes is amended to read:

20.155 **(1)** (j) *Intervenor financing ~~and grants~~.* Biennially, the amounts in the schedule for intervenor financing ~~and grants~~ under s. 196.31. All moneys received for intervenor financing under s. 196.31 (2) shall be credited to this appropriation.

SECTION 512m. 20.155 (3) (g) of the statutes is repealed.

SECTION 513. 20.155 (3) (r) of the statutes is created to read:

20.155 **(3)** (r) *Broadband expansion grants.* From the universal service fund, as a continuing appropriation, the amounts in the schedule for broadband expansion grants under s. 196.504. All moneys transferred under 2015 Wisconsin Act .... (this act), section 9236 (1v) shall be credited to this appropriation account.

SECTION 524. 20.165 (1) (hg) of the statutes is amended to read:

20.165 **(1)** (hg) *General program operations; medical examining board; prescription drug monitoring program.* Biennially, the amounts in the schedule for the licensing, rule–making, and regulatory functions of the medical examining board and the affiliated credentialing boards attached to the medical examining board, except for preparing, administering, and grading examinations; and for the ~~pharmacy examining~~ controlled substances board's operation of the prescription drug monitoring program under s. 4~~50.19~~ 961.385. Ninety percent of all moneys received for issuing and renewing credentials under ch. 448 shall be credited to this appropriation.

SECTION 540m. 20.165 (2) (de) of the statutes is renumbered 20.165 (2) (ke) and amended to read:

20.165 **(2)** (ke) *Private on–site wastewater treatment system replacement and rehabilitation.* As a continuing appropriation, the amounts in the schedule for financial assistance under the private on–site wastewater treatment system

replacement and rehabilitation program under s. 145.245. All moneys transferred from par. (j) shall be credited to this appropriation account.

SECTION 545. 20.165 (2) (j) of the statutes is amended to read:

20.165 **(2)** (j) *Safety and building operations.* The amounts in the schedule for the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and (2m), and 236.335~~, for the purpose of transferring the amounts in the schedule under par. (kg) to the appropriation account under par. (kg),~~ and for the purpose of transferring the amounts in the schedule under par. ~~(km)~~ (ke) to the appropriation account under par. ~~(km)~~ (ke). All moneys received under ch. 145, ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7) and all moneys transferred under 2005 Wisconsin Act 45, section 76 (6), shall be credited to this appropriation account.

SECTION 548. 20.165 (2) (kg) of the statutes is repealed.

SECTION 549. 20.165 (2) (km) of the statutes is repealed.

SECTION 556k. 20.192 (1) (r) of the statutes is amended to read:

20.192 **(1)** (r) *Economic development fund; operations and programs.* From the economic development fund, as a continuing appropriation, the amounts in the schedule for the operations of the Wisconsin Economic Development Corporation and for funding the economic development programs ~~administered by the Wisconsin Economic Development Corporation~~ it administers.

SECTION 557. 20.225 (1) (d) of the statutes is repealed.

SECTION 557d. 20.225 (1) (f) of the statutes is repealed.

SECTION 557f. 20.225 (1) (g) of the statutes is amended to read:

20.225 **(1)** (g) *Gifts, grants, contracts, leases, instructional material, and copyrights.* Except as provided in par. (i), all moneys received from gifts, grants,

contracts, the lease of excess capacity, ~~the sale of instructional material under s. 39.11 (16),~~ and the use of copyrights under s. 39.115 (1), to carry out the purposes for which received.

SECTION 557g. 20.235 (1) (ct) of the statutes is created to read:

20.235 **(1)** (ct) *Teacher loan program.* The amounts in the schedule for the teacher loan program under s. 39.399.

SECTION 557j. 20.235 (1) (cu) of the statutes is repealed.

SECTION 559m. 20.235 (1) (kc) of the statutes is created to read:

20.235 **(1)** (kc) *Tribal college payments.* The amounts in the schedule for payments to tribal colleges under s. 39.382. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13r. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 560m. 20.255 (1) (dt) of the statutes is created to read:

20.255 **(1)** (dt) *Virtual marketplace for digital educational resources.* The amounts in the schedule for the digital textbook marketplace under s. 115.384.

SECTION 560r. 20.255 (1) (f) of the statutes is amended to read:

20.255 **(1)** (f) *Assessments of reading readiness.* The amounts in the schedule to provide school districts and independent charter schools <u>under s. 118.40 (2r) and (2x)</u> with the assessments of reading readiness under s. 118.016.

SECTION 561. 20.255 (1) (fm) of the statutes is created to read:

20.255 **(1)** (fm) *Value-Added Research Center.* The amounts in the schedule to pay the costs of the University of Wisconsin–Madison Value-Added Research Center under s. 118.301 (2) and (4).

SECTION 561j. 20.255 (1) (q) of the statutes is created to read:

20.255 **(1)** (q) *Digital learning collaborative.* From the universal service fund, the amounts in the schedule for a digital learning collaborative for the statewide web academy and for the delivery of digital content and collaborative instruction under s. 115.28 (53) and (54).

SECTION 563d. 20.255 (2) (az) of the statutes is created to read:

20.255 **(2)** (az) *Special Needs Scholarship Program.* A sum sufficient to make the payments under s. 115.7915 (4m).

SECTION 563m. 20.255 (2) (bf) of the statutes is created to read:

20.255 **(2)** (bf) *Aid for special education transition grants.* The amounts in the schedule for aid under s. 115.884.

SECTION 563p. 20.255 (2) (cg) of the statutes is amended to read:

20.255 **(2)** (cg) *Tuition payments; full–time open enrollment transfer payments.* The amounts in the schedule for payment of tuition under subch. V of ch. 121 and full–time open enrollment transfer payments under s. 118.51 (16) (b) 2. <u>and (17) (c) 2.</u>

SECTION 564. 20.255 (2) (ct) of the statutes is repealed.

SECTION 565. 20.255 (2) (fg) of the statutes is amended to read:

20.255 **(2)** (fg) *Aid for cooperative educational service agencies.* The amounts in the schedule for a payment not to exceed $25,000 annually to each cooperative educational service agency~~, for the current operational expenses of these agencies and~~ to match any federal funds received by these agencies for vocational education administration.

SECTION 565c. 20.255 (2) (fm) of the statutes is amended to read:

20.255 **(2)** (fm) *Charter schools.* A sum sufficient to make the payments to charter schools under s. 118.40 (2r) (e) and (f).

SECTION 565g. 20.255 (2) (fp) of the statutes is created to read:

20.255 **(2)** (fp) *Charter schools; office of educational opportunity.* A sum sufficient to make the payments to charter schools under s. 118.40 (2x) (e).

SECTION 567m. 20.255 (2) (fs) of the statutes is created to read:

20.255 **(2)** (fs) *Opportunity schools and partnership programs.* A sum sufficient to make the payments under ss. 115.999 (4), 119.33 (6) (a) to (c), and 119.9005 (1) to (3).

SECTION 568. 20.255 (2) (q) of the statutes is amended to read:

20.255 **(2)** (q) *Grants for literacy and early childhood development programs.* From the ~~governor's~~ read to lead development fund, a sum sufficient for grants to support literacy and early childhood development programs under s. ~~14.20 (2)~~ 48.53 (3) (c).

SECTION 568b. 20.255 (2) (q) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 569. 20.255 (2) (u) of the statutes is repealed.

SECTION 574m. 20.285 (1) (a) of the statutes is amended to read:

20.285 **(1)** (a) *General program operations.* ~~The~~ Biennially, the amounts in the schedule for the purpose of educational programs and related programs. The board of regents may not encumber amounts appropriated under this paragraph for groundwater research without the approval of the secretary of administration.

SECTION 580m. 20.285 (1) (gb) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

20.285 **(1)** (gb) *General program operations.* All moneys received from the operation of educational programs and related programs and as earnings from investments under s. 36.11 (11m) to carry out the purposes for which received, including the transfer of funds to par. (gj). In each fiscal year, the Board of Regents shall transfer no more than ~~$20,338,500~~ $30,338,500 from this appropriation account to the medical assistance trust fund.

SECTION 582m. 20.285 (1) (ge) of the statutes is amended to read:

20.285 **(1)** (ge) *Gifts and nonfederal grants and contracts.* All moneys received as gifts, bequests, or devises ~~or~~, nonfederal grants or contracts, or earnings from investments under s. 36.11 (11m) to carry out the purposes for which received.

SECTION 585m. 20.285 (1) (m) of the statutes is amended to read:

20.285 **(1)** (m) *Federal aid.* All federal moneys received, including earnings from federal moneys invested under s. 36.11 (11m), to carry out the purposes for which received.

SECTION 593m. 20.285 (1) (q) of the statutes is repealed.

SECTION 596g. 20.285 (1) (qm) of the statutes is amended to read:

20.285 **(1)** (qm) *Grants for forestry programs.* From the conservation fund, of the amounts in the schedule, ~~$78,000~~ $124,400 annually for the University of Wisconsin–Stevens Point paper science program and the remaining balance for grants to forest cooperatives under s. 36.56.

SECTION 596r. 20.285 (1) (qm) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.285 **(1)** (qm) *Grants for forestry programs.* From the conservation fund, of the amounts in the schedule, ~~$124,400~~ $78,000 annually for the University of

Wisconsin–Stevens Point paper science program and the remaining balance for grants to forest cooperatives under s. 36.56.

SECTION 598g. 20.285 (1) (r) of the statutes is amended to read:

20.285 **(1)** (r) *Environmental education; environmental assessments.* From the environmental fund, as a continuing appropriation, an amount equal to 50% of the environmental assessments paid under s. 299.93 (1) (a) before July 1, 2015, and 70% of the environmental assessments paid under s. 299.93 (1) (b) before July 1, 2015, for environmental education grants under s. 36.54 (2).

SECTION 598r. 20.285 (1) (r) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 599. 20.285 (1) (rc) of the statutes is repealed.

SECTION 601. 20.285 (1) (s) of the statutes is repealed.

SECTION 602. 20.285 (1) (tb) of the statutes is repealed.

SECTION 603. 20.285 (1) (tm) of the statutes is repealed.

SECTION 608m. 20.285 (2) (d) of the statutes is repealed.

SECTION 612. 20.285 (3) of the statutes is repealed.

SECTION 614m. 20.292 (1) (r) of the statutes is created to read:

20.292 **(1)** (r) *Veteran grant jobs pilot program.* From the veterans trust fund, the amounts in the schedule for the veteran grant jobs pilot program under s. 38.31. No moneys may be encumbered under this paragraph after June 30, 2017.

SECTION 619m. 20.370 (1) (cz) of the statutes is created to read:

20.370 **(1)** (cz) *Forestry — management of national forest land.* All moneys received from the sale of timber from federal land under a cooperative agreement under s. 28.15 to be used to administer, implement, and pay costs associated with the

cooperative agreement and any contracts entered into under s. 28.15 (3) and to lapse the amounts under s. 28.15 (5).

SECTION 620. 20.370 (1) (fs) of the statutes is amended to read:

20.370 **(1)** (fs) *Endangered resources — voluntary payments; sales, leases, and fees.* As a continuing appropriation, from moneys received as amounts designated under ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources derived from the land in the state natural areas system, and all moneys received from fees collected under ss. 29.319 (2), 29.563 (10) (a), and 341.14 (6r) (b) 5. and 12., for the purposes of the endangered resources program, as defined under ss. 71.10 (5) (a) 2. and 71.30 (10) (a) 2. Three percent of the moneys certified under ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 3. in each fiscal year and 3% of the fees received under s. 341.14 (6r) (b) 5. and 12. in each fiscal year shall be allocated for wildlife damage control and payment of claims for damage associated with endangered or threatened species, except that this combined allocation may not exceed $100,000 per fiscal year.

SECTION 621m. 20.370 (1) (mv) of the statutes is amended to read:

20.370 **(1)** (mv) *General program operations — state funds; forestry.* The amounts in the schedule for general program operations that relate to the management and protection of the state's forestry resources and that are conducted under ss. 23.09 to 23.11 and 27.01, subch. VI of ch. 77, and chs. 26 and 28, to make the payments under s. 77.89 (1) (b), and to pay the initial costs of administering and implementing a cooperative agreement under s. 28.15 and any contracts entered into under s. 28.15 (3).

SECTION 623. 20.370 (3) (title) of the statutes is repealed and recreated to read:

20.370 **(3)** (title) PUBLIC SAFETY AND BUSINESS SUPPORT.

SECTION 624. 20.370 (3) (ad) of the statutes is repealed.

SECTION 625b. 20.370 (3) (aw) of the statutes is amended to read:

20.370 **(3)** (aw) *Law enforcement — ~~car kill~~ car-killed deer.* ~~The~~ From the moneys received by the department for forestry activities, the amounts in the schedule to pay ~~50% of the costs of~~ for the removal and disposal of ~~car kill~~ car-killed deer from ~~the~~ state trunk highways under s. 29.349 (4).

SECTION 626q. 20.370 (3) (mq) of the statutes is amended to read:

20.370 **(3)** (mq) *General program operations — environmental fund.* From the environmental fund, the amounts in the schedule for the enforcement ~~of the hazardous substance spills program under s. 292.11 and groundwater standards and related activities under ch. 160~~ and administration of the environmental provisions under chs. 30, 160, and 280 to 299.

SECTION 626r. 20.370 (3) (mr) of the statutes is repealed.

SECTION 632m. 20.370 (5) (bv) of the statutes is amended to read:

20.370 **(5)** (bv) *Resource aids — county forests, forest croplands and managed forest land aids.* A sum sufficient to pay county forest aids under s. 28.11 (8) (a), forest croplands aids under subch. I of ch. 77 and managed forest land aids under ss. 77.85 and 77.89 (1) (a).

SECTION 634. 20.370 (5) (by) of the statutes is amended to read:

20.370 **(5)** (by) *Resource aids — fire suppression grants.* ~~The~~ Biennially, the amounts in the schedule for grants for fire suppression clothing, supplies, equipment, and vehicles, for acquiring fire prevention materials, and for training fire fighters under s. 26.145.

SECTION 634m. 20.370 (5) (bz) of the statutes is amended to read:

20.370 **(5)** (bz) *Resource aids — forestry outdoor activity grants.* As a continuing appropriation, the amounts in the schedule for grants awarded ~~by the managed forest land board~~ under s. 77.895.

SECTION 635. 20.370 (5) (cq) of the statutes is amended to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, ~~for funding for the Fox River Navigational System Authority under s. 237.08 (2),~~ for funding for the Southeastern Wisconsin Fox River commission under 2015 Wisconsin Act .... (this act), section 9132 (4c), and for the engineering and environmental study under s. 31.307.

SECTION 635d. 20.370 (5) (cq) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, and for the engineering and environmental study under s. 31.307.

SECTION 635m. 20.370 (5) (cv) of the statutes is repealed.

SECTION 636c. 20.370 (5) (dq) (title) of the statutes is amended to read:

20.370 **(5)** (dq) (title) *Aids in lieu of taxes — ~~sum sufficient~~ lands acquired before a specified date.*

SECTION 636d. 20.370 (5) (dr) of the statutes is amended to read:

20.370 **(5)** (dr) *Aids in lieu of taxes —* ~~*sum certain*~~ *lands acquired after a specified date*. ~~The amounts in the schedule~~ A sum sufficient to pay 45 percent of the aids to municipalities for state lands under s. 70.114.

SECTION 636e. 20.370 (5) (dr) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.370 **(5)** (dr) *Aids in lieu of taxes — lands acquired after a specified date.* A sum sufficient to pay ~~45~~ 50 percent of the aids to municipalities for state lands under s. 70.114.

SECTION 636g. 20.370 (6) (aa) of the statutes is renumbered 20.370 (6) (aq) and amended to read:

20.370 **(6)** (aq) *Environmental aids; nonpoint source.* Biennially, from the environmental fund, the amounts in the schedule for grants and assistance under the nonpoint source water pollution abatement program under s. 281.65.

SECTION 638. 20.370 (6) (av) of the statutes is amended to read:

20.370 **(6)** (av) *Environmental aids — river protection; conservation fund.* ~~From~~ Biennially, from the conservation fund, the amounts in the schedule for river protection grants and contracts under s. 281.70. ~~Notwithstanding s. 20.001 (3) (a), on June 30 of each fiscal year the unencumbered balance in this appropriation account shall be transferred to the appropriation account under par. (ar).~~

SECTION 639g. 20.370 (6) (cr) of the statutes is amended to read:

20.370 **(6)** (cr) *Environmental aids — compensation for well contamination and abandonment.* ~~As a continuing appropriation~~ Biennially, from the environmental fund, the amounts in the schedule to pay compensation under s. 281.75.

SECTION 639m. 20.370 (7) (ad) of the statutes is amended to read:

20.370 **(7)** (ad) *Land sales — principal repayment.* ~~All~~ Fifty percent of all moneys received from the proceeds from the sale of land and property under s. 23.145 to reimburse s. 20.866 (1) (u) for the payment of principal on outstanding public debt incurred under the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 640. 20.370 (7) (ct) of the statutes is amended to read:

20.370 **(7)** (ct) *Principal and interest — pollution abatement, environmental fund.* From the environmental fund, ~~the amounts in the schedule~~ a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of point source water pollution abatement facilities and sewage collection facilities under ss. 281.55, 281.56 and 281.57, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 640b. 20.370 (7) (ht) of the statutes is created to read:

20.370 **(7)** (ht) *Property development — conservation fund.* From the conservation fund, from moneys received by the department for forestry activities, as a continuing appropriation, the amounts in the schedule for property development on land under the management and control of the department.

SECTION 640d. 20.370 (7) (iv) of the statutes is created to read:

20.370 **(7)** (iv) *Land sales — use of proceeds.* From the conservation fund, 50 percent of all moneys received from the proceeds from the sale of land and property under s. 23.145 for the purpose of acquiring land as specified under s. 23.145 (2) (b).

SECTION 640g. 20.370 (7) (mc) (title) of the statutes is amended to read:

20.370 **(7)** (mc) (title) *Resource maintenance and development — state park, forest and riverway roads; general fund.*

SECTION 640r. 20.370 (7) (mr) of the statutes is created to read:

20.370 **(7)** (mr) *Resource maintenance and development — state park, forest, and riverway roads; conservation fund.* From the conservation fund, from the moneys received by the department for forestry activities, as a continuing appropriation, the amounts in the schedule for state park and forest roads and roads in the lower Wisconsin state riverway, as defined in s. 30.40 (15), under s. 84.28 and for the maintenance of roads in state parks under ch. 27 and recreation areas in state forests under ch. 28 that are not eligible for funding under s. 84.28. The department shall expend not less than one–third of the amounts in the schedule from this appropriation in each fiscal year for state park and forest roads and roads in the lower Wisconsin state riverway, as defined in s. 30.40 (15), under s. 84.28 and shall expend the balance from the appropriation for the maintenance of roads that are not eligible for funding under s. 84.28.

SECTION 640t. 20.370 (9) (gh) of the statutes is created to read:

20.370 **(9)** (gh) *Horicon Marsh education and visitor center — program fees.* From the general fund, all moneys received from fees collected under s. 23.426 for educational programs provided by the department at the Horicon Marsh education and visitor center.

SECTION 641m. 20.380 (1) (b) of the statutes is amended to read:

20.380 **(1)** (b) *Tourism marketing; general purpose revenue.* Biennially, the amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) ~~and~~, 41.17, and 41.25. In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (kg) in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year. Of the amounts under this paragraph, not more than 50% shall be used to match funds allocated under s. 41.17 by private or public organizations for the joint effort marketing of tourism with the state.

SECTION 641n. 20.380 (1) (kg) of the statutes is amended to read:

20.380 **(1)** (kg) *Tourism marketing; gaming revenue.* Biennially, the amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17. In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (b) for those purposes in that fiscal year bears to the amount in the schedule for par. (b) for that fiscal year, minus the amount expended under s. 41.25. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd–numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 642. 20.380 (2) (title) of the statutes is repealed.

SECTION 643. 20.380 (2) (ip) of the statutes is renumbered 20.385 (1) (g).

SECTION 644. 20.380 (2) (ir) of the statutes is renumbered 20.385 (1) (h).

SECTION 645. 20.380 (2) (kc) of the statutes is renumbered 20.385 (1) (k).

SECTION 646. 20.380 (2) (ms) of the statutes is renumbered 20.385 (1) (m).

SECTION 647. 20.380 (2) (q) of the statutes is renumbered 20.385 (1) (q).

SECTION 648. 20.380 (2) (r) of the statutes is renumbered 20.385 (1) (r).

SECTION 648m. 20.385 (intro.) of the statutes is created to read:

20.385 Kickapoo reserve management board. (intro.) There is appropriated to the Kickapoo reserve management board for the following programs:

SECTION 648n. 20.385 (1) (title) of the statutes is created to read:

20.385 **(1)** (title) KICKAPOO VALLEY RESERVE.

SECTION 648r. 20.395 (1) (ar) of the statutes is amended to read:

20.395 **(1)** (ar) *Corrections of transportation aid payments.* A sum sufficient to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. <u>and (10) (b) and to make payments under 2015 Wisconsin Act.... (this act), section 9145 (1f) and (2f)</u>.

SECTION 649. 20.395 (1) (cq) of the statutes is amended to read:

20.395 **(1)** (cq) *~~Elderly~~ <u>Seniors</u> and ~~disabled capital~~ <u>individuals with disabilities specialized transportation</u> aids, state funds.* As a continuing appropriation, the amounts in the schedule for specialized transportation ~~capital~~ assistance for ~~the elderly~~ <u>seniors</u> and ~~disabled~~ <u>individuals with disabilities</u> under s. 85.22.

SECTION 649c. 20.395 (1) (cr) of the statutes is amended to read:

20.395 **(1)** (cr) *~~Elderly~~ <u>Seniors</u> and ~~disabled~~ <u>individuals with disabilities specialized transportation</u> county aids, state funds.* The amounts in the schedule for

specialized transportation assistance for ~~the elderly~~ seniors and ~~disabled~~ individuals with disabilities under s. 85.21.

SECTION 649e. 20.395 (1) (cv) of the statutes is amended to read:

20.395 **(1)** (cv) *~~Elderly~~ Seniors and ~~disabled~~ individuals with disabilities specialized transportation aids, local funds.* All moneys received from any local unit of government or other source for specialized transportation assistance for ~~the elderly~~ seniors and ~~disabled~~ individuals with disabilities, for such purposes.

SECTION 649g. 20.395 (1) (cx) of the statutes is amended to read:

20.395 **(1)** (cx) *~~Elderly~~ Seniors and ~~disabled~~ individuals with disabilities specialized transportation aids, federal funds.* All moneys received from the federal government for specialized transportation assistance for ~~the elderly~~ seniors and ~~disabled~~ individuals with disabilities, for such purposes.

SECTION 650. 20.395 (2) (bt) of the statutes is created to read:

20.395 **(2)** (bt) *Freight rail preservation.* As a continuing appropriation, the amounts in the schedule to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).

SECTION 650m. 20.395 (2) (cq) of the statutes is amended to read:

20.395 **(2)** (cq) *Harbor assistance, state funds.* As a continuing appropriation, the amounts in the schedule for harbor assistance under s. 85.095 (2) (a), for administration of the harbor assistance program under s. 85.095 and for grants under 1999 Wisconsin Act 9, section 9150 (4f) ~~and~~, 2013 Wisconsin Act 20, section 9145 (4i) and (4u), and 2015 Wisconsin Act .... (this act), section 9145 (1c).

SECTION 650r. 20.395 (2) (eq) of the statutes is amended to read:

20.395 **(2)** (eq) *Highway and local bridge improvement assistance, state funds.* As a continuing appropriation, the amounts in the schedule for bridge development, construction, and rehabilitation under s. 84.18, for the development and construction of bridges under ss. 84.12 and 84.17, for payments to local units of government for jurisdictional transfers under s. 84.16, for the improvement of the state trunk highway system under 1985 Wisconsin Act 341, section 6 (1), ~~and~~ to provide for the payments specified under 2001 Wisconsin Act 16, section 9152 (3d), and for the payment required under 2015 Wisconsin Act.... (this act), section 9145 (3f).

SECTION 652. 20.395 (3) (eg) of the statutes is amended to read:

20.395 **(3)** (eg) *Supplement from sponsorship agreements, state funds.* From the general fund, all moneys received under s. 84.01 (36) (d) 1. for any purpose described in par. (eq) or (es).

SECTION 653. 20.395 (4) (as) of the statutes is created to read:

20.395 **(4)** (as) *Transit safety oversight, state funds.* As a continuing appropriation, the amounts in the schedule for the transit safety oversight program under s. 85.066.

SECTION 654. 20.395 (4) (ay) of the statutes is created to read:

20.395 **(4)** (ay) *Transit safety oversight, federal funds.* All moneys received from the federal government for transit safety oversight under s. 85.066 for such purposes.

SECTION 655e. 20.395 (4) (bk) of the statutes is created to read:

20.395 **(4)** (bk) *Freight optimization modeling.* From the general fund, as a continuing appropriation, all moneys transferred under 2015 Wisconsin Act .... (this act), section 9145 (4f) for contracting with a consultant for freight optimization modeling services under s. 84.01 (37).

SECTION 655j. 20.395 (5) (ek) of the statutes is amended to read:

20.395 **(5)** (ek) *Safe-ride grant program; state funds.* From the general fund, all moneys transferred from the appropriation account under s. 20.435 (5) (hx) <u>and all moneys received by the secretary of administration from the safe ride program surcharge on court fines and forfeitures authorized under s. 346.657</u> for the purpose of awarding grants under s. 85.55.

SECTION 656. 20.395 (5) (jr) of the statutes is repealed.

SECTION 656g. 20.395 (6) (ae) of the statutes is created to read:

20.395 **(6)** (ae) *Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing major highway and rehabilitation projects, as provided under ss. 20.866 (2) (uuu) and 84.58 and 2015 Wisconsin Act .... (this act), section 9145 (1v), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 656t. 20.395 (6) (av) of the statutes is created to read:

20.395 **(6)** (av) *Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing major highway and rehabilitation projects, as provided under ss. 20.866 (2) (uuu) and 84.58 and 2015 Wisconsin Act .... (this act), section 9145 (1v), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 658. 20.410 (1) (gn) of the statutes is created to read:

20.410 **(1)** (gn) *Interstate compact for adult offender supervision.* The amounts in the schedule to provide supervision of probationers, parolees, and persons on extended supervision. All moneys received from an offender submitting an interstate compact application to transfer supervision to another state, as prescribed by rule in accordance with s. 304.16 (1) (b) 1. and (5) (b), shall be credited to this appropriation account.

SECTION 659. 20.410 (1) (kd) of the statutes is amended to read:

20.410 **(1)** (kd) *Victim notification.* The amounts in the schedule for victim notification services. All moneys transferred from the appropriation account under s. 20.505 (1) (id) 6. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

SECTION 660. 20.410 (3) (cd) of the statutes is renumbered 20.437 (1) (cj) and amended to read:

20.437 **(1)** (cj) *Community youth and family aids.* The amounts in the schedule ~~plus the amounts transferred from the appropriation account under par. (cg)~~ for the improvement and provision of community–based juvenile delinquency–related services under s. 48.526 and juvenile correctional services under s. 301.26 and for reimbursement to counties having a population of less than ~~500,000~~ 750,000 for the cost of court attached intake services as provided in s. 938.06 (4). Disbursements may be made from this appropriation account under s. ~~301.085~~ 49.32 (2). Refunds received relating to payments made under s. ~~301.085~~ 49.32 (2) shall be returned to this appropriation account. ~~All moneys transferred from the appropriation account under par. (cg) shall be credited to this appropriation account.~~ Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of ~~corrections~~ children and families may

transfer moneys under this paragraph between fiscal years. Except for moneys authorized for transfer under s. ~~301.26~~ 48.526 (3), all moneys from this paragraph allocated under s. ~~301.26~~ 48.526 (3) and not spent or encumbered by counties by December 31 of each year shall lapse into the general fund on the succeeding January 1. The joint committee on finance may transfer additional moneys to the next calendar year.

SECTION 661. 20.410 (3) (cg) of the statutes is amended to read:

20.410 **(3)** (cg) *Serious juvenile offenders.* Biennially, the amounts in the schedule for juvenile correctional institution, ~~corrective sanctions,~~ alternate care, ~~aftercare,~~ community supervision, and other juvenile program services specified in s. 938.538 (3) provided for the persons specified in s. 301.26 (4) (cm) and for juvenile correctional institution services for persons placed in juvenile correctional institutions under s. 973.013 (3m).

SECTION 662. 20.410 (3) (f) of the statutes is renumbered 20.437 (1) (cm) and amended to read:

20.437 **(1)** (cm) *Community intervention program.* The amounts in the schedule for the community intervention program under s. ~~301.263~~ 48.528.

SECTION 663. 20.410 (3) (hr) of the statutes is amended to read:

20.410 **(3)** (hr) *Juvenile ~~corrective sanctions program~~ community supervision services.* The amounts in the schedule for the ~~corrective sanctions~~ community supervision services specified in ss. 49.45 (25) (bj) and 301.26 (4) (c) and (eg). All moneys received in payment for those ~~corrective sanctions~~ services as specified in s. 301.26 (4) (d) and (eg), and all moneys transferred under s. 301.26 (4) (cm), shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year ~~corrective sanctions~~ community supervision

services costs, that excess shall be transferred to the appropriation account under par. (hm) as provided in s. 301.26 (4) (ct).

SECTION 664. 20.410 (3) (ko) of the statutes is repealed.

SECTION 665. 20.410 (3) (kp) of the statutes is renumbered 20.437 (1) (kp) and amended to read:

20.437 **(1)** (kp) ~~*Indian juvenile*~~ *Interagency and intra-agency aids; tribal delinquency placements*. The amounts in the schedule to be used for unexpected or unusually high–cost out–of–home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 21d. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 666m. 20.427 (intro.) of the statutes is created to read:

20.427 Labor and industry review commission. (intro.) There is appropriated to the labor and industry review commission for the following program:

SECTION 667. 20.433 (1) (g) of the statutes is amended to read:

20.433 **(1)** (g) *General program operations*. From all moneys received under s. 69.22 (1m), the amounts in the schedule to be used for the expenses of the child abuse and neglect prevention board under s. 48.982 (2) and (3), for statewide projects under s. 48.982 (5), for the general program operations of the family resource center grant program under s. 48.982 (6), and for technical assistance to organizations under s. 48.982 (4) and (6). Notwithstanding s. 20.001 (3) (a), there is transferred from this appropriation account to the appropriation account under par. (h) all moneys in this appropriation account that are unexpended and unencumbered at the close of a fiscal

year. The child abuse and neglect prevention board may transfer all moneys in this appropriation account that are unexpended and unencumbered to the appropriation account under par. (h) at any time.

SECTION 668. 20.433 (1) (h) of the statutes is amended to read:

20.433 **(1)** (h) *Grants to organizations.* All moneys received under s. 69.22 (1m), less the amounts appropriated under par. (g), and all moneys transferred from the appropriation account under par. (g), to be used for grants to organizations under s. 48.982 (4) and (6).

SECTION 668r. 20.435 (1) (ch) of the statutes is amended to read:

20.435 **(1)** (ch) *Emergency medical services; aids.* The amounts in the schedule for emergency medical technician — basic training and examination aid under s. 256.12 (5) ~~and~~, for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel under s. 256.12 (4), and for grants for advanced life support training under 2015 Wisconsin Act .... (this act), section 9118 (3q).

SECTION 668s. 20.435 (1) (ch) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 **(1)** (ch) *Emergency medical services; aids.* The amounts in the schedule for emergency medical technician — basic training and examination aid under s. 256.12 (5)~~,~~ and for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel under s. 256.12 (4)~~, and for grants for advanced life support training under 2015 Wisconsin Act .... (this act), section 9118 (3q)~~.

SECTION 669. 20.435 (1) (gm) of the statutes is amended to read:

20.435 **(1)** (gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. ~~252.23, 252.24, 252.245,~~ 253.12, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, ~~255.08 (2),~~ and 256.15 (8), ch. 69, for the purchase and distribution of medical supplies, and to analyze and provide data under s. 250.04. All moneys received under ss. 250.04 (3m), ~~252.23 (4) (a), 252.24 (4) (a), 252.245 (9),~~ 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, ~~255.08 (2) (b),~~ and 256.15 (5) (f) and (8) (d) and ch. 69, other than s. 69.22 (1m), and as reimbursement for medical supplies shall be credited to this appropriation account.

SECTION 670. 20.435 (1) (gm) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 **(1)** (gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. 253.12, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, ~~254.47, 254.61 to 254.88,~~ and 256.15 (8), ch. 69, for the purchase and distribution of medical supplies, and to analyze and provide data under s. 250.04. All moneys received under ss. 250.04 (3m), 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, ~~254.47, 254.61 to 254.88,~~ and 256.15 (5) (f) and (8) (d) and ch. 69, other than s. 69.22 (1m), and as reimbursement for medical supplies shall be credited to this appropriation account.

SECTION 671. 20.435 (1) (hg) of the statutes is amended to read:

20.435 **(1)** (hg) *General program operations; health care information.* The amounts in the schedule to fund the activities of the department of health services under ch. 153, to contract with the data organization under s. 153.05 (2r), and to

make payments to a corporation under s. 153.81 to support health information exchange. The contract fees paid under s. 153.05 (6m) ~~and assessments paid under s. 153.60~~ shall be credited to this appropriation account.

SECTION 672. 20.435 (2) (gk) of the statutes is amended to read:

20.435 **(2)** (gk) *Institutional operations and charges.* The amounts in the schedule for care, other than under s. 51.06 (1r), provided by the centers for the developmentally disabled, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care, other than under s. 46.043, provided by the mental health institutes, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of state–owned housing at centers for the developmentally disabled and mental health institutes; for repair or replacement of property damaged at the mental health institutes or at centers for the developmentally disabled; <u>for grants under 2015 Wisconsin Act .... (this act), section 9118 (7);</u> and for reimbursing the total cost of using, producing, and providing services, products, and care. All moneys received as payments from medical assistance on and after August 1, 1978; as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical assistance payments, other payments under s. 46.10, and payments under s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments for the rental of state–owned housing and other institutional facilities at centers for the developmentally disabled and mental health institutes; for the sale of electricity, steam, or chilled water; as payments in restitution of property damaged at the mental health institutes or at centers for the

developmentally disabled; for the sale of surplus property, including vehicles, at the mental health institutes or at centers for the developmentally disabled; and for other services, products, and care shall be credited to this appropriation, except that any payment under s. 46.10 received for the care or treatment of patients admitted under s. 51.10, 51.15, or 51.20 for which the state is liable under s. 51.05 (3), of forensic patients committed under ch. 971 or 975, admitted under ch. 975, or transferred under s. 51.35 (3), or of patients transferred from a state prison under s. 51.37 (5), to the Mendota Mental Health Institute or the Winnebago Mental Health Institute shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4); and except that moneys received under s. 51.06 (6) may be expended only as provided in s. 13.101 (17).

SECTION 673. 20.435 (2) (gk) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 **(2)** (gk) *Institutional operations and charges.* The amounts in the schedule for care, other than under s. 51.06 (1r), provided by the centers for the developmentally disabled, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care, other than under s. 46.043, provided by the mental health institutes, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of state–owned housing at centers for the developmentally disabled and mental health institutes; for repair or replacement of property damaged at the mental health institutes or at centers for the developmentally disabled; ~~for grants under 2015 Wisconsin Act .... (this act), section 9118 (7);~~ and for reimbursing the total cost of

using, producing, and providing services, products, and care. All moneys received as payments from medical assistance on and after August 1, 1978; as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical assistance payments, other payments under s. 46.10, and payments under s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments for the rental of state–owned housing and other institutional facilities at centers for the developmentally disabled and mental health institutes; for the sale of electricity, steam, or chilled water; as payments in restitution of property damaged at the mental health institutes or at centers for the developmentally disabled; for the sale of surplus property, including vehicles, at the mental health institutes or at centers for the developmentally disabled; and for other services, products, and care shall be credited to this appropriation, except that any payment under s. 46.10 received for the care or treatment of patients admitted under s. 51.10, 51.15, or 51.20 for which the state is liable under s. 51.05 (3), of forensic patients committed under ch. 971 or 975, admitted under ch. 975, or transferred under s. 51.35 (3), or of patients transferred from a state prison under s. 51.37 (5), to the Mendota Mental Health Institute or the Winnebago Mental Health Institute shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4); and except that moneys received under s. 51.06 (6) may be expended only as provided in s. 13.101 (17).

SECTION 674. 20.435 (4) (title) of the statutes is repealed and recreated to read:

20.435 **(4)** (title) MEDICAID SERVICES.

SECTION 675. 20.435 (4) (a) of the statutes is amended to read:

20.435 **(4)** (a) *General program operations.* The amounts in the schedule for general program operations, including health care financing regulation,

administration, field services, operation of the council on physical disabilities under s. 46.29, and medical assistance eligibility determinations under s. 49.45 (2) (a) 3.

SECTION 676. 20.435 (4) (b) of the statutes is amended to read:

20.435 **(4)** (b) *Medical Assistance program benefits.* Biennially, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under subch. IV of ch. 49, for a portion of the Badger Care health care program under s. 49.665, to provide a portion of the Medical Assistance program benefits administered under subch. IV of ch. 49 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, for services under the family care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, and for reduction of any operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (5) (kc) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (5) (kc) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under ~~sub. (7)~~ par. (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

SECTION 677. 20.435 (4) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (b) *Medical Assistance program benefits.* Biennially, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under subch. IV of ch. 49, for a portion of the Badger Care health care program under s. 49.665, to provide a portion of the Medical Assistance program benefits administered under subch. IV of ch. 49 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, for services under the family care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, and for reduction of any operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (5) (kc) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (5) (kc) for the purposes specified in s. 46.485 (3r). ~~Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under par. (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).~~

SECTION 678. 20.435 (4) (bd) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (bd) *Long-term care programs.* The amounts in the schedule for assessments, case planning, services, administration and risk reserve escrow accounts under s. 46.27, for pilot projects under s. 46.271 (1), to fund services

provided by resource centers other entities under s. 46.283 (5), for services under the family care program under s. 46.284 (5), for services and supports under s. 46.2803 (2), for services provided under the children's community options program under s. 46.272, and for the payment of premiums under s. 49.472 (5). ~~If the department transfers funds to this appropriation from the appropriation account under sub. (4) (b), the amounts in the schedule for the fiscal year for which the transfer is made are increased by the amount of the transfer for the purposes specified in s. 49.45 (6v).~~ Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this paragraph transfer moneys between fiscal years. Except for moneys authorized for transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under this appropriation that are allocated under s. 46.27 and are not spent or encumbered by counties or by the department by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 679c. 20.435 (4) (bq) of the statutes is created to read:

20.435 **(4)** (bq) *Substance abuse treatment costs.* Biennially, the amounts in the schedule to pay substance abuse treatment costs under s. 49.79 (9) (d).

SECTION 682. 20.435 (4) (h) of the statutes is repealed and recreated to read:

20.435 **(4)** (h) *County contributions.* All moneys received from counties as contributions to the family care program, as defined in s. 46.2805 to 46.2895, the program of all–inclusive care for the elderly, as defined in s. 46.2805 (1) (a), and the Family Care Partnership Program described under s. 46.2805 (1) (b) and from counties under ss. 46.99 (3) and (3m) and 46.995; to fund services under the family care program under s. 46.284 (5) and services under the program of all–inclusive care for the elderly and the Family Care Partnership Program and for an entity to

administer and to pay for services provided under the birth to 3 waiver program under s. 46.99 and the disabled children's long–term support program.

SECTION 683. 20.435 (4) (i) of the statutes is amended to read:

20.435 **(4)** (i) *Gifts, grants, and payments; health care financing.* All moneys received from gifts, grants, bequests and trust funds to provide ~~health care financing~~ Medical Assistance, food stamp, and disability and elder services consistent with the purpose of the gift, grant, bequest or trust fund, and all moneys received from payments from nongovernmental individuals and entities for departmental administrative services, for the purposes for which those payments are received.

SECTION 684. 20.435 (4) (iL) of the statutes is amended to read:

20.435 **(4)** (iL) *Medical assistance provider assessments; health services regulation.* All moneys received from assessments charged under s. 49.45 (2) (b) 9. and all moneys received under s. 150.13, for performance by the department of audits and investigations under s. 49.45 (3) (g) and for the purposes specified in ch. 150.

SECTION 685. 20.435 (4) (im) of the statutes is amended to read:

20.435 **(4)** (im) *Medical assistance; correct payment recovery; collections; community services; other recoveries.* All moneys received from the recovery of correct medical assistance payments under ss. 49.496 and 49.849, all moneys received as collections and other recoveries from providers, drug manufacturers, and other 3rd parties under medical assistance performance–based contracts, all moneys received from the recovery of costs of care under ss. 46.27 (7g) and 49.849 for enrollees who are ineligible for Medical Assistance, all moneys not appropriated under par. (in), and all moneys credited to this appropriation account under s. 49.89 (7) (f), for payments to counties and tribal governing bodies under s. 49.496 (4) (a), for payment of claims under s. 49.849 (5), for payments to the federal government for

its share of medical assistance benefits recovered, for the state share of medical assistance benefits provided under subch. IV of ch. 49, for payments to care management organizations for provision of the family care benefit under s. 46.284 (5), for payments for long–term community support services funded under s. 46.27 (7) as provided in s. 46.27 (7g) (e) and 49.849 (6) (b), for administration of the waiver program under s. 46.99, and for costs related to collections and other recoveries.

SECTION 685r. 20.435 (4) (jd) of the statutes is created to read:

20.435 **(4)** (jd) *Electronic benefit transfer card replacement costs.* All moneys transferred from benefit accounts under s. 49.79 (7c) (a) to support FoodShare contract costs, including the cost of replacing lost or stolen electronic benefit transfer cards.

SECTION 688. 20.435 (4) (o) of the statutes is amended to read:

20.435 **(4)** (o) *Federal aid; medical assistance.* All federal moneys received for meeting costs of Medical Assistance administered under ss. 46.284 (5) and 49.665 and subch. IV of ch. 49 and received under s. 255.35 (3) (c), to be used for those purposes, for transfer to the Medical Assistance trust fund, for those purposes, and for transfer to the appropriation account under sub. (5) (kx) for the purposes specified under sub. (5) (kx)~~, and to transfer to the appropriation account under s. 20.435 (7) (im) $19,100 in fiscal year 2009–10 and $20,900 in fiscal year 2010–11~~.

SECTION 690. 20.435 (4) (x) of the statutes is amended to read:

20.435 **(4)** (x) ~~*Badger Care health care program;*~~ *Medical Assistance trust fund; children's services; Badger Care health care program.* From the Medical Assistance trust fund, all moneys received under s. 49.45 (39) (bm) for reducing waiting lists for children's long–term care services or other programs benefitting children and all moneys received for the Badger Care health care program under s. 49.665.

SECTION 692. 20.435 (5) (bc) of the statutes is amended to read:

20.435 **(5)** (bc) *Grants for community programs.* The amounts in the schedule for grants for and contracts to establish community programs under s. 46.48, for pretrial intoxicated driver intervention grants under s. 51.49, and for opioid treatment programs under s. 51.422. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall transfer from this appropriation account to the appropriation account for the department of children and families under s. 20.437 (2) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

SECTION 693. 20.435 (5) (be) of the statutes is amended to read:

20.435 **(5)** (be) *Mental health treatment services.* The amounts in the schedule for mental health treatment services ~~for individuals who are in or are relocated from institutions for mental diseases under ss. 46.266 and 46.268~~ at a county–operated institution for mental disease as selected by the department of health services. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 694. 20.435 (5) (bL) of the statutes is repealed.

SECTION 695. 20.435 (5) (da) of the statutes is amended to read:

20.435 **(5)** (da) *Reimbursements to local units of government.* A sum sufficient for the cost of care as provided in s. 51.22 (3) for persons who have a developmental disability or who require mental health or alcoholism or other drug abuse treatment.

SECTION 696. 20.435 (5) (gg) of the statutes is amended to read:

20.435 **(5)** (gg) *Collection remittances to local units of government.* All moneys received under ss. 46.03 (18) and 46.10, less moneys credited to sub. ~~(7) (gc) and (h)~~ (4) (hp), for the purposes of remitting departmental collections under s. 46.03 (18) (g) or 46.10 (8m) (a) 3. and 4.

SECTION 698. 20.435 (7) (title) of the statutes is repealed and recreated to read:

20.435 **(7)** (title) DISABILITY AND ELDER SERVICES.

SECTION 699. 20.435 (7) (a) of the statutes is repealed.

SECTION 700. 20.435 (7) (b) of the statutes is amended to read:

20.435 **(7)** (b) *Community aids and Medical Assistance payments.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), to fund activities in support of resource center operations, for services under the family care benefit under s. 46.284 (5), for Medical Assistance payment adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided before January 1, 2012. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health services may transfer funds between fiscal years under this paragraph. The department

shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 701. 20.435 (7) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 **(7)** (b) *Community aids and Medical Assistance payments.* The amounts in the schedule for human services <u>and community mental health services</u> under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), to fund activities in support of resource center operations, for services under the family care benefit under s. 46.284 (5), for Medical Assistance payment adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided before January 1, 2012. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s.

46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 702. 20.435 (7) (bc) of the statutes is amended to read:

20.435 **(7)** (bc) *Grants for community programs.* The amounts in the schedule for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. ~~Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department of health services may credit or deposit into this appropriation account funds for the purpose specified in s. 46.48 (13) that the department transfers from the appropriation account under sub. (5) (bL) that are allocated by the department under that appropriation account but unexpended or unencumbered on June 30 of each year.~~ Except ~~for amounts authorized to be carried forward under s. 46.48 and~~ as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 703b. 20.435 (7) (bd) of the statutes is renumbered 20.435 (4) (bd).

SECTION 703h. 20.435 (7) (c) of the statutes is amended to read:

20.435 **(7)** (c) *Independent living centers.* The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled <u>and to providers of independent living services</u> under s. 46.96.

SECTION 703r. 20.435 (7) (cx) of the statutes is created to read:

20.435 **(7)** (cx) *Healthy aging; evidence-based training and prevention.* The amounts in the schedule for the purpose of making a grant under 2015 Wisconsin Act .... (this act), section 9118 (4f).

SECTION 703s. 20.435 (7) (cx) of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 704. 20.435 (7) (da) of the statutes is repealed.

SECTION 705. 20.435 (7) (g) of the statutes is repealed.

SECTION 706. 20.435 (7) (gc) of the statutes is repealed.

SECTION 707. 20.435 (7) (gm) of the statutes is repealed.

SECTION 708. 20.435 (7) (h) of the statutes is renumbered 20.435 (4) (hp) and amended to read:

20.435 **(4)** (hp) *Disabled children's long-term support waivers.* All moneys received under ss. 46.03 (18) and 46.10 for services for children reimbursed under a waiver under s. 46.27 (11), 46.275, or 46.278 or provided under the disabled children's long–term support program, as defined in s. 46.011 (1g), ~~less the amounts appropriated under par. (gc),~~ for distribution to counties according to a formula developed by the department as a portion of the state share of payments for services for children under the waiver under s. 46.278 or for services provided under the disabled children's long–term support program.

SECTION 709. 20.435 (7) (hc) of the statutes is repealed.

SECTION 710. 20.435 (7) (hs) of the statutes is renumbered 20.435 (4) (hs).

SECTION 711. 20.435 (7) (i) of the statutes is repealed.

SECTION 712. 20.435 (7) (im) of the statutes is repealed.

SECTION 713. 20.435 (7) (jb) of the statutes is renumbered 20.435 (4) (jc) and amended to read:

20.435 **(4)** (jc) *Fees for administrative services.* All moneys received from fees charged for providing state mailings, special computer services, training programs, printed materials, and publications ~~relating to long–term care services~~, for the purpose of providing those state mailings, special computer services, training programs, printed materials, and publications.

SECTION 714. 20.435 (7) (kc) of the statutes is created to read:

20.435 **(7)** (kc) *Independent living center grants.* The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96. All moneys transferred from s. 20.445 (5) (n) shall be credited to this appropriation account.

SECTION 715. 20.435 (7) (kx) of the statutes is repealed.

SECTION 716. 20.435 (7) (ky) of the statutes is amended to read:

20.435 **(7)** (ky) *Interagency and intra–agency aids.* ~~All~~ Except as provided in par. (kc), all moneys received from other state agencies and all moneys received by the department from the department for aids to individuals and organizations relating to long–term care services, for the purposes for which received.

SECTION 717. 20.435 (7) (m) of the statutes is repealed.

SECTION 718. 20.435 (7) (mc) of the statutes is repealed.

SECTION 719. 20.435 (7) (n) of the statutes is repealed.

SECTION 720. 20.437 (1) (e) of the statutes is created to read:

20.437 **(1)** (e) *Services for sex–trafficking victims.* The amounts in the schedule for treatment and services for sex–trafficking victims under s. 48.48 (19).

SECTION 720d. 20.437 (1) (fm) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.437 **(1)** (fm) *Literacy improvement aids.* The amounts in the schedule for grants to support literacy and early childhood development programs under s. 48.53 (3) ~~(a)~~.

SECTION 721. 20.437 (1) (kz) of the statutes is amended to read:

20.437 **(1)** (kz) *Interagency and intra-agency aids; tribal placements and guardianships.* The amounts in the schedule to be used for unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts, other than placements to which par. (kp) applies, and for subsidized guardianship payments under s. 48.623 (1) or (6) for guardianships of Indian children ordered by tribal courts. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 21. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under section 20.505 (8) (hm).

SECTION 722. 20.437 (1) (o) of the statutes is amended to read:

20.437 **(1)** (o) *Federal aid; children and family aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and all federal moneys received as child welfare funds under 42 USC 620 to 626 for the provision or purchase of child welfare projects and services ~~as limited under s. 48.985~~. Disbursements from this appropriation may be made directly to counties for services to children and families under s. 49.32 (2) (b) or 49.325 or directly to counties in accordance with federal requirements for the disbursal of federal funds.

SECTION 723. 20.437 (1) (o) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.437 **(1)** (o) *Federal aid; children, youth, and family aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under ~~par.~~ pars. (b) and (cj) and all federal moneys received as child welfare funds under 42 USC 620 to 626 for the provision or purchase of child welfare projects and services. Disbursements from this appropriation may be made directly to counties for services to children and families under s. 49.32 (2) (b) or 49.325 or directly to counties in accordance with federal requirements for the disbursal of federal funds.

SECTION 723d. 20.437 (1) (q) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 723n. 20.437 (2) (em) of the statutes is created to read:

20.437 **(2)** (em) *Drug testing and treatment costs.* The amounts in the schedule to pay substance abuse screening, testing, and treatment costs under s. 49.162.

SECTION 726. 20.445 (1) (aL) of the statutes is created to read:

20.445 **(1)** (aL) *Unemployment insurance administration; controlled substances testing and substance abuse treatment.* Biennially, the amounts in the schedule to conduct testing for controlled substances, for the provision of substance abuse treatment, and for related expenses under s. 108.133.

SECTION 727b. 20.445 (1) (b) of the statutes is amended to read:

20.445 **(1)** (b) *Workforce training program; grants and services.* As a continuing appropriation, the amounts in the schedule for workforce training grants and services under s. 106.27 (1) and (1g) and for career and technical education incentive grants under s. 106.273.

SECTION 727d. 20.445 (1) (bm) of the statutes is amended to read:

20.445 **(1)** (bm) *Workforce training program; administration.* Biennially, the amounts in the schedule for the administration of the workforce training program under s. 106.27 and the career and technical education incentive grant program under s. 106.273.

SECTION 730. 20.445 (1) (em) of the statutes is repealed.

SECTION 734. 20.445 (1) (q) of the statutes is renumbered 20.485 (2) (q) and amended to read:

20.485 **(2)** (q) *Veteran employment grants.* ~~From the veterans trust fund, a~~ A sum sufficient for the payment of veteran employment grants under s. ~~106.32~~ 45.435.

SECTION 735. 20.445 (1) (ra) of the statutes is amended to read:

20.445 **(1)** (ra) *Worker's compensation operations fund; administration.* From the worker's compensation operations fund, the amounts in the schedule for the administration of the worker's compensation program by the department, for transfer to the uninsured employers fund under s. 102.81 (1) (c), and for transfer to the appropriation accounts under par. (rp) and ~~sub. (2)~~ s. 20.427 (1) (ra). All moneys received under ss. 102.28 (2) (b) and 102.75 shall be credited to this appropriation account. From this appropriation, an amount not to exceed $5,000 may be expended each fiscal year for payment of expenses for travel and research by the council on worker's compensation, an amount not to exceed $500,000 may be transferred in each fiscal year to the uninsured employers fund under s. 102.81 (1) (c), the amount in the schedule under par. (rp) shall be transferred to the appropriation account under par. (rp), and the amount in the schedule under ~~sub. (2)~~ s. 20.427 (1) (ra) shall be transferred to the appropriation account under ~~sub. (2)~~ s. 20.427 (1) (ra).

SECTION 741m. 20.445 (2) of the statutes is renumbered 20.427 (1), and 20.427 (1) (ra), as renumbered, is amended to read:

20.427 **(1)** (ra) *Worker's compensation operations fund; worker's compensation activities.* From the worker's compensation operations fund, the amounts in the schedule for the worker's compensation activities of the labor and industry review commission. All moneys transferred from the appropriation account under ~~sub.~~ s. 20.445 (1) (ra) shall be credited to this appropriation account.

SECTION 743. 20.445 (5) (a) of the statutes is amended to read:

20.445 **(5)** (a) *General program operations; purchased services for clients.* As a continuing appropriation, the amounts in the schedule for general program operations, including field services to clients and administrative services, for the purchase of goods and services authorized under ch. 47, and for vocational rehabilitation ~~and other independent living~~ services ~~to~~ for persons with disabilities.

SECTION 744. 20.445 (5) (n) of the statutes is amended to read:

20.445 **(5)** (n) *Federal program aids and operations.* All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs ~~and for grants to independent living centers under s. 47.02 (3m) (p)~~ and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer $600,000 of the moneys from the account under this paragraph to the appropriation account under s. 20.435 (7) (kc).

SECTION 744v. 20.455 (1) (gh) of the statutes is amended to read:

20.455 **(1)** (gh) *Investigation and prosecution.* Moneys received under ss. 23.22 (9) (c), 49.49 (6), 100.263, 133.16, 281.98 (2), 283.91 (5), 289.96 (3) (b), 291.97 (3), 292.99 (2), 293.87 (4) (b), 295.19 (3) (b) 2., 295.79 (4) (b), and 299.97 (2), for the

expenses of investigation and prosecution of violations, including attorney fees, and for expenses related to s. 165.055 (3).

SECTION 747. 20.455 (1) (km) of the statutes is amended to read:

20.455 **(1)** (km) *Interagency and intra-agency assistance.* ~~The amounts in the schedule to provide legal services to state agencies.~~ All moneys received from the department or any other state agency for legal services ~~shall be credited to this appropriation~~ to state agencies, to provide those services.

SECTION 748. 20.455 (2) (cr) of the statutes is repealed.

SECTION 748m. 20.455 (2) (gu) of the statutes is created to read:

20.455 **(2)** (gu) *Sobriety programs.* The amounts in the schedule for analyzing data and preparing reports on sobriety programs established pursuant to s. 165.957. All moneys received from counties under s. 165.957 (5) shall be credited to this appropriation account. This paragraph does not apply after June 30, 2021.

SECTION 749. 20.455 (2) (i) (intro.) of the statutes is amended to read:

20.455 **(2)** (i) *Penalty surcharge, receipts.* (intro.) The amounts in the schedule for the purposes of s. 165.85 (5) (b) ~~and for crime laboratory equipment~~. All moneys received from the penalty surcharge on court fines and forfeitures under s. 757.05 (2) and all moneys transferred to this appropriation account from the appropriation accounts specified in subds. 1. to ~~15.~~ 16. shall be credited to this appropriation account. Moneys may be transferred from this paragraph to pars. (j)~~,~~ and (ja)~~, and (jb)~~ by the secretary of administration for expenditures based upon determinations by the department of justice. The following amounts shall be transferred to the following appropriation accounts:

SECTION 752. 20.455 (2) (i) 16. of the statutes is created to read:

20.455 **(2)** (i) 16. The amount transferred to s. 20.625 (1) (k) shall be the amount in the schedule under s. 20.625 (1) (k).

SECTION 753. 20.455 (2) (jb) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

20.455 **(2)** (jb) *Crime laboratory equipment and supplies.* The amounts in the schedule for the maintenance, repair, upgrading, and replacement costs of the laboratory equipment, for supplies used to maintain, repair, upgrade, and replace that equipment, and for operating costs, in the state and regional crime laboratories. All moneys transferred from par. ~~(i)~~ (Lm) for the purpose of this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under par. ~~(i)~~ (Lm).

SECTION 754s. 20.455 (2) (kb) of the statutes is amended to read:

20.455 **(2)** (kb) *Law enforcement officer supplement grants.* The amounts in the schedule to provide grants for uniformed law enforcement officers under s. 165.986. All moneys transferred from the appropriation account under s. 20.505 (1) (id) 3. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

SECTION 755. 20.455 (2) (kd) of the statutes is amended to read:

20.455 **(2)** (kd) *Drug law enforcement, crime laboratories, and genetic evidence activities.* The amounts in the schedule for activities relating to drug law enforcement, drug law violation prosecution assistance, criminal investigative operations, and activities of the state and regional crime laboratories~~, and for transferring to the appropriation account under s. 20.475 (1) (km) the amounts in the~~

~~schedule under s. 20.475 (1) (km)~~. All moneys transferred to this appropriation account from the appropriation account under par. (Lm) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (Lm).

SECTION 756. 20.455 (2) (ki) of the statutes is amended to read:

20.455 **(2)** (ki) *Interoperable communications system.* The amounts in the schedule to operate a statewide public safety interoperable communication system. All moneys transferred from the appropriation account under s. 20.505 (1) (id) 2. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

SECTION 758. 20.455 (2) (kn) of the statutes is amended to read:

20.455 **(2)** (kn) *Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; justice information fee.* The amounts in the schedule for administering and making grants to counties under s. 165.95 (2). All moneys transferred from the appropriation account under s. 20.505 (1) (id) 5. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

SECTION 759. 20.455 (2) (ko) of the statutes is amended to read:

20.455 **(2)** (ko) *Wisconsin justice information sharing program.* The amounts in the schedule for the development and operation of a justice information system. All moneys transferred from the appropriation account under s. 20.505 (1) (id) 5d. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the

unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

SECTION 762. 20.455 (2) (Lm) of the statutes is amended to read:

20.455 **(2)** (Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys received from crime laboratories and drug law enforcement surcharges authorized under s. 165.755 and deoxyribonucleic acid analysis surcharges authorized under s. 973.046 (1r) to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay for the costs of mailing and materials under s. 165.76 for the submission of biological specimens by the departments of corrections and health services and by persons in charge of law enforcement and tribal law enforcement agencies, to transfer to the appropriation account under par. (jb) the amounts in the schedule under par. (jb), and to transfer to the appropriation ~~account~~ accounts under par. (kd) and s. 20.475 (1) (km) the amounts in the schedule under par. (kd) and s. 20.475 (1) (km).

SECTION 763q. 20.455 (5) (es) of the statutes is created to read:

20.455 **(5)** (es) *Court appointed special advocates.* The amounts in the schedule to provide grants under s. 165.967.

SECTION 763qb. 20.455 (5) (es) of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 764c. 20.455 (5) (ke) of the statutes is amended to read:

20.455 **(5)** (ke) *Child advocacy centers.* The amounts in the schedule for grants to child advocacy centers under s. 165.96. All moneys transferred from the appropriation account under s. 20.505 (1) (id) 4. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

SECTION 765. 20.465 (1) (km) of the statutes is amended to read:

20.465 **(1)** (km) *Agency services.* The amounts in the schedule to render services to the department and to other state agencies and perform other general program operations. All moneys received from other state agencies and all moneys received by the department from the department for services rendered shall be credited to this appropriation.

SECTION 766. 20.465 (3) (g) of the statutes is amended to read:

20.465 **(3)** (g) *Program services.* ~~The amounts in the schedule for conferences, training and other services provided by the division of emergency management and for expenses incurred under s. 323.13 (2) (f) and (g)~~. All moneys received for conferences, training, and other services provided by the division of emergency management ~~shall be credited to this appropriation. All~~ and all moneys received from assessments and contributions under s. 323.13 (2) (f) and (g) ~~shall be credited to this appropriation~~, for conferences, training, and other services provided by the division of emergency management and for expenses incurred under s. 323.13 (2) (f) and (g).

SECTION 767. 20.475 (1) (d) of the statutes is amended to read:

20.475 **(1)** (d) *Salaries and fringe benefits.* The amounts in the schedule for salaries and fringe benefits of district attorneys and state employees of the office of the district attorney and for payments under s. 978.045 (2) ~~(b)~~.

SECTION 768. 20.475 (1) (km) of the statutes is amended to read:

20.475 **(1)** (km) *Deoxyribonucleic acid evidence activities.* The amounts in the schedule for deoxyribonucleic acid evidence activities. All moneys transferred to this appropriation account from the appropriation account under s. 20.455 (2) ~~(kd) for the purpose of this appropriation~~ (Lm) shall be credited to this appropriation account.

Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (Lm).

SECTION 768k. 20.485 (1) (gk) of the statutes is amended to read:

20.485 **(1)** (gk) *Institutional operations.* The amounts in the schedule for the care of the members of the Wisconsin veterans homes under s. 45.50, for the payment of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the appropriation account under s. 20.435 (4) (ky) for payment of the state share of the medical assistance costs related to the provision of stipends under s. 45.50 (2m) (f), for the payment of assistance to indigent veterans under s. 45.43 to allow them to reside at the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the appropriation ~~account~~ accounts under ~~par.~~ pars. (kg) and (kj), and for the payment of grants under s. 45.82. Not more than 1 percent of the moneys credited to this appropriation account may be used for the payment of assistance to indigent veterans under s. 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and (8) and all moneys received for the care of members under medical assistance, as defined in s. 49.43 (8), shall be credited to this appropriation account.

SECTION 768kb. 20.485 (1) (gk) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.485 **(1)** (gk) *Institutional operations.* The amounts in the schedule for the care of the members of the Wisconsin veterans homes under s. 45.50, for the payment of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the appropriation account under s. 20.435 (4) (ky) for payment of the state share of the medical assistance costs related to the provision of stipends under s. 45.50 (2m) (f), for the payment of assistance to indigent veterans under s. 45.43 to allow them to reside at the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the

appropriation ~~accounts~~ account under ~~pars.~~ par. (kg) ~~and (kj)~~, and for the payment of grants under s. 45.82. Not more than 1 percent of the moneys credited to this appropriation account may be used for the payment of assistance to indigent veterans under s. 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and (8) and all moneys received for the care of members under medical assistance, as defined in s. 49.43 (8), shall be credited to this appropriation account.

SECTION 768p. 20.485 (1) (kj) of the statutes is created to read:

20.485 **(1)** (kj) *Grants to local governments.* Biennially, the amounts in the schedule for the payment of grants to cities, villages, and towns under s. 45.58. All moneys transferred from the appropriation account under par. (gk) shall be credited to this appropriation account.

SECTION 768pb. 20.485 (1) (kj) of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 768t. 20.485 (2) (km) of the statutes is amended to read:

20.485 **(2)** (km) *American Indian grants ~~and tribal college tuition reimbursements~~.* The amounts in the schedule for grants to American Indian tribes and bands under s. 45.82 (4) ~~and for the reimbursement of veterans for the cost of tuition at tribal colleges under s. 45.205 (2)~~. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13m. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 771m. 20.485 (6) (title) of the statutes is created to read:

20.485 **(6)** (title) ADMINISTRATION.

SECTION 771n. 20.485 (6) (k) of the statutes is created to read:

20.485 **(6)** (k) *Funds received from other state agencies.* All moneys received from other state agencies, for the purposes for which received.

SECTION 775. 20.505 (1) (dv) of the statutes is repealed.

SECTION 776m. 20.505 (1) (gm) of the statutes is created to read:

20.505 **(1)** (gm) *Federal resource acquisition.* The amounts in the schedule for administering the federal resource acquisition program under s. 16.98. All moneys received under s. 16.98 (1) shall be credited to this appropriation account.

SECTION 778. 20.505 (1) (id) (intro.) of the statutes is amended to read:

20.505 **(1)** (id) *Justice information fee receipts.* (intro.) All moneys less $700,000 received from the justice information surcharge under s. 814.86 (1) for the purpose of annually transferring the amounts indicated in subds. 1. to ~~8~~ 7. The following amounts shall be transferred to the following appropriation accounts:

SECTION 782. 20.505 (1) (id) 8. of the statutes is repealed.

SECTION 784. 20.505 (1) (ka) of the statutes is amended to read:

20.505 **(1)** (ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is), and (kb) to (ku) and subs. (2) (k) and (5) (ka)~~,~~; to repurchase inventory items sold primarily to state agencies or such districts~~,~~; to pay expenses of committees created by law or executive order~~,~~; to pay this state's contribution to the advisory commission on intergovernmental relations~~,~~; and to pay state membership dues, travel expenses, and miscellaneous expenses for state participation in the Council of State Governments, the Education Commission of the States under s. 39.76, the Council of Great Lakes Governors, the Great Lakes Commission, and such other national or regional interstate governmental bodies as

the governor determines. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts other than moneys received and disbursed under pars. (im), (is), and (kb) to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

SECTION 785. 20.505 (1) (ke) of the statutes is repealed.

SECTION 788. 20.505 (1) (kh) of the statutes is amended to read:

20.505 **(1)** (kh) *Justice information systems*. The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under par. (id) 1. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under par. (id).

SECTION 789. 20.505 (1) (ki) of the statutes is created to read:

20.505 **(1)** (ki) *Postage costs*. As a continuing appropriation, the amounts in the schedule to pay state agency postage costs. All moneys received from state agencies for the payment of state agency postage costs shall be credited to this appropriation account.

SECTION 791. 20.505 (1) (kL) of the statutes is amended to read:

20.505 **(1)** (kL) *Printing, mail, communication, and information technology services; state agencies; veterans services*. ~~From the sources specified in ss. 16.971, 16.972, 16.973, and 16.974 (3),~~ The amounts in the schedule to provide printing, mail processing, electronic communications, ~~and~~ information technology development, management, and processing services, but not enterprise resource planning system services under s. 16.971 (2) (cf), to state agencies~~, the amounts in the schedule~~ and

veterans services under s. 16.973 (9). All moneys received for the provision of such services under ss. 16.971, 16.972, 16.973, 16.974 (3), and 16.997 (2) (d), other than moneys received and disbursed under ss. 20.225 (1) (kb) and 20.505 (1) (ip), shall be credited to this appropriation account.

SECTION 793. 20.505 (1) (md) of the statutes is repealed.

SECTION 794. 20.505 (1) (s) of the statutes is amended to read:

20.505 **(1)** (s) *Diesel truck idling reduction grant administration.* From the petroleum inspection fund, the amounts in the schedule for administering the Diesel Truck Idling Reduction Grant Program under s. 16.956. No funds may be encumbered under this paragraph after December 31, ~~2016~~ 2021.

SECTION 795. 20.505 (1) (sa) of the statutes is amended to read:

20.505 **(1)** (sa) *Diesel truck idling reduction grants.* From the petroleum inspection fund, the amounts in the schedule for diesel truck idling reduction grants under s. 16.956. No funds may be encumbered under this paragraph after June 30, ~~2015~~ 2020.

SECTION 797m. 20.505 (4) (ec) of the statutes is amended to read:

20.505 **(4)** (ec) *Service award program; general program operations.* The amounts in the schedule for general program operations of the service award ~~board and to reimburse the department of administration for all services provided by the department to the board~~ program under s. 16.25.

SECTION 798. 20.505 (4) (f) of the statutes is repealed.

SECTION 799. 20.505 (4) (kp) of the statutes is amended to read:

20.505 **(4)** (kp) *Hearings and appeals fees.* The amounts in the schedule for the general program operations of the division of hearings and appeals ~~services to the department of health services under s. 227.43 (1) (bu), the department of children~~

~~and families under s. 227.43 (1) (by), the department of public instruction under s. 227.43 (1) (bd), and to all agencies under s. 227.43 (1m)~~. All moneys received from the fees charged under s. 227.43 (3) ~~(br), (c), (d), and (e)~~ shall be credited to this appropriation account.

SECTION 800c. 20.505 (4) (s) of the statutes is amended to read:

20.505 **(4)** (s) ~~*Telecommunications access; school*~~ *School districts; telecommunications access, infrastructure grants, and teacher training grants*. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts under s. 16.971 (13) to the extent that the amounts due are not paid from the appropriation under sub. (1) (is) ~~and~~, to make grants to school district consortia under s. 16.997 (7), to make information technology infrastructure grants under s. 16.994, and educational technology teacher training grants under s. 16.996.

SECTION 800d. 20.505 (4) (s) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.505 **(4)** (s) *School districts; telecommunications access~~, infrastructure grants,~~ and teacher training grants*. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts under s. 16.971 (13) to the extent that the amounts due are not paid from the appropriation under sub. (1) (is), to make grants to school district consortia under s. 16.997 (7), ~~to make information technology infrastructure grants under s. 16.994,~~ and educational technology teacher training grants under s. 16.996.

SECTION 806. 20.505 (8) (hm) 6c. of the statutes is amended to read:

20.505 **(8)** (hm) 6c. The amount transferred to s. ~~20.380 (2) (kc)~~ 20.385 (1) (k) shall be the amount in the schedule under s. ~~20.380 (2) (kc)~~ 20.385 (1) (k).

SECTION 806g. 20.505 (8) (hm) 11c. of the statutes is created to read:

20.505 **(8)** (hm) 11c. In each fiscal year $100,000 to the Board of Regents of the University of Wisconsin System to fund a University of Wisconsin System–Extension aquaculture specialist for the facility specified in subd. 11a.

SECTION 806r. 20.505 (8) (hm) 11c. of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 808m. 20.505 (8) (hm) 13r. of the statutes is created to read:

20.505 **(8)** (hm) 13r. The amount transferred to s. 20.235 (1) (kc) shall be the amount in the schedule under s. 20.235 (1) (kc).

SECTION 810. 20.505 (8) (hm) 21d. of the statutes is amended to read:

20.505 **(8)** (hm) 21d. The amount transferred to s. ~~20.410 (3)~~ 20.437 (1) (kp) shall be the amount in the schedule under s. ~~20.410 (3)~~ 20.437 (1) (kp).

SECTION 811. 20.525 (1) (f) of the statutes is renumbered 20.437 (1) (fm) and amended to read:

20.437 **(1)** (fm) *Literacy improvement aids.* The amounts in the schedule for grants to support literacy ~~improvement~~ and early childhood development programs under s. ~~14.20 (2)~~ 48.53 (3) (a).

SECTION 812. 20.525 (1) (q) of the statutes is renumbered 20.437 (1) (q) and amended to read:

20.437 **(1)** (q) *Grants for literacy and early childhood development programs.* From the ~~governor's~~ read to lead development fund, a sum sufficient for grants to support literacy and early childhood development programs under s. ~~14.20 (2)~~ 48.53 (3) (b).

SECTION 813. 20.545 (intro.) of the statutes is repealed.

SECTION 814. 20.545 (1) (title) of the statutes is repealed.

SECTION 815. 20.545 (1) (i) of the statutes is renumbered 20.505 (1) (ic).

SECTION 816. 20.545 (1) (j) of the statutes is repealed.

SECTION 817. 20.545 (1) (jm) of the statutes is renumbered 20.505 (1) (jc).

SECTION 818. 20.545 (1) (k) of the statutes is renumbered 20.505 (1) (kz) and amended to read:

20.505 **(1)** (kz) *General program operations.* The amounts in the schedule to administer state employment relations functions and the civil service system under subch. V of ch. 111 and ch. 230, to pay awards under s. 230.48, and to defray the expenses of the state employees suggestion board. All moneys received from state agencies for materials and services provided by the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration shall be credited to this appropriation.

SECTION 819. 20.545 (1) (ka) of the statutes is renumbered 20.505 (1) (kn).

SECTION 820. 20.545 (1) (km) of the statutes is renumbered 20.505 (1) (ks).

SECTION 821. 20.545 (1) (m) of the statutes is repealed.

SECTION 822. 20.545 (1) (pz) of the statutes is repealed.

SECTION 827. 20.585 (1) (k) of the statutes is amended to read:

20.585 **(1)** (k) *Administrative expenses.* From moneys transferred from the appropriation account under s. 20.566 (4) (j), the amounts in the schedule for the promotion of the unclaimed property program under ch. 177. Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year the unencumbered balance in this appropriation shall revert to the appropriation under s. 20.566 (4) (j).

SECTION 829. 20.625 (1) (as) of the statutes is repealed.

SECTION 830. 20.625 (1) (c) of the statutes is repealed.

SECTION 831. 20.625 (1) (cg) of the statutes is created to read:

20.625 **(1)** (cg) *Circuit court costs*. Biennially, the amounts in the schedule to make payments to counties for circuit court costs under s. 758.19 (5).

SECTION 832. 20.625 (1) (d) of the statutes is repealed.

SECTION 833. 20.625 (1) (e) of the statutes is repealed.

SECTION 834. 20.625 (1) (k) of the statutes is amended to read:

20.625 **(1)** (k) *Court interpreters*. The amounts in the schedule to pay interpreter fees reimbursed under s. 758.19 ~~(8) and 2009 Wisconsin Act 28, section 9109 (1)~~. All moneys transferred from the appropriation account under s. ~~20.505 (1) (id) 8.~~ 20.455 (2) (i) 16. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.455 (2) (i).

SECTION 840. 20.680 (2) (title) of the statutes is amended to read:

20.680 **(2)** (title) DIRECTOR OF STATE COURTS AND LAW LIBRARY.

SECTION 841. 20.680 (2) (a) of the statutes is amended to read:

20.680 **(2)** (a) *General program operations*. ~~The~~ Biennially, as directed by the supreme court, the amounts in the schedule to carry into effect the functions of the director of state courts and general program operations for the state law library.

SECTION 842. 20.680 (2) (b) of the statutes is repealed.

SECTION 844. 20.680 (4) (title) of the statutes is repealed.

SECTION 845. 20.680 (4) (a) of the statutes is repealed.

SECTION 846. 20.680 (4) (g) of the statutes is renumbered 20.680 (2) (L).

SECTION 847. 20.680 (4) (h) of the statutes is repealed.

SECTION 848. 20.835 (2) (bb) of the statutes is amended to read:

20.835 **(2)** (bb) *Jobs tax credit.* ~~As a continuing appropriation, the amounts in the schedule~~ A sum sufficient to make the payments under ss. 71.07 (3q) (d) 2., 71.28 (3q) (d) 2., and 71.47 (3q) (d) 2.

SECTION 849. 20.835 (2) (bg) of the statutes is created to read:

20.835 **(2)** (bg) *Business development credit.* A sum sufficient to make the payments under ss. 71.07 (3y) (d) 2., 71.28 (3y) (d) 2., and 71.47 (3y) (d) 2.

SECTION 849d. 20.835 (2) (bn) of the statutes is amended to read:

20.835 **(2)** (bn) *Dairy manufacturing facility investment credit.* ~~As a continuing appropriation, the amounts in the schedule~~ A sum sufficient to make the payments under ss. 71.07 (3p) (d) 2., 71.28 (3p) (d) 2., and 71.47 (3p) (d) 2.

SECTION 849e. 20.835 (2) (bp) of the statutes is amended to read:

20.835 **(2)** (bp) *Dairy manufacturing facility investment credit; dairy cooperatives.* ~~As a continuing appropriation, the amounts in the schedule~~ A sum sufficient to make the payments under ss. 71.07 (3p) (d) 3., 71.28 (3p) (d) 3., and 71.47 (3p) (d) 3.

SECTION 850. 20.835 (2) (ci) of the statutes is repealed.

SECTION 851. 20.835 (2) (cL) of the statutes is repealed.

SECTION 852. 20.835 (2) (cm) of the statutes is repealed.

SECTION 853. 20.835 (2) (cn) of the statutes is repealed.

SECTION 862m. 20.865 (1) (cj) of the statutes is amended to read:

20.865 **(1)** (cj) *Pay adjustments for certain university employees.* The amounts in the schedule to finance the cost of pay and related adjustments approved or provided by law, by the legislature under s. 111.92, by the joint committee on employment relations under s. 230.12 or by the governor, the joint committee on finance or the legislature in budget determinations for employees of the University

of Wisconsin System ~~in the unclassified service~~ whose positions are wholly or partly funded from federal revenue under 7 USC 343, whenever federal revenue is not provided to finance this cost, but not including any adjustments provided by the board of regents of the University of Wisconsin System to correct salary inequities or to recognize competitive factors from moneys not allocated for that purpose by law or in budget determinations. Moneys from this appropriation may be used to finance the cost of adjustments for a position that is partly funded from federal revenue only in proportion to the part funded from federal revenue.

SECTION 866b. 20.866 (1) (u) of the statutes is amended to read:

20.866 **(1)** (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (s), 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.285 (1) (d), (je), and (gj), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ad), (ag), (aq), (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha), and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), ~~(bi),~~ (bj), (bL), (bm), (bn), ~~(bp),~~ (bq), (br), (bt), (bu), (bv), (bw), (bx), (cb), (cd), (cf), (ch), (cj), (g), (h), (i), (kd), and (q) for the payment of principal, interest, premium due, if any, and payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV of ch. 18.

SECTION 867b. 20.866 (2) (s) (intro.) of the statutes is amended to read:

20.866 **(2)** (s) *University of Wisconsin; academic facilities.* (intro.) From the capital improvement fund, a sum sufficient for the board of regents of the University

of Wisconsin System to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~$2,255,401,100~~ $2,341,609,100 for this purpose. Of this amount:

SECTION 868b. 20.866 (2) (t) of the statutes is amended to read:

20.866 **(2)** (t) *University of Wisconsin; self-amortizing facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the University of Wisconsin System to acquire, construct, develop, enlarge or improve university self–amortizing educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~$2,718,606,300~~ $2,709,353,100 for this purpose. Of this amount, $4,500,000 is allocated only for the University of Wisconsin–Madison indoor practice facility for athletic programs and only at the time that ownership of the facility is transferred to the state.

SECTION 868m. 20.866 (2) (ta) of the statutes is amended to read:

20.866 **(2)** (ta) *Natural resources; Warren Knowles-Gaylord Nelson stewardship 2000 program.* From the capital improvement fund a sum sufficient for the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917. The state may contract public debt in an amount not to exceed ~~$1,134,500,000~~ $1,046,250,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5), (5g), and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed $46,000,000 in fiscal year 2000–01, may not exceed $46,000,000 in fiscal year 2001–02, may not exceed $60,000,000 in each fiscal year beginning with fiscal year 2002–03 and ending with fiscal year 2009–10, may not exceed $86,000,000 in fiscal year 2010–11, may not exceed $60,000,000 in fiscal year 2011–12, may not exceed $60,000,000 in fiscal year 2012–13, may not exceed

$47,500,000 in fiscal year 2013–14, may not exceed $54,500,000 in fiscal year 2014–15, and may not exceed ~~$54,500,000~~ $33,250,000 in each fiscal year beginning with 2015–16~~, and may not exceed $50,000,000 in each fiscal year beginning with fiscal year 2016–17~~ and ending with fiscal year 2019–20.

SECTION 868q. 20.866 (2) (tc) of the statutes is amended to read:

20.866 **(2)** (tc) *Clean water fund program.* From the capital improvement fund, a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred to the environmental improvement fund for the purposes of the clean water fund program under ss. 281.58 and 281.59. The state may contract public debt in an amount not to exceed ~~$740,843,200~~ $686,743,200 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, $8,250,000 is allocated to fund the minority business development and training program under s. 200.49 (2) (b). Moneys from this appropriation account may be expended for the purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of natural resources and the department of administration determine that moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

SECTION 869. 20.866 (2) (td) of the statutes is amended to read:

20.866 **(2)** (td) *Safe drinking water loan program.* From the capital improvement fund, a sum sufficient to be transferred to the environmental improvement fund for the safe drinking water loan program under s. 281.61. The state may contract public debt in an amount not to exceed ~~$60,200,000~~ $65,600,000 for this purpose.

SECTION 870. 20.866 (2) (tf) of the statutes is amended to read:

20.866 **(2)** (tf) *Natural resources; nonpoint source.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e). The state may contract public debt in an amount not to exceed ~~$32,000,000~~ $37,900,000 for this purpose.

SECTION 871. 20.866 (2) (th) of the statutes is amended to read:

20.866 **(2)** (th) *Natural resources; urban nonpoint source cost–sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost–sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66, to provide municipal flood control and riparian restoration cost–sharing grants under s. 281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The state may contract public debt in an amount not to exceed ~~$46,900,000~~ $49,900,000 for this purpose. Of this amount, $500,000 is allocated in fiscal biennium 2001–03 for dam rehabilitation grants under s. 31.387.

SECTION 873. 20.866 (2) (tx) of the statutes is amended to read:

20.866 **(2)** (tx) *Natural resources; dam safety projects.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns, and public inland lake protection and rehabilitation districts for dam safety projects under s. 31.385. The state may contract public debt in an amount not to exceed ~~$17,500,000~~ $21,500,000 for this purpose.

SECTION 874. 20.866 (2) (ugm) of the statutes is amended to read:

20.866 **(2)** (ugm) *Transportation; major interstate bridge construction.* From the capital improvement fund, a sum sufficient for the department of transportation

to fund major interstate bridge projects under s. 84.016. The state may contract public debt in an amount not to exceed ~~$225,000,000~~ $245,000,000 for this purpose.

SECTION 875. 20.866 (2) (up) of the statutes is amended to read:

20.866 **(2)** (up) *Transportation; rail passenger route development.* From the capital improvement fund, a sum sufficient for the department of transportation to fund rail passenger route development under s. 85.061 (3). The state may contract public debt in an amount not to exceed ~~$122,000,000~~ $79,000,000 for this purpose. Of this amount, not more than $10,000,000 may be used to fund the purposes specified in s. 85.061 (3) (a) 2. and 3.

SECTION 876. 20.866 (2) (uup) of the statutes is amended to read:

20.866 **(2)** (uup) *Transportation; southeast rehabilitation projects, southeast megaprojects, and high-cost bridge projects.* From the capital improvement fund, a sum sufficient for the department of transportation to fund the Marquette interchange reconstruction project under s. 84.014, as provided under s. 84.555, the reconstruction of the I 94 north–south corridor and the zoo interchange, as provided under s. 84.555 (1m), southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m), and high–cost state highway bridge projects under s. 84.017, as provided under s. 84.555 (1m). The state may contract public debt in an amount not to exceed $704,750,000 for these purposes. In addition, the state may contract public debt in an amount not to exceed $107,000,000 for the reconstruction of the Zoo interchange and I 94 north–south corridor, as provided under s. 84.555 (1m), as southeast Wisconsin freeway megaprojects under s. 84.0145, ~~and~~ in an amount not to exceed ~~$200,000,000~~ $216,800,000 for high–cost state highway bridge projects under s. 84.017, as provided under s. 84.555 (1m), and in an amount not to

exceed $300,000,000 for southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m).

SECTION 877m. 20.866 (2) (uuu) of the statutes is created to read:

20.866 **(2)** (uuu) *Transportation; major highway and rehabilitation projects subject to joint committee on finance approval.* From the capital improvement fund, a sum sufficient for the department of transportation to fund major highway and rehabilitation projects as provided under s. 84.58. Subject to 2015 Wisconsin Act .... (this act), section 9145 (1v), the state may contract public debt in an amount not to exceed $350,000,000 for these purposes.

SECTION 877s. 20.866 (2) (uv) of the statutes is amended to read:

20.866 **(2)** (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~$92,700,000~~ $105,900,000 for this purpose.

SECTION 878. 20.866 (2) (uw) of the statutes is amended to read:

20.866 **(2)** (uw) *Transportation; rail acquisitions and improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d). The state may contract public debt in an amount not to exceed ~~$208,500,000~~ $238,300,000 for these purposes.

SECTION 878d. 20.866 (2) (ux) of the statutes is amended to read:

20.866 **(2)** (ux) *Corrections; correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve adult and juvenile correctional facilities. The

state may contract public debt in an amount not to exceed ~~$875,075,600~~ $882,346,900 for this purpose.

SECTION 878h. 20.866 (2) (uy) of the statutes is amended to read:

20.866 **(2)** (uy) *Corrections; self-amortizing facilities and equipment.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, develop, enlarge or improve facilities and equipment used in prison industries. The state may contract public debt in an amount not to exceed ~~$7,337,000~~ $2,116,300 for this purpose.

SECTION 878p. 20.866 (2) (uz) of the statutes is amended to read:

20.866 **(2)** (uz) *Corrections; juvenile correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~$28,984,500~~ $28,652,200 for this purpose.

SECTION 878t. 20.866 (2) (v) of the statutes is amended to read:

20.866 **(2)** (v) *Health services; mental health and secure treatment facilities.* From the capital improvement fund, a sum sufficient for the department of health services to acquire, construct, develop, enlarge or extend mental health and secure treatment facilities. The state may contract public debt in an amount not to exceed ~~$181,108,800~~ $185,951,200 for this purpose.

SECTION 879. 20.866 (2) (we) of the statutes is amended to read:

20.866 **(2)** (we) *Agriculture; soil and water.* From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The

state may contract public debt in an amount not to exceed ~~$54,075,000~~ $61,075,000 for this purpose.

SECTION 880. 20.866 (2) (xm) of the statutes is amended to read:

20.866 **(2)** (xm) *Building commission; refunding tax-supported and self-amortizing general obligation debt.* From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to finance tax–supported or self–amortizing facilities. In addition to the amount that may be contracted under par. (xe), the state may contract public debt in an amount not to exceed ~~$3,785,000,000~~ $5,285,000,000 for this purpose. Such indebtedness shall be construed to include any premium and interest payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred for tax–supported and self–amortizing facilities in proportional amounts to the purposes for which the debt was refinanced. No moneys may be expended under this paragraph unless the true interest costs to the state can be reduced by the expenditure.

SECTION 880b. 20.866 (2) (ym) of the statutes is amended to read:

20.866 **(2)** (ym) *Building commission; capital equipment acquisition.* From the capital improvement fund, a sum sufficient to the state building commission to acquire capital equipment for state departments and agencies. The state may contract public debt in an amount not to exceed ~~$126,335,000~~ $125,660,000 for this purpose.

SECTION 880d. 20.866 (2) (z) (intro.) of the statutes is amended to read:

20.866 **(2)** (z) *Building commission; other public purposes.* (intro.) From the capital improvement fund, a sum sufficient to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but

not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~$2,484,671,700~~ $2,491,765,400 for this purpose. Of this amount:

SECTION 880f. 20.866 (2) (zbm) of the statutes is amended to read:

20.866 **(2)** (zbm) *Marquette University; dental clinic and education facility.* From the capital improvement fund, a sum sufficient to provide a grant to Marquette University to aid in the construction of a dental clinic and education facility. The state may contract public debt in an amount not to exceed ~~$23,000,000~~ $25,000,000 for this purpose.

SECTION 880h. 20.866 (2) (zbp) of the statutes is repealed.

SECTION 880j. 20.866 (2) (zbs) of the statutes is amended to read:

20.866 **(2)** (zbs) *Hmong cultural ~~centers~~ center.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to an organization specified in s. 13.48 (36) ~~(b)~~ (c) for purchase or construction of a Hmong cultural center in ~~Dane County and~~ La Crosse County. The state may contract public debt in an amount not to exceed ~~$2,250,000~~ $250,000 for this purpose.

SECTION 880k. 20.866 (2) (zbv) of the statutes is created to read:

20.866 **(2)** (zbv) *Carroll University.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to Carroll University for the construction of the facility as described in s. 13.48 (28m). The state may contract public debt in an amount not to exceed $3,000,000 for this purpose.

SECTION 880km. 20.866 (2) (zbw) of the statutes is created to read:

20.866 **(2)** (zbw) *Wisconsin Agriculture Education Center, Inc.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to the Wisconsin Agriculture Education Center, Inc., for the construction of the

center as described in s. 13.48 (28r). The state may contract public debt in an amount not to exceed $5,000,000 for this purpose.

SECTION 880kr. 20.866 (2) (zbx) of the statutes is created to read:

20.866 **(2)** (zbx) *Eau Claire Confluence Arts, Inc.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to Eau Claire Confluence Arts, Inc., for the construction of the center as described in s. 13.48 (28p). The state may contract public debt in an amount not to exceed $15,000,000 for this purpose.

SECTION 880L. 20.866 (2) (zck) of the statutes is repealed.

SECTION 880m. 20.866 (2) (zd) of the statutes is amended to read:

20.866 **(2)** (zd) *Educational communications board; educational communications facilities.* From the capital improvement fund, a sum sufficient for the educational communications board to acquire, construct, develop, enlarge or improve educational communications facilities. The state may contract public debt in an amount not to exceed $16,658,100 for this purpose before July 1, 2003, and an amount not to exceed ~~$24,503,200~~ $24,169,000 for this purpose on and after July 1, 2003.

SECTION 880n. 20.866 (2) (ze) of the statutes is amended to read:

20.866 **(2)** (ze) *Historical society; self-amortizing facilities.* From the capital improvement fund, a sum sufficient for the historical society to acquire, construct, develop, enlarge or improve facilities at historic sites, but not including the Wisconsin history center. The state may contract public debt in an amount not to exceed ~~$1,157,000~~ $1,029,300 for this purpose.

SECTION 880nm. 20.866 (2) (zf) of the statutes is amended to read:

20.866 **(2)** (zf) *Historical society; historic sites.* From the capital improvement fund, a sum sufficient for the historical society to acquire, construct, develop, enlarge or improve historic sites and facilities. The state may contract public debt in an amount not to exceed ~~10,067,800~~ $9,591,800 for this purpose.

SECTION 880p. 20.866 (2) (zg) of the statutes is amended to read:

20.866 **(2)** (zg) *Historical society; museum facility.* From the capital improvement fund, a sum sufficient for the historical society to acquire and remodel a museum facility. The state may contract public debt in an amount not to exceed ~~$19,384,400~~ $4,384,400 for this purpose.

SECTION 880q. 20.866 (2) (zgh) of the statutes is amended to read:

20.866 **(2)** (zgh) *Historical society; Wisconsin history center.* From the capital improvement fund, a sum sufficient for the historical society to construct a Wisconsin history center. The state may contract public debt in an amount not to exceed ~~$20,000,000~~ $16,000,000 for this purpose.

SECTION 880r. 20.866 (2) (zm) of the statutes is amended to read:

20.866 **(2)** (zm) *Veterans affairs; veterans facilities.* From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at state veterans homes, veterans cemeteries and the veterans museum. The state may contract public debt in an amount not to exceed ~~$10,090,100~~ $10,686,100 for this purpose.

SECTION 880s. 20.866 (2) (zp) of the statutes is amended to read:

20.866 **(2)** (zp) *Veterans affairs; self-amortizing facilities.* From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at state veterans homes. The state

may contract public debt in an amount not to exceed ~~$51,347,100~~ $69,948,700 for this purpose.

SECTION 880u. 20.867 (3) (bi) of the statutes is repealed.

SECTION 880y. 20.867 (3) (bn) of the statutes is amended to read:

20.867 **(3)** (bn) *Principal repayment, interest and rebates; Hmong cultural* ~~*centers*~~ *center.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the purchase or construction of a Hmong cultural center in ~~Dane County and~~ La Crosse County, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase or construction of the center, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 880z. 20.867 (3) (bp) of the statutes is repealed.

SECTION 880zd. 20.867 (3) (bt) of the statutes is created to read:

20.867 **(3)** (bt) *Principal repayment, interest, and rebates; Wisconsin Agriculture Education Center, Inc.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the center as described in s. 13.48 (28r), to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the project, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 880zh. 20.867 (3) (bw) of the statutes is created to read:

20.867 **(3)** (bw) *Principal repayment, interest, and rebates; Eau Claire Confluence Arts, Inc.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the center as

described in s. 13.48 (28p), to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the project, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 880zm. 20.867 (3) (bx) of the statutes is created to read:

20.867 **(3)** (bx) *Principal repayment, interest, and rebates; Carroll University.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the facility as described in s. 13.48 (28m), to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the project, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 884. 20.901 (1) (b) of the statutes is amended to read:

20.901 **(1)** (b) Notwithstanding ss. 230.047 and 230.29, in the case of an emergency which is the result of natural or human causes, state agencies may cooperate to maintain required state services through the temporary interchange of employees. The interchange of employees may be of 2 types: where an appointing authority declares an emergency in writing to the governor; or where the governor or his or her designee declares an emergency. If an appointing authority declares an emergency, the interchange of employees is voluntary on the part of those employees designated by the sending state agency as available for interchange. If the governor or his or her designee declares an emergency, the governor may require a temporary interchange of employees. An emergency which is declared by an appointing authority may not exceed 72 hours unless an extension is approved by the governor or his or her designee. An employee who is assigned temporary interchange duties

may be required to perform work which is not normally performed by the employee or described in his or her position classification. An interchange employee shall be paid at the rate of pay for the employee's permanent job unless otherwise authorized by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration. State agencies receiving employees on interchanges shall keep appropriate records and reimburse the sending state agencies for authorized salaries and expenses. The ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration may institute temporary pay administration policies as required to facilitate the handling of such declared emergencies.

SECTION 887. 20.916 (2) of the statutes is amended to read:

20.916 **(2)** REIMBURSEMENT OF JOB APPLICANTS. Subject to rules of the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration, reimbursement may be made to applicants for all or part of actual and necessary travel expenses incurred in connection with oral examination and employment interviews.

SECTION 888. 20.916 (4) (a) of the statutes is amended to read:

20.916 **(4)** (a) If any state agency determines that the duties of any employee require the use of an automobile, it may authorize such employee to use a privately owned automobile in the employee's work for the state, and reimburse the employee for such use at a rate set at least biennially by the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration under sub. (8), subject to the approval of the joint committee on employment relations.

SECTION 889. 20.916 (4m) (b) of the statutes is amended to read:

20.916 **(4m)** (b) Except as otherwise provided in this paragraph, if any state agency determines that an employee's duties require the use of a motor vehicle, and use of a privately owned motor vehicle is authorized by the agency under similar circumstances, the agency shall authorize the employee to use a privately owned motorcycle for the employee's duties and shall reimburse the employee for the use of the motorcycle at rates determined at least biennially by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration under sub. (8), subject to the approval of the joint committee on employment relations. No state agency may authorize an employee to use or reimburse an employee for the use of a privately owned motorcycle under this paragraph if more than one individual is transported on the motorcycle. All allowances for the use of a motorcycle shall be paid upon approval and certification of the amounts payable by the head of the state agency for which the employee performs duties to the department of administration.

SECTION 890. 20.916 (5) (a) of the statutes is amended to read:

20.916 **(5)** (a) If the use of a privately owned or chartered aircraft is more efficient and economical for the conduct of state business than commercial transportation, the head of a state agency may authorize an employee to charter an aircraft with or without a pilot; and may authorize any member or employee to use a privately owned aircraft and reimburse the member or employee for such use of a privately owned aircraft at a rate set at least biennially by the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration under sub. (8), subject to the approval of the joint committee on employment relations.

SECTION 891. 20.916 (8) (a) of the statutes is amended to read:

20.916 **(8)** (a) The ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by state officers and employees whose compensation is established under s. 20.923 or 230.12. Such amounts shall include maximum permitted amounts for meal and lodging costs, other allowable travel expenses under sub. (9) (d), and porterage tips, except as authorized under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the ~~director~~ administrator may recommend to the committee a per diem amount and method of reimbursement for any or all expenses under sub. (9) (b), (c), and (d).

SECTION 892. 20.916 (9) (d) of the statutes is amended to read:

20.916 **(9)** (d) *Other allowable travel expenses.* Employees shall be reimbursed for actual, reasonable, and necessary expenses, including specifically laundry, telephone, facsimile, porterage, and tips, when traveling on state business, but not to exceed any limitations or maximums established by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration under sub. (8) and s. 16.53 (12) (c).

SECTION 893. 20.916 (9) (f) 1. of the statutes is amended to read:

20.916 **(9)** (f) 1. 'Scheduled air travel.' Reimbursement for air travel shall be limited to the lowest appropriate airfare, as determined by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration. An employee may be reimbursed for air travel at a rate other than the lowest appropriate airfare only if the employee submits a written explanation of the reasonableness of the expense.

SECTION 894. 20.916 (9) (f) 3. of the statutes is amended to read:

20.916 **(9)** (f) 3. 'Reimbursement.' Receipt limits for all claims for reimbursement of transportation expense shall be established by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration in the compensation plan under s. 230.12.

SECTION 896. 20.917 (1) (c) of the statutes is amended to read:

20.917 **(1)** (c) Payment for moving expenses may be granted to a person reporting to his or her first place of employment or reporting upon reemployment after leaving the civil service, if payment is recommended by the appointing authority and approved in writing by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration prior to the time when the move is made.

SECTION 897. 20.917 (1) (d) of the statutes is amended to read:

20.917 **(1)** (d) Payment may not be granted if the distance between the old and new residences of the employee is less than a minimum distance established by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration for payment of moving expenses.

SECTION 898. 20.917 (2) (a) of the statutes is amended to read:

20.917 **(2)** (a) The ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration may establish a maximum amount for payment of any employee moving costs under sub. (1) (a) to (c). This amount shall be submitted for the approval of the joint committee on employment relations in the manner provided in s. 20.916 (8), and upon approval shall become a part of the compensation plan under s. 230.12 (1).

SECTION 899. 20.917 (3) (a) 1. of the statutes is amended to read:

20.917 **(3)** (a) 1. Lodging allowances shall be in accordance with the schedule established by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration, but may not exceed the rate established under s. 13.123 (1) (a) 1.

SECTION 900. 20.917 (3) (a) 2. of the statutes is amended to read:

20.917 **(3)** (a) 2. Lodging allowance payments are subject to prior approval in writing by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration.

SECTION 901. 20.917 (5) (b) of the statutes is amended to read:

20.917 **(5)** (b) Payments under this subsection are in addition to any payments made under sub. (1). Payments under this subsection may be made only with the prior written approval of the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration.

SECTION 902. 20.917 (6) of the statutes is amended to read:

20.917 **(6)** The ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration may, in writing, delegate to an appointing authority the authority to approve reimbursement for moving expenses under sub. (1) (c), a temporary lodging allowance under sub. (3) (a) 2. or expenses under sub. (5) (b).

SECTION 914. 20.923 (2) (b) of the statutes is amended to read:

20.923 **(2)** (b) The annual salary of each state senator, representative to the assembly, justice of the supreme court, court of appeals judge and circuit judge shall be reviewed and established in the same manner as provided for positions in the

classified service under s. 230.12 (3). ~~The salary established for the chief justice of the supreme court shall be different than the salaries established for the associate justices of the supreme court.~~

SECTION 916. 20.923 (4) (intro.) of the statutes is amended to read:

20.923 **(4)** STATE AGENCY POSITIONS. (intro.) State agency heads, the ~~administrator of the division~~ director of the bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration and commission chairpersons and members shall be identified and limited in number in accordance with the standardized nomenclature contained in this subsection, and shall be assigned to the executive salary groups listed in pars. (a) to (h). Except for positions specified in pars. (c) 3m. and (g) 1e. and sub. (12), all unclassified division administrator positions enumerated under s. 230.08 (2) (e) shall be assigned, when approved by the joint committee on employment relations, by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration to one of 10 executive salary groups. The joint committee on employment relations, by majority vote of the full committee, may amend recommendations for initial position assignments and changes in assignments to the executive salary groups submitted by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration. All division administrator assignments and amendments to assignments of administrator positions approved by the committee shall become part of the compensation plan. Whenever a new unclassified division administrator position is created, the appointing authority may set the salary for the position until the joint committee on employment relations approves assignment of the position to an executive salary

group. If the committee approves assignment of the position to an executive salary group having a salary range minimum or maximum inconsistent with the salary paid to the incumbent at the time of such approval, the incumbent's salary shall be adjusted by the appointing authority to conform with the committee's action, effective on the date of that action. Positions are assigned as follows:

SECTION 918. 20.923 (4) (c) 3m. of the statutes is amended to read:

20.923 **(4)** (c) 3m. Administration, department of; ~~office~~ division of ~~state employment relations; division~~ personnel management; bureau of merit recruitment and selection: administrator.

SECTION 918m. 20.923 (4) (e) 4. of the statutes is amended to read:

20.923 **(4)** (e) 4. ~~Workforce development~~ Administration, department of: labor and industry review commission: member and chairperson.

SECTION 919. 20.923 (4) (f) 1. of the statutes is amended to read:

20.923 **(4)** (f) 1. Administration, department of; ~~office~~ division of ~~state employment relations: director~~ personnel management: administrator.

SECTION 921m. 20.923 (4) (f) 8h. of the statutes is amended to read:

20.923 **(4)** (f) 8h. Public service commission: chairperson and ~~members~~ commissioners.

SECTION 923. 20.923 (6) (as) of the statutes is amended to read:

20.923 **(6)** (as) Each elective executive officer other than the state treasurer, secretary of state, attorney general and superintendent of public instruction: a deputy or assistant.

SECTION 924m. 20.923 (6) (L) of the statutes is amended to read:

20.923 **(6)** (L) ~~Tourism, department of;~~ Kickapoo reserve management board: executive director and staff.

SECTION 927. 20.923 (7) (intro.) of the statutes is amended to read:

20.923 **(7)** WISCONSIN TECHNICAL COLLEGE SYSTEM SENIOR EXECUTIVE POSITIONS. (intro.) The salary range for the director and the executive assistant of the Wisconsin Technical College System shall be contained in the recommendations of the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration under s. 230.12 (3) (e). The board of the Wisconsin Technical College System shall set the salaries for these positions within the range to which the positions are assigned to recognize merit, to permit orderly salary progression, and to recognize competitive factors. The salary of any incumbent in the positions identified in pars. (a) and (b) may not exceed the maximum of the salary range for the group to which the position is assigned. The positions are assigned as follows:

SECTION 928. 20.923 (8) of the statutes is amended to read:

20.923 **(8)** DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2), ~~230.04 (16),~~ and 551.601 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The ~~positions of assistant secretary of state, assistant state treasurer and~~ associate director of the historical society shall be treated as an unclassified ~~deputies~~ deputy for pay purposes under this subsection. The salary of the deputy director of the office of business development in the department of administration is assigned to executive salary group 2.

SECTION 930. 20.923 (9) of the statutes is amended to read:

20.923 **(9)** ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANTS. Salaries for assistant deputy secretaries and executive assistants appointed under ss. 15.05 (3)

and 15.06 (4m) shall be set by the appointing authority. The salary for an assistant deputy secretary or an executive assistant appointed under s. 15.05 (3) or 15.06 (4m), other than the salary for the executive assistant to the director of the technical college system, may not exceed the maximum of the salary range 2 ranges below the salary range for the executive salary group to which the department or agency head is assigned. The position of administrative assistant to the lieutenant governor shall be treated as are executive assistants for pay purposes under this subsection. ~~The salary for the executive assistant appointed under s. 230.04 (16) shall be set by the appointing authority. The salary for that position may not exceed the maximum of the salary range 2 ranges below the salary range for the executive salary group to which the appointing authority is assigned.~~

SECTION 932m. 20.923 (15) (a) of the statutes is amended to read:

20.923 **(15)** (a) An incumbent of a position that has been assigned to an executive salary group of the compensation plan or to a general senior executive group ~~or a university senior executive salary group~~ under this section, whose current salary exceeds the maximum of the salary range to which his or her position's group is assigned, shall remain at his or her current rate of pay while he or she remains employed in that position until the maximum of the salary range to which his or her executive salary group ~~or university senior executive salary group~~ is assigned equals or exceeds his or her current rate of pay.

SECTION 933. 20.923 (18) (a) of the statutes is amended to read:

20.923 **(18)** (a) The ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration shall determine what positions in the classified service are comparable positions to the unclassified positions of 3 sales representatives of prison industries and one sales manager of prison industries who

are appointed under s. 303.01 (10). For each such unclassified position, the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration shall determine the minimum salary for each comparable position in the classified service and shall set an amount equal to that minimum salary as the salary for that unclassified position.

SECTION 945n. 20.931 of the statutes is repealed.

SECTION 959b. 23.0917 (3) (b) of the statutes is amended to read:

23.0917 **(3)** (b) In obligating moneys under the subprogram for land acquisition, the department shall set aside in each fiscal year ~~$3,000,000~~ $1,000,000 that may be obligated only for ~~state trails and~~ the department to acquire land for the ice age trail ~~and for grants for the state trails and the ice age trails under s. 23.096~~. The period of time during which the moneys shall be set aside in each fiscal year shall begin on the July 1 of the fiscal year and end on the June 30 of the same fiscal year.

SECTION 959c. 23.0917 (3) (br) of the statutes is renumbered 23.0917 (3) (br) (intro.) and amended to read:

23.0917 **(3)** (br) (intro.) ~~Beginning with fiscal year 2010–11 and ending with fiscal year 2019–20, in~~ In obligating moneys under the subprogram for land acquisition, the department shall set aside ~~in each fiscal year $12,000,000~~ the following amounts that may be obligated only to provide for grants awarded to nonprofit conservation organizations under s. 23.096~~.~~:

SECTION 959d. 23.0917 (3) (br) 1. of the statutes is created to read:

23.0917 **(3)** (br) 1. For each fiscal year beginning with 2010–11 and ending with 2014–15, $12,000,000.

SECTION 959f. 23.0917 (3) (br) 2. of the statutes is created to read:

23.0917 **(3)** (br) 2. For each fiscal year beginning with 2015–16 and ending with 2019–20, $7,000,000.

SECTION 959i. 23.0917 (3) (bt) 1. of the statutes is amended to read:

23.0917 **(3)** (bt) 1. For each fiscal year beginning with 2013–14 and ending with fiscal year ~~2015–16~~ 2014–15, $20,000,000.

SECTION 959k. 23.0917 (3) (bt) 2. of the statutes is amended to read:

23.0917 **(3)** (bt) 2. For each fiscal year beginning with ~~2016–17~~ 2015–16 and ending with fiscal year 2019–20, ~~$23,000,000~~ $9,000,000.

SECTION 959n. 23.0917 (3) (bw) of the statutes is created to read:

23.0917 **(3)** (bw) In obligating moneys under the subprogram for land acquisition, the department shall set aside $5,000,000 for each fiscal year beginning with 2015–16 and ending with 2019–20 to be obligated only to provide grants to counties under s. 23.0953.

SECTION 959o. 23.0917 (3) (dm) 6g. of the statutes is amended to read:

23.0917 **(3)** (dm) 6g. For each fiscal year beginning with 2013–14 and ending with fiscal year ~~2015–16~~ 2014–15, $32,000,000.

SECTION 959p. 23.0917 (3) (dm) 7. of the statutes is amended to read:

23.0917 **(3)** (dm) 7. For each fiscal year beginning with ~~2016–17~~ 2015–16 and ending with fiscal year 2019–20, ~~$36,000,000~~ $21,000,000.

SECTION 960. 23.0917 (4) (cm) 4. of the statutes is amended to read:

23.0917 **(4)** (cm) 4. Infrastructure improvements to the Kettle Moraine Springs fish hatchery. This subdivision does not apply after June 30, ~~2017~~ 2018.

SECTION 960c. 23.0917 (4) (cm) 5. of the statutes is created to read:

23.0917 **(4)** (cm) 5. Repair or replacement of the Little Falls Dam at Willow River State Park in St. Croix County.

SECTION 960g. 23.0917 (4) (d) 1m. d. of the statutes is amended to read:

23.0917 **(4)** (d) 1m. d. For fiscal ~~years~~ year 2014–15 ~~and 2015–16~~, $20,000,000 ~~in each fiscal year~~.

SECTION 960n. 23.0917 (4) (d) 1m. e. of the statutes is amended to read:

23.0917 **(4)** (d) 1m. e. For each fiscal year beginning with ~~2016–17~~ 2015–16 and ending with fiscal year 2019–20, ~~$11,500,000~~ $9,750,000.

SECTION 960r. 23.0917 (4) (d) 3. a. of the statutes is amended to read:

23.0917 **(4)** (d) 3. a. Beginning with fiscal year 2013–14 and ending with fiscal year ~~2015–16~~ 2014–15, $7,000,000.

SECTION 960w. 23.0917 (4) (d) 3. b. of the statutes is amended to read:

23.0917 **(4)** (d) 3. b. Beginning with fiscal year ~~2016–17~~ 2015–16 and ending with fiscal year 2019–20, ~~$5,500,000~~ $3,750,000.

SECTION 961e. 23.0917 (5g) (a) of the statutes is amended to read:

23.0917 **(5g)** (a) Except as provided in ~~par.~~ pars. (b) and (c), if for a given fiscal year, the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding authority under that subprogram for that given fiscal year, the department may not obligate the unobligated amount in subsequent fiscal years. This subsection applies beginning with fiscal year 2011–12 and ending with fiscal year 2019–20.

SECTION 961m. 23.0917 (5g) (c) of the statutes is created to read:

23.0917 **(5g)** (c) 1. In this paragraph, "unobligated amount" means the amount by which the annual bonding authority for the subprograms under subs. (3), (4), and (4j) in fiscal years 2011–12, 2012–13, and 2013–14 exceeded the amounts that the department obligated from the moneys appropriated under s. 20.866 (2) (ta) for those subprograms for those fiscal years, but not including the amount by which the

annual bonding authority for the purpose under sub. (3) (br) in fiscal year 2013–14 exceeded the amount obligated for that purpose in that fiscal year.

2. The department shall obligate the unobligated amount as follows:

a. The amount necessary for the purpose under sub. (4) (cm) 4. but not more than $19,600,000.

b. The amount necessary for the purpose under sub. (4) (cm) 5. but not more than $5,000,000.

c. Subject to the limitation under s. 31.385 (7), the amount necessary for county dam safety grants under s. 31.385 (7) but not more than the difference between the amounts obligated under subds. 2. a. and b. and the unobligated amount.

SECTION 961p. 23.0917 (6m) (c) of the statutes is amended to read:

23.0917 **(6m)** (c) The procedures under par. (a) apply only to an amount for a project or activity that exceeds $250,000, except as provided in pars. (d), (dg), ~~and~~ (dm)<u>, and (dr)</u>.

SECTION 961t. 23.0917 (6m) (dr) of the statutes is created to read:

23.0917 **(6m)** (dr) The procedures under par. (a) apply to any acquisition of land in fee simple, regardless of the amount obligated for the acquisition, if the land is located north of STH 64.

SECTION 974m. 23.116 (4) of the statutes is created to read:

23.116 **(4)** The department may not prohibit a person engaged in silviculture from crossing a recreational trail on department property. At the request of a person engaging in silviculture, the department shall temporarily close a portion of a recreational trail on department property. Before the recreational trail is reopened, the person engaging in silviculture affecting the recreational trail shall restore any portion of the recreational trail affected by the silvicultural activities to its condition

prior to those activities. The department may not limit the scope of a silvicultural activity on department property based on the proximity of that activity to a recreational trail on department property.

SECTION 980b. 23.145 (2) of the statutes is renumbered 23.145 (2) (intro.) and amended to read:

23.145 **(2)** (intro.) If there is any outstanding public debt used to finance the acquisition of any land that is sold under sub. (1), the department shall deposit a sufficient amount of the net proceeds from the sale of the land in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If there is any outstanding public debt used to finance the acquisition of any land that is sold under sub. (1), the department shall then provide a sufficient amount of the net proceeds from the sale of the land for the costs of maintaining federal tax law compliance applicable to the debt. If the land was acquired with federal financial assistance, the department shall pay to the federal government any of the net proceeds required by federal law. If the land was acquired by gift or grant or acquired with gift or grant funds, the department shall adhere to any restriction governing use of the proceeds. If there is no such debt outstanding, there are no moneys payable to the federal government, and there is no restriction governing use of the proceeds, and if the net proceeds exceed the amount required to be deposited, paid, or used for another purpose under this subsection, the department shall ~~use~~ do all of the following with the net proceeds or remaining net proceeds from the sale of land under sub. (1) ~~to pay~~:

(a) Use 50 percent of the proceeds to pay principal on outstanding public debt under the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.

SECTION 980bm. 23.145 (2) (b) of the statutes is created to read:

23.145 **(2)** (b) Credit 50 percent of the proceeds to the appropriation account under s. 20.370 (7) (iv) for the department to acquire land for the purposes specified in s. 23.09 (2) (d). In acquiring land with these proceeds, the department shall give priority to all of the following purposes:

1. Acquisition of land that preserves or enhances the state's water resources, including land in and for the Lower Wisconsin State Riverway; land abutting wild rivers designated under s. 30.26, wild lakes, and land along the shores of the Great Lakes.

2. Acquisition of land for the stream bank protection program under s. 23.094.

3. Acquisition of land for habitat areas and fisheries under s. 23.092.

4. Acquisition of land for natural areas under ss. 23.27 and 23.29.

5. Acquisition of land in the middle Kettle Moraine.

6. Acquisition of land in the Niagara Escarpment corridor.

SECTION 990m. 23.178 of the statutes is amended to read:

23.178 Off-road vehicle council. The off–road vehicle council shall provide advice and make recommendations to the department of natural resources, the department of transportation, the governor, and the legislature on all matters relating to all–terrain vehicle trails and all–terrain vehicle routes, including matters relating to activities conducted on all–terrain vehicle trails and all–terrain vehicle routes by all–terrain vehicle users and utility terrain vehicle users, and shall make recommendations to the department of natural resources with regard to ~~incentive payment requests under s. 23.33 (5r) and~~ requests for funding under s. 23.33 (9) (b), (bb), and (bg).

SECTION 990r. 23.18 of the statutes is repealed.

SECTION 991e. 23.197 (16) of the statutes is created to read:

23.197 **(16)** NEENAH AND MENASHA; TWIN TRESTLES PROJECT. From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in an amount not to exceed $1,600,000 to the cities of Neenah and Menasha for up to 50 percent of the cost of constructing 2 pedestrian bridges across the Fox River and pedestrian trails to connect the bridges to existing pedestrian trails. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated for local assistance under the subprogram under s. 23.0917 (4).

SECTION 991m. 23.1985 of the statutes is repealed.

SECTION 991s. 23.1987 (1) of the statutes is amended to read:

23.1987 **(1)** From the moneys appropriated under s. 20.866 (2) (ta), the department shall set aside $7,000,000 in fiscal year 2014–15 ~~and $7,000,000 in fiscal year 2015–16~~ that may be obligated only for infrastructure improvements to the Kettle Moraine Springs fish hatchery. For purposes of s. 23.0917, moneys obligated under this subsection shall be treated as moneys obligated under the property development and local assistance subprogram under s. 23.0917 (4). Section 23.0917 (5g) does not apply with respect to amounts obligated before July 1, ~~2017~~ 2018, under this subsection.

SECTION 996m. 23.33 (1) (ng) 1. c. of the statutes is repealed.

SECTION 997m. 23.33 (5r) of the statutes is repealed.

SECTION 997s. 23.426 of the statutes is created to read:

23.426 Programs at the Horicon Marsh education and visitor center. The department may establish and charge fees for educational programs that the department provides at the Horicon Marsh education and visitor center. The fees

collected under this section shall be deposited in the general fund and credited to the appropriation account under s. 20.370 (9) (gh).

SECTION 1004. 23.85 of the statutes is amended to read:

23.85 Statement to county board; payment to state. Every county treasurer shall, on the first day of the annual meeting of the county board of supervisors, submit to it a verified statement of all forfeitures, costs, fees, and surcharges imposed under ch. 814 and received during the previous year. The county clerk shall deduct all expenses incurred by the county in recovering those forfeitures, costs, fees, and surcharges from the aggregate amount so received, and shall immediately certify the amount of clear proceeds of those forfeitures, costs, fees, and surcharges to the county treasurer, who shall pay the proceeds to the state as provided in s. 59.25 (3). Jail surcharges imposed under ch. 814 shall be treated separately as provided in s. 302.46 <u>and moneys collected from the crime prevention funding board surcharge under s. 973.0455 (2) shall be treated separately as provided in s. 973.0455 (2)</u>.

SECTION 1004m. 24.59 (1) of the statutes is amended to read:

24.59 **(1)** Notwithstanding ss. 24.09, 24.10, 24.15, 24.16, and 24.32, but subject to subs. (2) and (3), the board ~~shall~~ <u>may</u> sell to the state ~~under s. 23.1985~~ public lands that the board identifies as available for sale to the state. Notwithstanding s. 24.08 (4), the public lands shall be sold at the appraised value determined under sub. (2).

SECTION 1006m. 24.62 (3) of the statutes is amended to read:

24.62 **(3)** If any land purchased under s. 24.61 (2) (a) 10. <u>on or after the effective date of this subsection .... [LRB inserts date], or acquired in an exchange under s. 24.09 on or after the effective date of this subsection .... [LRB inserts date],</u> was at the time of <u>the</u> purchase <u>or acquisition</u> subject to assessment or levy of a real property

tax or subject to an obligation to make state or federal payments in lieu of taxes, the board shall make annual payments in lieu of property taxes from the proceeds from the sale of timber or from appropriate trust fund incomes to the appropriate local governmental unit in an amount equal to the property taxes levied on the land, or equal to the state or federal payments in lieu of taxes made with respect to the land, in the year prior to the year in which the board purchased or acquired the land.

SECTION 1006t. 24.66 (3) (c) 2. of the statutes is amended to read:

24.66 **(3)** (c) 2. Unless the purpose and amount of the borrowing have been approved by the electors under s. 67.05 (6a) or considered approved by the electors under s. 67.05 (7) (d) 3., the purpose is to refund any outstanding obligation, the purpose is to pay unfunded prior service liability contributions under the Wisconsin Retirement System if all of the proceeds of the note will be used for that purpose, or the borrowing would not be subject to a referendum as a bond issue under s. 67.05 (7) (cc), (er), (h), or (i), or s. 67.12 (12) (e) 2g., (f), or (h) applies, the school district clerk shall, within 10 days after a governing body of a school district adopts a resolution as described above to issue a certificate of indebtedness, publish notice of such adoption as a class 1 notice, under ch. 985. Alternatively, the notice may be posted as provided under s. 10.05. The notice need not set forth the full contents of the resolution, but shall state the maximum amount proposed to be borrowed, the purpose thereof, that the resolution was adopted under this subsection, and the place where, and the hours during which, the resolution may be inspected. If, within 30 days after publication or posting, a petition conforming to the requirements of s. 8.40 is filed with the school district clerk for a referendum on the resolution signed by at least 7,500 electors of the district or at least 20 percent of the number of district electors voting for governor at the last general election, as determined under s.

115.01 (13), whichever is the lesser, then the resolution shall not be effective unless adopted by a majority of the district electors voting at the referendum. The referendum shall be called in the manner provided under s. 67.05 (6a), except that the question which appears on the ballot shall be "Shall .... (name of district) borrow the sum of $.... for (state purpose) by issuing its general obligation promissory note (or notes) under section 24.66 (3) of the Wisconsin Statutes?". If a governing body of a school district adopts a resolution to borrow a sum of money under this subsection and a sufficient petition for referendum is not filed within the time permitted, then the power of the governing body of a school district to borrow the sum and expend the sum for the purpose stated shall be deemed approved by the school district electors upon the expiration of the time for filing the petition.

SECTION 1007. 25.17 (1) (ge) of the statutes is amended to read:

25.17 **(1)** (ge) ~~Governor's read~~ Read to lead development fund (s. 25.79);

SECTION 1007b. 25.17 (1) (ge) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 1011m. 25.17 (9m) of the statutes is created to read:

25.17 **(9m)** If contracted to do so by the Board of Regents of the University of Wisconsin System, invest the moneys specified in s. 36.11 (11m) in accordance with the terms of the contract and the board's standard of responsibility specified in s. 25.15 (2).

SECTION 1016m. 25.36 (1) of the statutes is amended to read:

25.36 **(1)** Except as provided in sub. (2), all moneys appropriated or transferred by law shall constitute the veterans trust fund which shall be used for the lending of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the veterans programs under ss. 20.485 (2) (m), (tm), (u), (vy), and (z), and (5) (mn), (v),

(vo), and (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and 45.82 and administered by the department of veterans affairs, including all moneys received from the federal government for the benefit of veterans or their dependents, and for the veteran grant jobs pilot program under s. 38.31 administered by the technical college system board; all moneys paid as interest on and repayment of loans under the post–war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans under this fund; all moneys paid as expenses for, interest on, and repayment of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid as expenses for, interest on, and repayment of veterans personal loans; the net proceeds from the sale of mortgaged properties related to veterans personal loans; all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond issuance purchased with moneys in the veterans trust fund; all moneys received from the state investment board under s. 45.42 (8) (b); all moneys received from the veterans mortgage loan repayment fund under s. 45.37 (7) (a) and (c); and all gifts of money received by the board of veterans affairs for the purposes of this fund.

SECTION 1023. 25.43 (1) (h) of the statutes is amended to read:

25.43 **(1)** (h) The fees imposed under ss. 281.58 (9) (d) ~~and~~, 281.60 (11m), and 281.61 (5) (b).

SECTION 1028. 25.77 (2) of the statutes is amended to read:

25.77 **(2)** All public funds that are related to payments under s. 49.45 and that are transferred or certified under 42 CFR 433.51 (b) and used as the nonfederal and federal share of Medical Assistance funding, except funds that are deposited into the appropriation accounts under s. 20.435 (4) ~~(h),~~ (kx)~~,~~ or (ky).

SECTION 1030. 25.77 (14) of the statutes is created to read:

25.77 **(14)** All moneys deposited under s. 49.45 (39) (bm)

SECTION 1031. 25.79 of the statutes is amended to read:

25.79 ~~Governor's read~~ Read to lead development fund. There is established a separate nonlapsible trust fund, designated the ~~governor's~~ read to lead development fund, consisting of all gifts, grants, bequests, and other contributions made to the fund.

SECTION 1031b. 25.79 of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 1032c. 26.105 (1) of the statutes is repealed.

SECTION 1032d. 26.105 (2) of the statutes is repealed.

SECTION 1032e. 26.105 (3) of the statutes is renumbered 26.105 and amended to read:

26.105 Forestry and fire prevention study. ~~Upon completion of the study, the~~ The Great Lakes Timber Professionals Association and the Wisconsin County Forests Association shall prepare a report containing the results of the forestry and fire prevention study conducted as approved by the joint committee on finance under s. 26.105 (2), 2013 stats., and shall submit the report to the department, the council on forestry, and the appropriate standing committees of the legislature under s. 13.172 (3).

SECTION 1037. 27.01 (7) (f) 1. of the statutes is amended to read:

27.01 **(7)** (f) 1. Except as provided in par. (gm), the fee for an annual vehicle admission receipt is ~~$24.50~~ $27.50 for each vehicle that has Wisconsin registration plates, except that no fee is charged for a receipt issued under s. 29.235 (6).

SECTION 1037e. 27.01 (7) (f) 2. of the statutes is amended to read:

27.01 **(7)** (f) 2. Except as provided in subds. 3. and 4. and par. (gm) 4., the fee for a daily vehicle admission receipt is ~~$6.85~~ $7.85 for any vehicle which has Wisconsin registration plates.

SECTION 1037g. 27.01 (7) (f) 3. of the statutes is amended to read:

27.01 **(7)** (f) 3. Subject to par. (gm) 5., the fee for a daily vehicle admission receipt for a motor bus that has Wisconsin registration plates is ~~$9.85~~ $10.85.

SECTION 1038. 27.01 (7) (g) 1. of the statutes is amended to read:

27.01 **(7)** (g) 1. Except as provided in par. (gm), the fee for an annual vehicle admission receipt is ~~$34.50~~ $37.50 for any vehicle that has a registration plate or plates from another state, except that no fee is charged for a receipt issued under s. 29.235 (6).

SECTION 1038e. 27.01 (7) (g) 2. of the statutes is amended to read:

27.01 **(7)** (g) 2. Except as provided in subds. 3. and 4., the fee for a daily vehicle admission receipt for any vehicle that has a registration plate or plates from another state is ~~$9.85~~ $10.85.

SECTION 1038g. 27.01 (7) (g) 3. of the statutes is amended to read:

27.01 **(7)** (g) 3. Subject to par. (gm) 5., the fee for a daily vehicle admission receipt for a motor bus that has a registration plate or plates from another state is ~~$13.85~~ $14.85.

SECTION 1039. 27.01 (7) (gm) 1. of the statutes is amended to read:

27.01 **(7)** (gm) 1. Instead of the fees under pars. (f) 1. and (g) 1., the department shall charge an individual ~~$12~~ $15 or ~~$17~~ $20, respectively, for an annual vehicle admission receipt if the individual applying for the receipt or a member of his or her household owns a vehicle for which a current annual vehicle admission receipt has been issued for the applicable fee under par. (f) 1. or (g) 1.

SECTION 1040. 27.01 (7) (gm) 3. of the statutes is amended to read:

27.01 **(7)** (gm) 3. Notwithstanding par. (f) 1., the fee for an annual vehicle admission receipt for a vehicle that has Wisconsin registration plates and that is owned by a resident senior citizen, as defined in s. 29.001 (72), is ~~$9.50~~ $12.50.

SECTION 1046b. 27.01 (8) (c) of the statutes is renumbered 27.01 (8) (c) 1. and amended to read:

27.01 **(8)** (c) 1. The department may establish by rule the amount of the admission fee to enter Heritage Hill state park ~~or a state trail~~.

SECTION 1046c. 27.01 (8) (c) 2. of the statutes is created to read:

27.01 **(8)** (c) 2. The department shall issue an annual state trail pass that authorizes admission to a state trail during the calendar year for which the annual state trail pass is issued. The fee for an annual state trail pass is $25.

SECTION 1046d. 27.01 (8) (c) 3. of the statutes is created to read:

27.01 **(8)** (c) 3. The fee for a daily state trail pass is $5.

SECTION 1046e. 27.01 (10) (d) 1. of the statutes is amended to read:

27.01 **(10)** (d) 1. The department shall charge a camping fee of not less than $15 but not more than $20, as determined by the secretary, for each night at a campsite in a state campground ~~which is classified as a Type "A" campground by the department is $10~~ for a resident camping party, except as provided under par. (fm).

SECTION 1046f. 27.01 (10) (d) 2. of the statutes is amended to read:

27.01 **(10)** (d) 2. The department shall charge a camping fee of not less than $19 but not more than $25, as determined by the secretary, for each night at a campsite in a state campground ~~which is classified as a Type "A" campground by the department is $12~~ for a nonresident camping party, except as provided under par. (fm).

SECTION 1046g. 27.01 (10) (d) 3. to 6. of the statutes are repealed.

SECTION 1046h. 27.01 (10) (fm) of the statutes is created to read:

27.01 **(10)** (fm) *Fee adjustments*. The secretary may raise the fees under par. (d) 1. or 2. by not more than $5 above the respective maximum fee specified under par. (d) 1. or 2. or may lower the fees under par. (d) 1. or 2. by not more than $5 below the respective minimum fee specified under par. (d) 1. or 2.

SECTION 1046i. 27.01 (10) (g) 2. of the statutes is amended to read:

27.01 **(10)** (g) 2. An additional camping fee from $1.50 to $1.75~~, depending on whether the campground is Type "A", "B" or "C",~~ per night for a nonresident camping party.

SECTION 1046j. 27.01 (10) (g) 5. of the statutes is created to read:

27.01 **(10)** (g) 5. An additional camping fee of $10 per night for a camping party that uses electricity supplied at a state campground if the campsite has an electric receptacle.

SECTION 1047m. 28.04 (3) (am) of the statutes is created to read:

28.04 **(3)** (am) 1. In this paragraph, "forest production area" means an area in a state forest that has been classified by the department in preparing plans under par. (a) as an area in which the primary management objective relates to the production of timber and other forest products.

2. Notwithstanding par. (a), the department shall do all of the following with respect to managing a forest production area:

a. Establish the primary management objective of a forest production area to be the production of timber and other forest products.

b. Maximize timber production on forest production areas while using accepted silvicultural practices.

3. Notwithstanding par. (a), the department may not do any of the following with respect to a managing a forest production area:

a. Classify the area under any other land management classification.

b. Authorize or prescribe timber management techniques and activities, including commercial timber harvests, that are not consistent with the specific management objectives in the plan and with locally accepted timber production practices common to the industry.

c. Use management activities or techniques in the area that are not authorized in the plan for that area.

4. The department may do all of the following with respect to managing a forest production area:

a. Vary the specific objectives for different forest production areas, taking into consideration only the site's capability to produce timber, the type of timber produced in the area, the market for forest products, and the economy.

b. Establish the specific objective of extracting economic value from land while managing for timber products.

c. Authorize any management activity or technique that is consistent with the management objective specified in the plan for that area and compatible with the area's ecological capability and the practice of forestry.

SECTION 1050m. 28.15 of the statutes is created to read:

28.15 National forests. (1) In this section:

(a) "Cooperative agreement" means an agreement between the secretary or the governor and the secretary of the federal department of agriculture under which the department is responsible for conducting forest management activities on federal land in this state.

(b) "Federal land" has the meaning given in 16 USC 2113a (a) (2).

(c) "Forest management activities" means harvesting and selling timber, activities that promote artificial and natural forest regeneration, and other activities to restore or improve the health of forests and forest watersheds, including fish and wildlife habitat in those forests and watersheds.

(2) As permitted by federal law, the department may conduct forest management activities on federal land under a cooperative agreement.

(3) As permitted by federal law, the department may contract with a county, private forester, or private contractor for the purpose of conducting forest management activities on federal land under a cooperative agreement.

(4) The department shall pay the initial costs of administering and implementing a cooperative agreement and any contracts entered into under sub. (3) from the appropriation under s. 20.370 (1) (mv).

(5) On June 30 of each fiscal year, 10 percent of the revenues received by the department in that fiscal year from the sale of timber from federal land under a cooperative agreement under this section shall lapse from the appropriation account under s. 20.370 (1) (cz) to the conservation fund. These amounts shall be lapsed until the total amount lapsed equals $750,000.

SECTION 1052e. 29.038 (3) (b) 2. of the statutes is amended to read:

29.038 **(3)** (b) 2. Except as provided in subd. 3., <u>if</u> a local governmental unit ~~may not enact or adopt~~ <u>has in effect on or after the effective date of this subdivision .... [LRB inserts date],</u> a restriction that prohibits a person from hunting with a bow and arrow or crossbow within the jurisdiction of that local governmental unit<u>, the restriction does not apply and may not be enforced</u>.

SECTION 1052m. 29.084 (2) of the statutes is amended to read:

29.084 **(2)** A method for issuing a credit to any resident who is designated as provided under this section a specified number of times, as determined by the department, in any license year. The method shall require the department to allow the recipient of the credit to apply the credit in a manner that reduces the fee for an approval that is listed under s. 29.563 (2) (a) 1., 2., 4. to 5g., or ~~7.~~ 8. to 9., (3) (a) 1., or (6) (a) 1. by one–half of the fee that would otherwise apply to the approval, rounded up to the nearest dollar, that reduces the fee specified in s. 29.563 (4) (a) 1. for a resident sports license by $20, or that reduces the fee specified in s. 29.563 (4) (a) 2. for a resident conservation patron license by $60. The department may not require a resident to be designated more than 5 times in a license year in order to be eligible for a credit under this subsection. In this subsection, "license year" means the period between April 1 and the following March 31.

SECTION 1053b. 29.184 (3) (a) (intro.) of the statutes is renumbered 29.184 (3) (a) and amended to read:

29.184 **(3)** (a) *Prohibition.* Except as authorized under par. (br), no person may hunt bear unless the person has been issued a Class A bear license ~~or a Class B bear license and under sub. (5), no person may do any of the following:~~ under this section.

SECTION 1053c. 29.184 (3) (a) 1. of the statutes is repealed.

SECTION 1053d. 29.184 (3) (a) 2. of the statutes is repealed.

SECTION 1053e. 29.184 (3) (a) 3. of the statutes is repealed.

SECTION 1053f. 29.184 (3) (a) 4. of the statutes is repealed.

SECTION 1053g. 29.184 (3) (bg) of the statutes is repealed.

SECTION 1053h. 29.184 (3) (br) (intro.) of the statutes is amended to read:

29.184 **(3)** (br) *Authorization; ~~Class B bear license~~ to conduct other activities*. (intro.) ~~A Class B bear license authorizes a resident or nonresident holder of the license~~ No license is required for a person to do ~~only~~ any of the following:

SECTION 1053i. 29.184 (3) (br) 1m. of the statutes is amended to read:

29.184 **(3)** (br) 1m. Pursue a bear, provided that the ~~licensee~~ person does not shoot, shoot at, capture, take, or kill the bear, except as provided under subd. 4.

SECTION 1053j. 29.184 (3) (br) 4. of the statutes is amended to read:

29.184 **(3)** (br) 4. Shoot, for the purpose of killing, a bear that was shot, but not killed, by a Class A bear license holder if the ~~Class B bear license holder~~ person shooting the bear was hunting in the same hunting party as the Class A bear license holder at the point of kill, if the Class A bear license holder possesses a current unused bear carcass tag that is authorized for use on the bear killed, and if killing the bear is necessary to protect the safety of the members of the hunting party or others.

SECTION 1053k. 29.184 (3m) of the statutes is amended to read:

29.184 **(3m)** OPEN SEASON REQUIREMENTS. If the department establishes an open season that includes a period during which a Class A bear license holder is allowed to hunt bear with the use of a dog, the department shall allow a ~~Class B bear license holder~~ person to engage in the activities specified in sub. (3) (br) 3. during that period.

SECTION 1053L. 29.184 (4) (a) (intro.) of the statutes is amended to read:

29.184 **(4)** (a) (intro.) Except at facilities and specified property locations where prohibited by s. NR 45.06, Wis. Adm. Code, a person may engage in the training of a dog as authorized under sub. (3) ~~(bg) or~~ (br) without keeping it on a leash during the period from July 1st through August 31st if all of the following apply:

SECTION 1053m. 29.184 (4) (a) 2. of the statutes is amended to read:

29.184 **(4)** (a) 2. The person holds a Class A ~~or Class B~~ bear license issued under this section or is ~~exempt from holding such a license~~ authorized under sub. ~~(5)~~ (3) (br) to engage in the training of a dog without holding a license.

SECTION 1053n. 29.184 (5) of the statutes is repealed.

SECTION 1053p. 29.184 (6) (a) of the statutes is amended to read:

29.184 **(6)** (a) *Application.* A person who seeks a Class A ~~or Class B~~ bear hunting license shall apply to the department.

SECTION 1053q. 29.184 (6) (c) 2. of the statutes is repealed.

SECTION 1053r. 29.347 (2m) (a) of the statutes is amended to read:

29.347 **(2m)** (a) A carcass tag attached under sub. (2) and a registration tag attached by the department ~~or a car kill tag attached under s. 29.349 (2)~~ may be removed from a gutted carcass at the time of butchering, but the person who killed or obtained the animal shall retain all tags until the meat is consumed.

SECTION 1053s. 29.347 (2m) (b) of the statutes is amended to read:

29.347 **(2m)** (b) Subject to sub. (6), any person who retains a tag under par. (a) or who complies with s. 29.349 (2) (bm), if applicable, may give deer or elk meat to another person. The person who receives the gift of deer or elk meat is not required to possess a tag.

SECTION 1053t. 29.347 (3) (b) of the statutes is amended to read:

29.347 **(3)** (b) No person may possess or control deer or elk antlers in the velvet or a deer or an elk skin in the spotted coat of a lawfully killed deer or elk unless the person to whom the carcass tag for the deer or elk was issued, or the person who ~~had the deer tagged under~~ notified the department that he or she was taking possession of a deer under s. 29.349 (2) (bm), has requested and received authorization from the department to control or possess the antlers or skin. A request for written

authorization from the department shall be made within 7 days after the carcass tag has been attached to the deer or elk or within 7 days after notification of the possession has been given to the department under s. 29.349 (2) (bm), if applicable.

SECTION 1053u. 29.349 (2) (b) (intro.) of the statutes is amended to read:

29.349 **(2)** (b) (intro.) No person may take possession of the carcass of a bear~~,~~ ~~deer,~~ or wild turkey killed in the manner specified in par. (a) and remove the carcass from the scene of the accident unless ~~the person has complied with rules promulgated by the department under s. 29.063 (3) and~~ one of the following apply:

SECTION 1053v. 29.349 (2) (bm) of the statutes is created to read:

29.349 **(2)** (bm) No person may take possession of the carcass of a deer killed in the manner specified in par. (a) and remove the carcass from the scene of the accident unless the person has complied with rules promulgated by the department under s. 29.063 (3) and has, prior to taking possession of the carcass, notified the department in a manner prescribed by the department of the name and address of the person taking possession of the carcass and the location of the carcass.

SECTION 1053y. 29.349 (4) of the statutes is created to read:

29.349 **(4)** The department shall establish a program for the removal and disposal of deer killed by vehicles on state trunk highways.

SECTION 1053z. 29.354 (1) of the statutes is amended to read:

29.354 **(1)** APPROVAL NECESSARY. No person may possess or have under his or her control any game bird or game animal or the carcass of any game bird or game animal unless the person has a valid hunting license, sports license, conservation patron license, taxidermist permit, or scientific collector permit. This subsection does not apply to a person who takes possession of a bear, deer, or wild turkey under

s. 29.349 (2) (a) and who complies with the requirements under s. 29.349 (2) (b) or (bm), as applicable.

SECTION 1055. 29.541 (1) (a) (intro.) of the statutes is amended to read:

29.541 **(1)** (a) (intro.) Except as authorized under s. 29.934 (2) or ~~254.715~~ 97.305, no innkeeper, manager or steward of any restaurant, club, hotel, boarding house, tavern, logging camp or mining camp may sell, barter, serve or give, or cause to be sold, bartered, served or given, to its guests or boarders any of the following:

SECTION 1055d. 29.563 (2) (a) 7. of the statutes is repealed.

SECTION 1055f. 29.563 (2) (b) 5. of the statutes is repealed.

SECTION 1055h. 29.563 (6m) (a) of the statutes is amended to read:

29.563 **(6m)** (a) The fee for an approval that is listed under sub. (2) (a) 1., 2., 4. to 5g., ~~7. to~~ 8., 8m., or 9., (3) (a) 1., or (6) (a) 1. is $4.25 if the approval is issued to a person who has not received that type of approval, or has not been conferred the privileges of that type of approval under a license issued under s. 29.231 or 29.235, in any of the 10 years preceding the date of application.

SECTION 1055j. 29.563 (6m) (b) of the statutes is amended to read:

29.563 **(6m)** (b) The fee for an approval listed under sub. (2) (b) 1., 3., ~~5.,~~ 6., 7., 8., (3) (b) 1., or (6) (am) is one–half of the fee listed for the respective approval, rounded up to the nearest dollar, if the approval is issued to a person who has not received that type of approval by the department, or has not been conferred the privileges of that type of approval under a license issued under s. 29.231 or 29.235, in any of the 10 years preceding the date of application.

SECTION 1055k. 29.563 (14) (a) 1. of the statutes is amended to read:

29.563 **(14)** (a) 1. The processing fee for applications for approvals under the cumulative preference systems for the hunter's choice deer hunting permit, bonus

deer hunting permit, wild turkey hunting license, ~~Class A bear license,~~ Canada goose hunting permit, sharp–tailed grouse hunting permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: $2.75.

SECTION 1055L. 29.563 (14) (a) 1g. of the statutes is created to read:

29.563 (14) (a) 1g. The processing fee for applications for approvals under the cumulative preference system for Class A bear licenses: $4.25.

SECTION 1055m. 29.563 (14) (c) 3. of the statutes is amended to read:

29.563 **(14)** (c) 3. Each application for a hunter's choice permit, bonus deer hunting permit, elk hunting license, wild turkey hunting license, Class A bear license, wolf harvesting license, Canada goose hunting permit, sharp–tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25 cents.

SECTION 1057. 29.605 of the statutes is repealed.

SECTION 1058. 29.736 (1) (b) of the statutes is amended to read:

29.736 **(1)** (b) "Qualified inspector" means a veterinarian licensed under ch. ~~453~~ 89 or a person who is qualified to provide evidence of fish health under s. 95.60 (4s) (c).

SECTION 1060j. 29.971 (11m) (c) of the statutes is amended to read:

29.971 **(11m)** (c) Any person who is convicted of hunting bear or engaging in any of the activities under s. 29.184 (3) (br) with a dog that is not in compliance with s. 29.184 (4) or the licensing requirements under s. 174.053 or 174.07 may have his or her Class A ~~or Class B~~ bear hunting license revoked; and if the license is revoked, no Class A ~~or Class B~~ bear hunting license may be issued to the person for a period of 3 years after the date of conviction.

SECTION 1061b. 30.123 (6) (d) of the statutes is amended to read:

30.123 **(6)** (d) The construction or placement and the maintenance of a replacement culvert ~~to replace a culvert~~ that is ~~authorized under a permit issued under s. 30.12 or 30.123, if the construction, placement, and maintenance will comply with the same conditions of the permit~~ placed in substantially the same location as the culvert being replaced if the replacement culvert is constructed or placed using best management practices to comply with water quality standards under subch. II of ch. 281.

SECTION 1061c. 30.123 (6) (e) of the statutes is repealed.

SECTION 1061d. 30.123 (6m) (intro.) of the statutes is amended to read:

30.123 **(6m)** PERMITS IN LIEU OF EXEMPTIONS. (intro.) The department may decide to require that a person engaged in an activity that is exempt under sub. (6) (d) ~~or (e)~~ apply for an individual permit or seek authorization under a general permit if the department has conducted an investigation and visited the site of the activity and has determined that conditions specific to the site require restrictions on the activity in order to prevent any of the following:

SECTION 1061f. 30.123 (6p) of the statutes is created to read:

30.123 **(6p)** COSTS. If the department requires a person who replaces a culvert to apply for an individual permit or seek authorization under a general permit under sub. (6m), notwithstanding the exemptions under sub. (6) (d), and if the department includes conditions in the individual permit or under the general permit that are different than the conditions in the permit issued for the culvert being replaced, the department may not impose a fee for the individual permit or for authorization under the general permit and shall reimburse that person, from the appropriation under s. 20.370 (8) (ma), for his or her reasonable costs incurred in complying with the different conditions in the permit.

SECTION 1061g. 30.123 (6r) (a) of the statutes is amended to read:

30.123 **(6r)** (a) A person may submit to the department a written statement requesting that the department determine whether a proposed activity is exempt under sub. (6) (d) ~~or (e)~~. The statement shall contain a description of the proposed activity and site and shall give the department consent to enter and inspect the site.

SECTION 1061h. 30.123 (7) (b) of the statutes is amended to read:

30.123 **(7)** (b) Construct and maintain a culvert that replaces a culvert that is not exempt under sub. (6) (d) ~~or (e)~~ and that is in a navigable water that is less than 35 feet wide.

SECTION 1061i. 30.123 (9) of the statutes is created to read:

30.123 **(9)** RECORDS. A city, village, town, or county that replaces a culvert and that is exempt from the permitting requirements under sub. (6) shall make and retain a record of the replacement of the culvert. The record shall include all of the following information:

(a) The date on which the replacement culvert was constructed or placed.

(b) The dimensions of the replacement culvert.

(c) The location of the replacement culvert.

SECTION 1064. 30.42 (1) (e) of the statutes is amended to read:

30.42 **(1)** (e) For each county named in s. ~~15.445 (3)~~ 15.345 (8) (b), assign a department employee whose office is in the county to serve as a liaison representative on issues concerning the riverway.

SECTION 1064m. 30.42 (4) of the statutes is created to read:

30.42 **(4)** Notwithstanding s. 15.03, the department shall process and forward all personnel and biennial budget requests by the board without change except as requested or concurred in by the board.

SECTION 1065m. 30.92 (1) (b) of the statutes is amended to read:

30.92 **(1)** (b) "Governmental unit" means the department, a municipality, a lake sanitary district, a public inland lake protection and rehabilitation district organized under ch. 33, ~~the Milwaukee River revitalization council,~~ the Lower Wisconsin State Riverway board, or any other local governmental unit, as defined in s. 66.0131 (1) (a), that is established for the purpose of lake management.

SECTION 1066g. 31.02 (4d) of the statutes is created to read:

31.02 **(4d)** The department may not issue, amend, or revise an order under this section or under s. 182.71 (7) (b) with respect to a dam that, on June 1, 2015, met all of the following conditions unless the appropriate standing committee in each house of the legislature, as determined by each presiding officer, approves the order, amendment, or revision:

(a) The dam regulated the water levels of one or more lakes located in Vilas County.

(b) The dam was located in whole or in part in a city, village, or town with an equalized value exceeding $500,000,000.

(c) The dam's impoundment area at normal pool elevation exceeded 4,000 acres.

(d) The dam was continuously subject to a lake level order for a period of at least 40 years.

SECTION 1066j. 31.34 of the statutes is renumbered 31.34 (1) and amended to read:

31.34 **(1)** ~~Each~~ Except as provided in subs. (2) and (3), each person, firm, or corporation maintaining a dam on any navigable stream shall pass at all times at least ~~25%~~ 25 percent of the natural low flow of water of such stream~~, except as otherwise provided by law. This section, however, shall~~.

(3) The requirements under subs. (1) and (2) do not apply to ~~a~~ any of the following:

(a) A plant or dam where the water is discharged directly into a lake, mill pond, storage pond, or cranberry marsh~~, nor shall it apply to cases where~~.

(b) Cases in which, in the opinion of the department ~~such~~, the applicable minimum discharge described in sub. (1) or (2) is not necessary for the protection of fish life.

(4) Any person, firm, or corporation violating this section shall be fined not less than $50 nor more than $1,000.

SECTION 1066r. 31.34 (2) of the statutes is created to read:

31.34 **(2)** Except as provided in sub. (3), if all of the following apply to a dam on a navigable stream, the person, firm, or corporation maintaining the dam shall pass an amount of water not less than the lesser of the low flow of the stream over the preceding 10–year period, as determined using the 7–day, 10–year low–streamflow method, or the amount of water passed by groundwater seepage and leakage through the dam structure:

(a) The dam is in a location where a dam was originally constructed prior to 1845 and regulates water discharge to a stream from a lake with a depth of over 125 feet.

(b) The precise level of the natural low flow of water at the location of the dam prior to its construction is not known.

(c) Historically there have been extended periods during which water passed through the dam only as groundwater seepage and as the result of leakage through the dam structure.

SECTION 1066t. 31.34 (2m) of the statutes is created to read:

31.34 **(2m)** The department may not order a person, firm, or corporation maintaining a dam described under sub. (2) (a) to (c) to pass an amount of water greater than the minimum discharge described under sub. (2).

SECTION 1066u. 31.385 (7) of the statutes is amended to read:

31.385 **(7)** Notwithstanding the limitations under sub. (2) (a), and beginning with fiscal year 2011–12 and ending with fiscal year 2019–20, the department shall set aside from the appropriation under s. 20.866 (2) (ta) not ~~less~~ more than a total of $6,000,000 that may be obligated only to provide financial assistance to counties for projects to maintain, repair, modify, abandon, or remove dams. For purposes of s. 23.0917, beginning with fiscal year 2015–16, the moneys provided under this subsection from s. 20.866 (2) (ta) shall be treated as moneys obligated under s. 23.0917 (5g) (c) 2. c. To be eligible for financial assistance, a county must be under an order issued by the department to maintain, repair, modify, abandon, or remove a dam that is owned by the county and the order must be in effect on July 1, 2011. The amount of the financial assistance may not be for more than 25 percent of the costs of a project or $2,500,000, whichever is less. Subsection (2) (c) does not apply to a project for which financial assistance is provided under this subsection. A project need not be included under the inventory maintained by the department under sub. (4) in order for a county to receive financial assistance under this subsection.

SECTION 1066v. 32.01 (1) of the statutes is renumbered 32.01 (1r).

SECTION 1066x. 32.01 (1g) of the statutes is created to read:

32.01 **(1g)** "Business entity" has the meaning given in s. 13.62 (5).

SECTION 1066y. 32.02 (intro.) of the statutes is amended to read:

32.02 Who may condemn; purposes. (intro.) The following departments, municipalities, boards, commissions, public officers, and ~~corporations~~ business

entities may acquire by condemnation any real estate and personal property appurtenant thereto or interest therein which they have power to acquire and hold or transfer to the state, for the purposes specified, in case such property cannot be acquired by gift or purchase at an agreed price:

SECTION 1067b. 32.02 (1) of the statutes is amended to read:

32.02 **(1)** Any county, town, village, city, including villages and cities incorporated under general or special acts, school district, the department of health services, the department of corrections, the board of regents of the University of Wisconsin System, the building commission, a commission created by contract under s. 66.0301, with the approval of the municipality in which condemnation is proposed, a commission created by contract under s. 66.0301 or 66.0303 that is acting under s. 66.0304, if the condemnation occurs within the boundaries of a member of the commission, or any public board or commission, for any lawful purpose, but in the case of city and village boards or commissions approval of that action is required to be granted by the governing body. A mosquito control commission, created under s. 59.70 (12), and a local professional football stadium district board, created under subch. IV of ch. 229, may not acquire property by condemnation.

SECTION 1067g. 32.02 (13) of the statutes is amended to read:

32.02 **(13)** Any ~~corporation licensed~~ business entity authorized to do business in Wisconsin that shall transmit oil or related products including all hydrocarbons which are in a liquid form at the temperature and pressure under which they are transported in pipelines in Wisconsin, and shall maintain terminal or product delivery facilities in Wisconsin, and shall be engaged in interstate or international commerce, subject to the approval of the public service commission upon a finding

by it that the proposed real estate interests sought to be acquired are in the public interest.

SECTION 1067r. 32.185 of the statutes is amended to read:

32.185 Condemnor. "Condemnor", for the purposes of ss. 32.19 to 32.27, means any municipality, board, commission, public officer, or ~~corporation~~ business entity vested with the power of eminent domain which acquires property for public purposes either by negotiated purchase when authorized by statute to employ its powers of eminent domain or by the power of eminent domain. "Condemnor" also means a displacing agency. In this section, "displacing agency" means any state agency, political subdivision of the state or person carrying out a program or project with public financial assistance that causes a person to be a displaced person, as defined in s. 32.19 (2) (e).

SECTION 1073. 32.19 (3) (d) of the statutes is created to read:

32.19 **(3)** (d) *Federally financed projects.* Notwithstanding pars. (a) to (c), in the case of a program or project receiving federal financial assistance, a condemnor shall, in addition to any payment under pars. (a) to (c), make any additional payment required to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 USC 4601 to 4655, and any regulations adopted thereunder.

SECTION 1076. 32.19 (4) (d) of the statutes is created to read:

32.19 **(4)** (d) *Federally financed projects.* Notwithstanding pars. (a) to (c), in the case of a program or project receiving federal financial assistance, a condemnor shall, in addition to any payment under pars. (a) to (c), make any additional payment required to comply with the federal Uniform Relocation Assistance and Real

Property Acquisition Policies Act of 1970, 42 USC 4601 to 4655, and any regulations adopted thereunder.

SECTION 1092m. 32.29 of the statutes is amended to read:

32.29 False statements prohibited. Any officer, agent, or employee of a governmental body or ~~corporation~~ business entity granted condemnation power under s. 32.02 (1) or (3) to (16) who intentionally makes or causes to be made a statement which he or she knows to be false to any owner of property concerning the condemnation of such property or to any displaced person concerning his or her relocation benefits under s. 32.19, 32.20, 32.25, or 32.26 or who fails to provide the information required under s. 32.26 (6) shall be fined not less than $50 nor more than $1,000, or imprisoned for not more than one year in the county jail or both.

SECTION 1102. 35.001 (4) of the statutes is amended to read:

35.001 **(4)** "State agencies" ~~include~~ includes departments, boards, commissions, bureaus, and institutions ~~and the University of Wisconsin System,~~ except that "state agencies" does not include the Board of Regents of the University of Wisconsin System.

SECTION 1103. 35.01 (3) of the statutes is amended to read:

35.01 **(3)** Class 3 — All book printing required for state agencies, not otherwise classified, except ~~university press publications and technical or semitechnical journals of the University of Wisconsin System,~~ the Wisconsin Magazine of History~~,~~ and books of the historical society.

SECTION 1104. 35.015 (1) of the statutes is repealed.

SECTION 1104m. 35.035 (4) of the statutes is amended to read:

35.035 **(4)** In this section, "state agencies" ~~include~~ includes all departments as defined in s. 16.002 (2), the legislature, the courts, and the legislative and judicial

branch agencies. In this section, "state agencies" does not include the Board of Regents of the University of Wisconsin System.

SECTION 1104v. 35.07 of the statutes is created to read:

35.07 Proposed constitutional amendments. No later than the August 1 preceding a general election, the legislative reference bureau shall publish on the Internet in one or more electronic file formats each proposed constitutional amendment that was approved for the first time by the legislature preceding the election. Each such proposed constitutional amendment shall remain so published on the Internet until the conclusion of the general election.

SECTION 1105e. 35.78 (5) of the statutes is amended to read:

35.78 **(5)** In this section, "state agencies" ~~include~~ includes all departments as defined in s. 16.002 (2), the legislature, the courts, and the legislative service and judicial branch agencies. In this section, "state agencies" does not include the Board of Regents of the University of Wisconsin System.

SECTION 1105m. 35.81 (2) of the statutes is amended to read:

35.81 **(2)** "State agency" has the meaning given for "agency" in s. 13.172 (1), and for purposes of ss. 35.81 to 35.835 includes a committee, as defined in s. 15.01 (3), and a committee established by executive order under s. 14.019, except that "state agency" does not include the Board of Regents of the University of Wisconsin System or an institution, as defined in s. 36.05 (9).

SECTION 1105s. 35.835 (1) of the statutes is amended to read:

35.835 **(1)** Except as specified in sub. (2), state documents published exclusively for public sale by presses established by ~~the University of Wisconsin System or~~ the state historical society and state documents sold primarily on a

subscription basis are exempt from the state document depository library distribution requirements under s. 35.83.

SECTION 1114. 36.05 (1) of the statutes is amended to read:

36.05 **(1)** "Academic staff" means professional and administrative personnel with duties, and subject to types of appointments, that are primarily associated with higher education institutions or their administration~~, but does not include faculty and staff provided under s. 16.57~~.

SECTION 1118m. 36.05 (6) of the statutes is renumbered 36.05 (15) and amended to read:

36.05 **(15)** ~~"Classified~~ "University staff" means all employees of the system other than faculty, academic staff, persons whose employment is a necessary part of their training, student assistants, and student hourly help.

SECTION 1124. 36.07 (3) of the statutes is repealed.

SECTION 1136. 36.09 (1) (j) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

36.09 **(1)** (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for

new appointments. The board may not increase the salaries of employees under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to recognize merit, to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the secretary of administration and ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12–month period ending on the preceding June 30.

SECTION 1138m. 36.09 (2) (c) of the statutes is created to read:

36.09 **(2)** (c) The president shall appoint a special assistant to the president to serve as the director of the office of educational opportunity under s. 36.64. The special assistant serves at the pleasure of the president.

SECTION 1139g. 36.09 (3) (a) of the statutes is amended to read:

36.09 **(3)** (a) The chancellors shall be the executive heads of their respective faculties and institutions and shall be vested with the responsibility of administering board policies under the coordinating direction of the president and be accountable and report to the president and the board on the operation and administration of their institutions. Subject to board policy the chancellors of the institutions in consultation with their faculties shall be responsible for designing curricula and setting degree requirements; determining academic standards and

establishing grading systems; defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion and tenure; recommending individual merit increases; administering associated auxiliary services; and administering all funds, from whatever source, allocated, generated, or intended for use of their institutions, including approving disposition of all student fees.

SECTION 1139r. 36.09 (3m) of the statutes is created to read:

36.09 **(3m)** MEANING OF "SUBJECT TO" IN CERTAIN PROVISIONS. In subs. (4) to (5), "subject to the responsibilities and powers" means subordinate to the responsibilities and powers.

SECTION 1140m. 36.09 (4) of the statutes is amended to read:

36.09 **(4)** FACULTY. The faculty of each institution, subject to the responsibilities and powers of the board, the president, and the chancellor of such institution, ~~shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, the faculty~~ shall have the primary responsibility for advising the chancellor regarding academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance, except that the faculty of each institution shall ensure that faculty in academic disciplines related to science, technology, engineering, and mathematics are adequately represented in the faculty organizational structure.

SECTION 1141m. 36.09 (4m) of the statutes is amended to read:

36.09 **(4m)** ACADEMIC STAFF. The academic staff members of each institution, subject to the responsibilities and powers of the board, the president ~~and~~, the

chancellor, and the faculty of the institution, shall ~~be active participants in the immediate governance of and policy development for the institution. The academic staff members~~ have the primary responsibility for advising the chancellor regarding the formulation and review, and shall be represented in the development, of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

SECTION 1142m. 36.09 (5) of the statutes is amended to read:

36.09 **(5)** STUDENTS. The students of each institution or campus subject to the responsibilities and powers of the board, the president, the chancellor, and the faculty ~~shall be active participants in the immediate governance of and policy development for such institutions. As such, students~~ shall have primary responsibility for advising the chancellor regarding the formulation and review of policies concerning student life, services, and interests. Students ~~in consultation with the chancellor and subject to the final confirmation of the board~~ shall have the responsibility for recommending the disposition of those student fees which constitute substantial support for campus student activities, subject to the approval of the chancellor and the final confirmation of the board. The students of each institution or campus shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

SECTION 1146m. 36.11 (1) (b) of the statutes is amended to read:

36.11 **(1)** (b) Except as provided in this paragraph and ss. 13.48 (14) (am) and 16.848 (1), the board may purchase, have custody of, hold, control, possess, lease,

grant easements and enjoy any lands, buildings, books, records and all other property of any nature which may be necessary and required for the purposes, objects and uses of the system authorized by law. Any lease by the board is subject to the powers of the University of Wisconsin Hospitals and Clinics Authority under s. 233.03 (13) and the rights of the authority under any lease agreement, as defined in s. 233.01 (6). The board shall not permit a facility that would be privately owned or operated to be constructed on state–owned land without obtaining prior approval of the building commission under s. 13.48 (12). Subject to prior action under s. 13.48 (14) (am) or 16.848 (1), the board may sell or dispose of such property as provided by law, or any part thereof when in its judgment it is for the best interests of the system and the state. All purchases of real property shall be subject to the approval of the building commission. The provision of all leases of real property to be occupied by the board for use other than for student housing shall be the responsibility of the board. The provision of all leases of real property to be occupied by the board for use as student housing shall be the responsibility of the department of administration under s. 16.84 (5), except for leases in effect on the effective date of this paragraph .... [LRB inserts date], regardless of any subsequent extension, modification, or renewal, which shall be the responsibility of the board.

SECTION 1153m. 36.11 (3) (d) of the statutes is repealed and recreated to read:

36.11 **(3)** (d) Each institution that has any of the following applicants shall charge a uniform application fee to that group of applicants:

1. Undergraduate applicants.
2. Graduate school applicants.
3. Law school applicants.
4. Medical school applicants.

SECTION 1155. 36.11 (5) (a) of the statutes is amended to read:

36.11 **(5)** (a) The board may procure liability insurance covering the members of the board, any officer, employee, or agent, or such students whose activities may constitute an obligation or responsibility of the system.

SECTION 1156. 36.11 (5) (b) of the statutes is amended to read:

36.11 **(5)** (b) The board may procure insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics. ~~The board may not use general purpose revenue to pay for such insurance.~~ With respect to any of the risks to be covered by the insurance, the board may contract for the services of a claims administrator and may obtain coverage by any combination of self–insurance, excess or stop–loss insurance or blanket insurance.

SECTION 1160m. 36.11 (8e) of the statutes is amended to read:

36.11 **(8e)** PARKING FEES. The board shall direct each institution within the system to charge a parking fee for the parking of motor vehicles by students, faculty, academic and ~~classified~~ university staff, and visitors at campus. The board shall require the fee to be sufficient to recover the costs of the construction and maintenance necessary for the parking facilities. Nothing in this paragraph shall be deemed to require the recovery of the costs of land for parking facilities. Nothing in this paragraph shall be deemed to require that all users of the parking facilities be charged a parking fee. College campus facilities owned by a county are not required to charge a parking fee.

SECTION 1161. 36.11 (8m) of the statutes is repealed.

SECTION 1162g. 36.11 (11) of the statutes is repealed.

SECTION 1162r. 36.11 (11m) of the statutes is created to read:

36.11 **(11m)** INVESTMENT OF CERTAIN MONEYS. (a) The board may invest revenues from its auxiliary enterprises, gifts, grants, donations, and segregated fees collected for building projects by doing any of the following:

1. Directly employing a financial manager to oversee the investment of these funds.

2. Contracting with the investment board to manage the investment of these funds.

3. Selecting a private investment firm using the competitive sealed proposal process described in s. 16.75 (2m).

(b) Notwithstanding ss. 25.14 (1) (a) and 25.17 (1) (g), the board is not required to deposit revenues from its auxiliary enterprises, gifts, grants, donations, and segregated fees collected for building projects in the state investment fund if the board invests these moneys as provided in par. (a).

SECTION 1163. 36.11 (12) of the statutes is repealed.

SECTION 1164. 36.11 (13) of the statutes is repealed.

SECTION 1166. 36.11 (15m) of the statutes is repealed.

SECTION 1168. 36.11 (18) of the statutes is repealed.

SECTION 1172. 36.11 (23) of the statutes is repealed.

SECTION 1173. 36.11 (23m) of the statutes is repealed.

SECTION 1174. 36.11 (24) of the statutes is repealed.

SECTION 1175. 36.11 (25) of the statutes is repealed.

SECTION 1176. 36.11 (26) of the statutes is repealed.

SECTION 1176m. 36.11 (26m) of the statutes is created to read:

36.11 **(26m)** ENERGY CONSERVATION PROJECTS. (a) In this subsection:

1. "Eligible energy conservation project" means a project that satisfies all of the following criteria:

a. The estimated costs associated with the project are offset by the estimated savings to the system after completion of the project.

b. All estimated savings from the project are guaranteed by the qualified provider under par. (c) through a performance contract.

c. The period in which estimated savings are projected to be realized from the project does not exceed 10 years.

2. "Master lease" has the meaning given in s. 16.76 (4) (a).

3. "Qualified provider" has the meaning given in s. 66.0133 (1) (d).

(b) The president may annually identify and approve eligible energy conservation projects for the system. Eligible energy conservation projects approved by the president may be financed under a master lease entered into as provided in s. 16.76 (4), with the amount to be determined by the secretary of administration in consultation with the president.

(c) 1. With respect to any master lease for an eligible energy conservation project under par. (b), the president shall select the qualified provider for the project and shall supervise the implementation of the project.

2. For purposes of par. (a) 1., estimated savings for each energy conservation project shall be measured and verified in a manner established by the president.

(d) This subsection applies in addition to, not in lieu of, any other statute or program authorizing the system to undertake or finance energy conservation projects, including s. 16.847.

SECTION 1181m. 36.11 (29) of the statutes is amended to read:

36.11 **(29)** OTHER AGREEMENTS WITH THE UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY. The board may enter into joint purchasing contracts and other contracts, rental agreements and cooperative agreements and other necessary arrangements with the University of Wisconsin Hospitals and Clinics Authority which may be necessary and convenient for the missions, objects and uses of the University of Wisconsin Hospitals and Clinics Authority authorized by law. ~~Purchasing contracts and agreements are subject to s. 16.73 (5).~~

SECTION 1185. 36.11 (31) of the statutes is repealed.

SECTION 1186. 36.11 (32) of the statutes is repealed.

SECTION 1187. 36.11 (33) of the statutes is repealed.

SECTION 1189. 36.11 (36m) of the statutes is repealed.

SECTION 1190. 36.11 (37) of the statutes is repealed.

SECTION 1191. 36.11 (39) of the statutes is repealed.

SECTION 1194. 36.11 (44) of the statutes is repealed.

SECTION 1195. 36.11 (46) of the statutes is repealed.

SECTION 1199. 36.11 (53) of the statutes is repealed.

SECTION 1204m. 36.11 (56m) of the statutes is created to read:

36.11 **(56m)** PROCUREMENT. (a) The board shall purchase all materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services for the University of Wisconsin System.

(b) The board shall develop policies related to procurement.

SECTION 1205. 36.11 (57) of the statutes is repealed.

SECTION 1207g. 36.115 (3m) (h) of the statutes is created to read:

36.115 **(3m)** (h) The special assistant to the president appointed under s. 36.09 (2) (c).

SECTION 1207m. 36.115 (7) of the statutes is created to read:

36.115 **(7)** The board shall establish and maintain consistent employment relations policies and practices for all system employees except system employees assigned to the University of Wisconsin–Madison. The chancellor shall establish and maintain consistent employment relations policies and practices for all system employees assigned to the University of Wisconsin–Madison.

SECTION 1208. 36.12 (3) of the statutes is repealed.

SECTION 1209. 36.13 of the statutes is repealed.

SECTION 1210m. 36.15 (2) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

36.15 **(2)** APPOINTMENTS. Appointments under this section shall be made by the board, or by an appropriate official authorized by the board, under policies and procedures established by the board. Beginning on July 1, 2015, the board may not make a probationary or indefinite academic staff appointment. Any academic staff holding a probationary appointment on June 30, 2015, shall hold a fixed term appointment effective July 1, 2015. The policies for indefinite appointments made before July 1, 2015, shall provide for ~~a probationary period,~~ permanent status and such other conditions of appointment as the board establishes.

SECTION 1211. 36.15 (2m) of the statutes is repealed.

SECTION 1212g. 36.17 (1) of the statutes is amended to read:

36.17 **(1)** An appointment to a position listed in sub. (2) shall be a limited appointment and the appointment shall be at the pleasure of the board. A faculty member who has been granted tenure or a person holding ~~a tenured or~~ an academic staff appointment under ~~ss. 36.13 and~~ s. 36.15 shall not lose that appointment by accepting a limited appointment.

SECTION 1212r. 36.19 of the statutes is amended to read:

36.19 Other appointments. The board may make or authorize fixed term appointments for student assistants and employees in training, such as residents, interns, post–doctoral fellows or trainees or associates. Appointments made under this section shall not be subject to ~~ss. 36.13 and~~ s. 36.15.

SECTION 1214g. 36.21 of the statutes is amended to read:

36.21 ~~Lapse of appointments~~ Termination due to certain budget or program changes. Notwithstanding ~~ss. 36.13 (4) and~~ s. 36.15, the board may, with appropriate notice, terminate any faculty or academic staff appointment when ~~a financial emergency exists~~ such an action is deemed necessary due to a budget or program decision requiring program discontinuance, curtailment, modification, or redirection. No person may be employed at the institution within 2 years to perform reasonably comparable duties to those of the person whose appointment was terminated without first offering such person a reappointment. The board, after consultation with the faculty and chancellor of each institution, shall adopt procedures to be followed in the event of termination of academic staff under this section and the board may adopt procedures, consistent with s. 36.22, to be followed in the event of termination of faculty under this section and s. 36.22.

SECTION 1214r. 36.22 of the statutes is created to read:

36.22 Layoff or termination of faculty member due to certain budget or program changes. (1) DEFINITIONS. In this section:

(a) "Layoff" means an indefinite suspension or involuntary reduction in services and compensation of a faculty member's employment by the system.

(b) "Program change" means program discontinuance, curtailment, modification, or redirection.

(c) "Termination" means the permanent elimination of a faculty member's employment by the system.

(2) LAYOFF OR TERMINATION DUE TO CERTAIN CIRCUMSTANCES. (a) The board may, under this section and s. 36.21, with appropriate notice, lay off or terminate any faculty member when such an action is deemed necessary due to a budget or program decision requiring a program change.

(b) Any layoff or termination of a faculty member under par. (a) may be made only in accordance with the provisions of this section and implies the retention of rights indicated in this section. A faculty member who is laid off retains the rights specified in subs. (11) to (16) and a faculty member who is terminated retains the rights specified in subs. (13) and (14).

(c) Nonrenewal of an appointment, regardless of the reason, is not a layoff or termination under this section.

(3) SENIORITY. (a) In the case of layoffs of faculty members due to a budget or program decision requiring a program change, layoffs shall follow seniority unless a clear and convincing case is made that program or budget needs dictate other considerations such as the need to maintain diversity of specializations within a department.

(b) The faculty of each institution shall determine the form of seniority that is to be considered. This determination shall be effective uniformly throughout the institution. Seniority may be defined in the following, or in other, ways:

1. Without regard to rank, with seniority established by total years of service in the institution.

2. By rank, and within rank according to total years of service in the institution.

3. By rank, and within rank, according to length of service in the institution at that rank.

(4) NOTIFICATION. (a) Each faculty member who is to be laid off shall receive prompt written notification from the chancellor. Prior to issuing a layoff notification, the chancellor shall offer to consult with, and seek advice from, a faculty committee designated or created by the faculty of the institution.

(b) The notification under par. (a) shall include all of the following:

1. A summary of the reasons supporting the need for the layoff.

2. A statement of the basis on which the individual position was selected for elimination and one of the following:

a. If the position was selected for elimination on the basis of seniority, the criterion used and data supporting the choice.

b. If the position was selected for elimination on a basis other than seniority, the data and reasons supporting that choice.

3. A statement of the date on which the layoff is to be effective.

4. A copy of the statutes regarding layoff of faculty due to a budget or program decision requiring a program change and such other information or procedural regulations as the chancellor deems appropriate.

(5) NOTIFICATION PERIOD. (a) In the case of the layoff of faculty due to a budget or program decision requiring a program change, notification must be given at least 12 months in advance of the effective date.

(b) During the 12–month period under par. (a), and prior to entering layoff status, the chancellor may offer as appropriate, and the faculty member may accept, any of the following:

1. Terminal leave and early retirement.

2. Relocation leave accompanied by resignation.

(c) Acceptance of either option under par. (b) terminates the faculty member's association with the system at the end of the leave period.

(6) FACULTY HEARING COMMITTEE. (a) The faculty of each institution shall establish a committee or designate an existing committee to serve as a hearing committee for the purposes of this section. The committee shall consist of faculty members of the institution chosen by the faculty in a manner to be determined by the faculty. This standing faculty committee shall conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence, and transmit the record and summary along with its recommended findings of law and decision to the board.

(7) REVIEW HEARING. (a) A faculty member who has been notified of layoff is entitled to a hearing before the faculty hearing committee as to the appropriateness of the decision to lay off that particular individual. The budget or program decisions made to discontinue, curtail, modify, or redirect a program are not subject to review in the hearing.

(b) A hearing must be requested within 20 days of the receipt by the faculty member of notification of layoff. The request shall state with particularity the grounds to be relied upon in establishing the impropriety of the decision. Relevant information supplementary to that contained in the notification statement may be requested. The question to be considered in the review is whether one or more of the following improper factors entered into the decision to lay off:

1. Conduct, expressions, or beliefs on the faculty member's part that are constitutionally protected, or protected by the principles of academic freedom.

2. Factors proscribed by applicable state or federal law regarding fair employment practices.

3. Improper selection of the individual to be laid off.

(c) For purposes of par. (b), "improper selection" has occurred if material prejudice resulted from any of the following:

1. The procedures required by the board were not followed.

2. Available data bearing materially on the role of the faculty member in the institution were not considered.

3. Unfounded or arbitrary assumptions of fact were made.

4. Immaterial or improper factors other than those specified in par. (b) entered into the decision.

(d) The committee shall determine whether one or more of the improper factors under par. (b) entered significantly into and affected the layoff decision on the basis of the evidence presented. If the committee believes that one or more improper factors may have entered into the layoff decision but is convinced that the same decision would have been reached had the error or errors not occurred, the committee shall find the layoff decision to have been proper. The committee shall report its findings and recommendations to the chancellor and the faculty member.

(8) HEARING PROCEDURE. (a) If the faculty hearing committee requests, the chancellor shall provide legal counsel to the committee for a hearing under sub. (7). The hearing shall be closed unless the faculty member who has been notified of layoff requests an open hearing, in which case it shall be open.

(b) The faculty hearing committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. If one or more of the faculty hearing committee members disqualify themselves or are disqualified, the remaining members may select a number of other members of the faculty equal to the number who have been disqualified to serve, except that alternative methods of replacement

may be specified in the rules and procedures adopted by the faculty establishing the hearing committee under sub. (6). No faculty member who participated in the decision to lay off or who is a material witness may sit in on the faculty hearing committee.

(c) The faculty member shall be given at least 10 days' notice of the hearing. The hearing shall be held not later than 20 days after the request for hearing except that this time limit may be extended by mutual consent of the parties or by order of the faculty hearing committee.

(d) The faculty member shall have access to the evidence on which the administration intends to rely to support the decision to lay off, and shall be guaranteed all of the following minimal procedural safeguards at the hearing:

1. A right to be heard on his or her own behalf.

2. A right to counsel or other representatives or both, and to offer witnesses.

3. A right to confront and cross–examine adverse witnesses.

4. A verbatim record of the hearing, which might be a sound recording, provided at no cost.

5. Written findings of fact and decision based on the hearing record.

6. Admissibility of evidence as described in s. 227.45 (1) to (4).

(e) Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

(9) RECOMMENDATIONS AND REVIEW BY THE BOARD. The layoff decision of the chancellor and the recommendations, if any, of the faculty hearing committee, shall be transmitted to the president and to the board and acted upon as follows:

(a) If the faculty member has not requested a hearing before the faculty hearing committee, the chancellor's decision shall be deemed proper and shall be reported for information to the president and the board.

(b) If the faculty member has requested a hearing and the faculty hearing committee has found the decision to be proper, the report of the faculty hearing committee shall be forwarded to the president and board by the chancellor with a recommendation. The faculty member may request a review by the board, and the board review panel may at its option grant a review. Unless the board review panel grants the request for review, the recommended findings of fact and decision of the faculty hearing committee shall be the final decision of the board.

(c) If after a hearing, the faculty hearing committee's recommended findings of fact and decision are that the initial decision was improper, the chancellor shall review the matter and give careful consideration to the committee's finding. If the chancellor accepts the committee's findings, the chancellor's decision shall be final. If the chancellor contests the recommended findings that the decision was improper, the verbatim record, a summary of the evidence, and the recommended findings of law and decision shall be forwarded to the board review panel. The chancellor and the faculty member shall be furnished with copies of this material and shall have a reasonable opportunity to file written exceptions to the summary and proposed findings and decision and to argue with respect to them orally and in writing before the board review panel. The board review panel shall hear and decide the case and the decision of the board review panel shall be final.

(10) BOARD REVIEW. A review panel shall be appointed by the president of the board, and shall include 3 members of the board, and 2 nonvoting staff members from the academic affairs office of the system. The panel shall review the criteria and

reasoning of the chancellor and the findings and recommendations of the faculty hearing committee in each case forwarded for its review, and shall reach a decision on the recommendation to be approved. The decision shall be final and binding upon the chancellor and the faculty member affected unless one or more of the board members of the review panel request that the decision be reviewed by the full board, in which case the record shall be reviewed and a decision reached by the full board.

(11) LAYOFF STATUS. (a) A faculty member whose position has been eliminated or reduced in accordance with the provisions of this section shall, at the end of the appropriate notice period, be placed on layoff status, unless the layoff notice has been rescinded prior to that time.

(b) The faculty member whose notice period has expired, and who is placed on layoff status, shall remain on layoff status until any of the following occurs:

1. The period of the faculty member's appointment has expired under its own terms.

2. The faculty member is reappointed to the position from which he or she was laid off. Failure to accept a reappointment terminates the faculty member's association with the system.

3. The faculty member accepts an alternative continuing position in the system. Failure to accept an alternate appointment does not terminate the faculty member's association with the system.

4. The faculty member resigns.

5. The faculty member, while on layoff status, fails to notify the chancellor by December 1 of each year as to his or her location, employment status, and desire to remain on layoff status. Failure to provide this notice of desire to remain on layoff status terminates the faculty member's association with the system.

(12) ALTERNATIVE EMPLOYMENT. Each institution shall devote its best efforts to securing alternative appointments within the institution in positions for which faculty laid off under this section are qualified under existing criteria. In addition, the system shall provide financial assistance for one year for faculty who are designated for layoff to readapt within the department or within another department of the institution, where readaptation is feasible. Further, the system shall devote its best efforts to ensure that faculty members laid off or terminated in any institution are made aware of openings within the system.

(13) REAPPOINTMENT RIGHTS. Each institution shall establish administrative procedures and policies to ensure that where layoffs or terminations occur due to a budget or program decision requiring a program change, no person may be employed at that institution within 3 years to perform reasonably comparable duties to those of the faculty member laid off or terminated without first offering the laid off or terminated faculty member reappointment without loss of seniority and other rights. The 3–year period shall be computed from the effective date of layoff as specified in the original notice.

(14) RETENTION OF RANK AND SALARY. Any faculty member reappointed within 3 years after layoff or termination shall be reappointed with a rank and salary at least equivalent to the rank and salary when laid off or terminated, together with such other rights and privileges that may have accrued at that time. Any faculty member relocated within an institution or within the system shall not have either rank or salary adversely affected except by consent at the time of relocation.

(15) RIGHTS OF FACULTY MEMBERS ON LAYOFF. A faculty member on layoff status in accord with the provisions of this section has the reemployment rights guaranteed by subs. (13) and (14), and has all of the following minimal rights:

(a) The right to participate in fringe benefit programs as is allowed by state statutes and rules governing rights of laid off state employees.

(b) The right to continued use of campus facilities as is allowed by policies and procedures established by the department and institution.

(c) The right to participate in departmental and institutional activities as is allowed by guidelines established by the department and institution.

(16) SYSTEMWIDE TENURE. The commitment to systemwide tenure within the institutions formerly governed under ch. 37, 1971 stats., shall be honored by those institutions for those eligible under s. 36.13 (4), 1973 Stats., in the event of layoff or termination under the provisions of this section.

(17) LACK OF FACULTY ACTION. If the faculty of an institution is given due notice but does not establish or designate a hearing committee under sub. (6) (a), the chancellor may appoint a committee of faculty members to provide this function.

SECTION 1218. 36.25 (3m) of the statutes is repealed.

SECTION 1225m. 36.25 (11) (e) of the statutes is amended to read:

36.25 **(11)** (e) The technical staff and other employees necessary to the operation of the laboratory shall be employed ~~under the classified service~~ by the director. The board, upon the recommendation of the chancellor of the University of Wisconsin–Madison, with the approval of the laboratory of hygiene board, shall appoint the director of the laboratory and such other members of its professional staff as are required for the administration of the laboratory.

SECTION 1244. 36.25 (29) of the statutes is repealed.

SECTION 1245g. 36.25 (29m) (a) of the statutes is repealed.

SECTION 1245r. 36.25 (29m) (b) of the statutes is amended to read:

36.25 **(29m)** (b) Assist the department of public instruction to periodically assess ~~and report to the environmental education board on~~ the environmental literacy of this state's teachers and students.

SECTION 1271c. 36.27 (3) (intro.) of the statutes is amended to read:

36.27 **(3)** TUITION REMISSIONS. (intro.) ~~Within the limits established by s. 20.285 (2) (d), the~~ The board may remit nonresident tuition either in whole or in part at each institution, but not other fees:

SECTION 1271g. 36.27 (3) (a) of the statutes is amended to read:

36.27 **(3)** (a) To ~~a number of needy and worthy~~ nonresident students upon the basis of merit, to be shown by suitable tests, examinations, or scholastic records and continued high standards of scholastic attainment.

SECTION 1271n. 36.27 (3) (b) of the statutes is amended to read:

36.27 **(3)** (b) To additional ~~individual~~ students who, in the judgment of the board, are deserving of relief from the assessment of nonresident tuition ~~because of extraordinary circumstances~~.

SECTION 1271r. 36.27 (3) (c) of the statutes is repealed.

SECTION 1271w. 36.27 (3) (g) of the statutes is amended to read:

36.27 **(3)** (g) The board ~~shall~~ may remit nonresident tuition and fees, in whole or part, to resident and nonresident graduate students who are fellows or who are employed within the system as faculty, instructional academic staff, or assistants with an appointment equal to at least 33% of a full–time equivalent position.

SECTION 1272m. 36.27 (4) (b) of the statutes is repealed.

SECTION 1275m. 36.29 (8) of the statutes is created to read:

36.29 **(8)** This section does not apply to a private gift or grant made to the office of educational opportunity.

SECTION 1277m. 36.31 (2m) (b) of the statutes is amended to read:

36.31 **(2m)** (b) Notwithstanding s. 36.09 ~~(4)~~ (3) (a), the Board of Regents and the technical college system board shall, and the governing boards of tribally controlled colleges in this state and the association, on behalf of private colleges, may, enter into and implement an agreement that identifies core general education courses totaling not fewer than 30 credits and establishes policies for ensuring that, beginning in the 2014–15 academic year, credits for completing the courses are transferable and would satisfy general education requirements at the receiving institution or college, between and within each institution, college campus, and technical college, and each tribally controlled college and private college that elects to participate in the agreement.

SECTION 1278. 36.31 (3) of the statutes is repealed.

SECTION 1279. 36.32 of the statutes is repealed.

SECTION 1287. 36.39 of the statutes is repealed.

SECTION 1288. 36.395 of the statutes is repealed.

SECTION 1292. 36.44 (1) of the statutes is renumbered 36.44.

SECTION 1293. 36.44 (2) of the statutes is repealed.

SECTION 1294g. 36.45 (1) of the statutes is repealed.

SECTION 1294r. 36.45 (2) of the statutes is repealed.

SECTION 1295. 36.46 of the statutes is repealed.

SECTION 1296m. 36.48 of the statutes is amended to read:

36.48 Alcohol and other drug abuse prevention and intervention programs. The board shall appoint alcohol and other drug abuse prevention and intervention program counselors for the University of Wisconsin–Madison and the University of Wisconsin–Milwaukee. The counselors shall develop alcohol and other

drug abuse prevention and intervention programs and train faculty, academic staff and ~~classified~~ university staff in the prevention of and early intervention in alcohol and other drug abuse.

SECTION 1300. 36.53 of the statutes is repealed.

SECTION 1301. 36.54 of the statutes is repealed.

SECTION 1308k. 36.59 (1) (b) 3. of the statutes is amended to read:

36.59 **(1)** (b) 3. Following receipt of a proposed strategic plan from the system or an institution or college campus, the Board of Regents shall, before June 1, notify the system, institution, or college campus of any concerns that the Board of Regents may have regarding the plan and provide the system, institution, or college campus with its recommendations regarding the proposed plan. The Board of Regents may also submit any concerns or recommendations regarding any proposed plan to the ~~information technology management board~~ department of administration for its consideration. The ~~information technology management board~~ department of administration shall then consider the proposed plan and provide the Board of Regents with its recommendations regarding the plan. The system, institution, or college campus may submit modifications to its proposed plan in response to any recommendations.

SECTION 1308m. 36.59 (1) (b) 4. of the statutes is amended to read:

36.59 **(1)** (b) 4. Before June 15, the Board of Regents shall consider any recommendations provided by the ~~information technology management board~~ department of administration under subd. 3. and shall then approve or disapprove the proposed plan in whole or in part.

SECTION 1325m. 36.64 of the statutes is created to read:

36.64 Office of educational opportunity. (1) The board shall create the office of educational opportunity within the system.

(2) The office of educational opportunity shall evaluate proposals for contracts under s. 118.40 (2x), monitor pupil academic performance at charter schools authorized under s. 118.40 (2x), and monitor the overall operations of charter schools authorized under s. 118.40 (2x).

(3) The director of the office of educational opportunity is the special assistant to the president appointed under s. 36.09 (2) (c).

(4) The director of the office of educational opportunity may do any of the following:

(a) Appoint up to 2 associate directors.

(b) Form advisory councils to make recommendations related to authorizing charter schools under s. 118.40 (2x).

(c) Collaborate with chancellors, faculty, academic staff, and students within the system.

(d) Solicit private gifts and grants for charter schools established under s. 118.40 (2x).

(5) (a) The director of the office of educational opportunity shall report to the board any private gift or grant received by the office of educational opportunity and how the director intends to use the private gift or grant.

(b) If the office of educational opportunity receives a private gift or grant, the director shall use the gift or grant, or invest the same in the case of moneys, as the donor or grantor specifies. In the absence of any specific direction as to the use of the gift or grant, the director may, in his or her sole discretion, determine the use or investment of the gift or grant to support the office or any charter school established

under s. 118.40 (2x). The board may not exercise control over a private gift or grant received by the office of educational opportunity.

SECTION 1334. 38.04 (27) of the statutes is amended to read:

38.04 **(27)** SCHOOL SAFETY. The board shall work with ~~schools of education and other departments of the University of Wisconsin System under s. 36.11 (36m),~~ school districts, private schools, tribal schools, and the department of public instruction to present to school districts, private schools, and tribal schools the results of research on models for and approaches to improving school safety and reducing discipline problems in schools and at school activities.

SECTION 1334d. 38.08 (1) (a) 1g. a. of the statutes is amended to read:

38.08 **(1)** (a) 1g. a. Five persons representing employers. Three of the members shall represent employers with 15 or more employees, 2 of the members shall represent employers with 100 or more employees, and at least 2 of the members shall represent employers who are manufacturing businesses. A person representing an employer shall have at least 2 years of experience managing a business entity, nonprofit organization, credit union, or cooperative association with at least 15 employees or at least 2 years of experience managing the finances or the hiring of personnel of a business entity, nonprofit organization, credit union, or cooperative association with at least 100 employees.

SECTION 1334g. 38.14 (9) of the statutes is amended to read:

38.14 **(9)** ACTIVITY, INCIDENTAL AND VOCATIONAL–ADULT SEMINAR AND WORKSHOP FEES. ~~The~~ Subject to s. 38.24 (1v), the district board may establish student activity and incidental fees to fund, in whole or in part, the cost of services and activities offered as support services for regular instruction. With the approval of the state director, the district board may establish fees for vocational–adult seminars and

workshops, not to exceed the full cost of the seminar or workshop less the fee charged under s. 38.24 (1m).

SECTION 1334m. 38.22 (1s) (d) of the statutes is amended to read:

38.22 **(1s)** (d) The individual will not be attending the district school during the hours of the normal school day established under s. 119.18 (7) or 120.12 (15). <u>This paragraph does not apply to an individual enrolled in a home–based private educational program, as defined in s. 115.001 (3g).</u>

SECTION 1334r. 38.24 (1v) of the statutes is created to read:

38.24 **(1v)** CERTAIN FEES PROHIBITED. No district board may charge a student a fee associated with accident insurance coverage if all of the following apply:

(a) The student requests that the fee be waived.

(b) The student provides evidence that the student is already insured under a policy providing equivalent accident insurance coverage.

SECTION 1336m. 38.28 (1m) (a) 1. of the statutes is amended to read:

38.28 **(1m)** (a) 1. "District aidable cost" means the annual cost of operating a technical college district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), and 118.55 (7r), all receipts from grants awarded under ss. 38.04 (8), (28), and (31), 38.14 (11), 38.26, 38.27, <u>38.31,</u> 38.33, and 38.38, all fees collected under s. 38.24, and driver education and chauffeur training aids.

SECTION 1339. 38.28 (2) (be) 1. i. of the statutes is created to read:

38.28 **(2)** (be) 1. i. The development and implementation of a policy to award course credit for relevant educational experience or training not obtained through an institution of higher education, including skills training received during military service.

SECTION 1340. 38.28 (2) (be) 1m. of the statutes is amended to read:

38.28 **(2)** (be) 1m. Subject to modification by the joint committee on finance under subd. 2., allocations under the formula established under subd. 1. shall be based on a district's performance with respect to 7 of the ~~9~~ 10 criteria specified in subd. 1. a. to ~~h.~~ i., and the board shall allow each district to designate the criteria used for the allocations.

SECTION 1341. 38.28 (2) (be) 3. b. of the statutes is amended to read:

38.28 **(2)** (be) 3. b. The performance of each district with respect to each criterion specified in subd. 1. a. to ~~h.~~ i.

SECTION 1342. 38.28 (2) (be) 3. d. of the statutes is amended to read:

38.28 **(2)** (be) 3. d. The performance of the technical college system as a whole with respect to each criterion specified in subd. 1. a. to ~~h.~~ i.

SECTION 1343. 38.28 (2) (be) 5. of the statutes is amended to read:

38.28 **(2)** (be) 5. The board shall include in its biennial budget request under s. 16.42 any legislative proposals that the board recommends that relate to the criteria specified in subd. 1. a. to ~~h.~~ i. or to the plan or formula approved or modified by the joint committee on finance under subd. 2.

SECTION 1343m. 38.28 (2) (bm) 2. d. of the statutes is amended to read:

38.28 **(2)** (bm) 2. d. In fiscal year 2016–17 and each fiscal year thereafter, the percentage is 30 percent.

SECTION 1348m. 38.31 of the statutes is created to read:

38.31 Veteran grant jobs pilot program. (1) (a) The board shall establish a veteran grant jobs pilot program. Under this program, the board shall, subject to par. (b), award grants to district boards that request funding to support programs or services for veterans. Grants awarded under this section shall be awarded through a competitive grant process and paid from the appropriation under s. 20.292 (1) (r). No grant may be awarded under this section after June 30, 2017.

(b) Before awarding any grant under par. (a), the board shall secure additional funding commitments of at least $500,000 to match grant awards by the board under par. (a). No new state moneys may be contributed toward the matching funds required under this paragraph.

(2) Programs or services eligible for a grant under sub. (1) include programs or services related to any of the following:

(a) Recruiting, training, or graduating veterans in high–demand fields, as identified by the department of workforce development.

(b) Providing specialized support services for veterans, including career pathway planning, case management, advising by experts in military education related to obtaining credit for prior learning, early alert interventions, and referrals to or subcontracting with external organizations to provide specialized support services.

(c) Collaborations with employers.

(d) Work–based learning activities, such as internships, service learning, mentoring, job coaching, and job shadowing.

(e) Specialized instructional methodologies that have been demonstrated to be helpful for veterans to enhance student retention and completion.

(f) Creating, expanding, or implementing innovative methods that provide direct services to veterans, with a goal to support students through specific completion points such as completion of courses, semesters, programs, or certificates.

(g) Counseling or career services, which may include personal, educational, and career development support as well as proactive behavior and crisis intervention services.

(h) Targeted services based on student need such as financial literacy, career assessment and planning services, career workshops, computer skills and study skills workshops, veterans peer support groups, or tutoring or supplemental instruction.

(i) Accommodation and transition services, including assistive technology such as adaptive equipment, instructional aids and devices, and related services for injured veterans.

(j) Providing access or referrals to emergency dependent care and transportation assistance.

(k) Any other program or service for veterans.

(3) Not later than September 1, 2017, the board shall submit a report to the joint committee on finance that includes all of the following information:

(a) The technical colleges that received grant funding under this section and the amount of funding received by each.

(b) The programs or services funded through the grant program under this section.

(c) The total number of veterans supported through the grant program under this section.

(d) The amount of unencumbered funds, if any, that lapsed to the veterans trust fund from the appropriation account under s. 20.292 (1) (r) at the end of the 2015–17 fiscal biennium.

SECTION 1365r. 39.11 (16) of the statutes is repealed.

SECTION 1366. 39.11 (16g) of the statutes is repealed.

SECTION 1367. 39.11 (18) of the statutes is repealed.

SECTION 1370m. 39.382 of the statutes is created to read:

39.382 Tribal college payments. (1) In this section:

(a) "Bureau of Indian education" means the bureau of Indian education in the federal department of the interior.

(b) "Indian student" has the meaning given in 25 USC 1801 (a) (7).

(c) "Indian student count" has the meaning given in 25 USC 1801 (a) (8).

(d) "Tribal college" means an accredited college, operated or controlled by a federally recognized American Indian tribe or band in this state, that meets the requirements of 25 USC 1804.

(2) From the appropriation under s. 20.235 (1) (kc), the board shall make payments to the governing bodies of tribal colleges, as provided in subs. (4) and (5).

(3) Not later than October 15 of each year, the governing body of any tribal college that desires to receive payments under sub. (2) shall report to the board all of the following:

(a) The number of full–time equivalent students enrolled at the tribal college for the previous academic year who reside in Wisconsin and for whom the tribal college will not receive funds from the bureau of Indian education.

(b) The Indian student count for the previous academic year.

(c) The per student funding amount that the tribal college has received or expects to receive from the bureau of Indian education based on the tribal college's reported Indian student count for the previous academic year.

(4) Not later than December 31 of each year, the board shall make a payment to each governing body of a tribal college that has timely submitted to the board a report under sub. (3). Subject to sub. (5), the amount of the annual payment to each tribal college shall be the result obtained by multiplying the number reported under sub. (3) (a) by the per student funding amount reported under sub. (3) (c).

(5) If the moneys appropriated under s. 20.235 (1) (kc) are not sufficient to make full payment to each tribal college under sub. (4), the board shall prorate the payments to tribal colleges under sub. (4) in the proportion that the moneys available bears to the total amount of payments that would be made if sufficient moneys had been appropriated under s. 20.235 (1) (kc).

SECTION 1371e. 39.395 of the statutes is repealed.

SECTION 1371k. 39.399 of the statutes is created to read:

39.399 Teacher loan program. (1) The board shall establish a teacher loan program for students who meet all of the following requirements:

(a) Are residents of this state enrolled at least half–time as sophomores, juniors, or seniors in an institution of higher education, as defined in 20 USC 1001 (a) and (b), located in this state.

(b) Are enrolled in programs of study leading to a teacher's license in a discipline identified as a teacher shortage area for this state by the federal department of education.

(c) Have a grade point average of at least 3.0 on a 4–point scale or the equivalent.

(2) A student eligible for a loan under sub. (1) may be awarded loans of up to $10,000 annually for not more than 3 years, with a maximum of $30,000 in loans to a student under this section.

(3) (a) Loans under sub. (1) shall be made from the appropriation under s. 20.235 (1) (ct). Except as provided in par. (b), loans under sub. (1) shall be repaid at an annual interest rate of 5 percent.

(b) The board shall forgive 25 percent of the loan and 25 percent of the interest on the loan for each school year the recipient satisfies all of the following:

1. The recipient is employed by a public or private elementary or secondary school in the city of Milwaukee as a full–time teacher in a high–demand area related to the recipient's discipline under sub. (1) (b).

2. The recipient receives a rating of proficient or distinguished on the educator effectiveness system or the equivalent in a school that does not use the educator effectiveness system.

(4) The board shall deposit in the general fund as general purpose revenue–earned all repayments of loans made under sub. (1) and the interest on the loans.

SECTION 1372p. 39.40 (2) (a), (b), (c) and (d) of the statutes are repealed.

SECTION 1372r. 39.40 (2) (am), (bm), (cm) and (dm) of the statutes are created to read:

39.40 **(2)** (am) Are residents of this state enrolled at least half–time as sophomores, juniors, or seniors in an institution of higher education, as defined in 20 USC 1001 (a) and (b), located in this state.

(bm) Are enrolled in programs of study leading to a teacher's license in a discipline identified as a teacher shortage area for this state by the federal department of education.

(cm) Are enrolled in programs of study that include a student teaching component located at a public or private elementary or secondary school in the city of Milwaukee.

(dm) Have a grade point average of at least 3.0 on a 4–point scale or the equivalent.

SECTION 1372t. 39.40 (2m) of the statutes is repealed and recreated to read:

39.40 **(2m)** A student eligible for a loan under sub. (2) may be awarded loans of up to $10,000 annually for not more than 3 years, with a maximum of $30,000 in loans to a student under this section.

SECTION 1372v. 39.40 (3) of the statutes is renumbered 39.40 (3) (a) and amended to read:

39.40 **(3)** (a) Loans under sub. (2) shall be made from the appropriation under s. 20.235 (1) (cr). Except as provided in par. (b), loans under sub. (2) shall be repaid at an annual interest rate of 5 percent.

(b) The board shall forgive 25% of the loan and 25% of the interest on the loan for each school year the recipient ~~teaches in a school district described under sub. (2) (d).~~ satisfies all of the following:

SECTION 1372x. 39.40 (3) (b) 1. and 2. of the statutes are created to read:

39.40 **(3)** (b) 1. The recipient is employed by a public or private elementary or secondary school in the city of Milwaukee as a full–time teacher in a high–demand area related to the recipient's discipline under sub. (2) (bm).

2. The recipient receives a rating of proficient or distinguished on the educator effectiveness system or the equivalent in a school that does not use the educator effectiveness system.

SECTION 1382d. 40.02 (25) (a) 1. of the statutes is amended to read:

40.02 **(25)** (a) 1. Any participating state employee ~~who has been participating under the Wisconsin retirement system for a period of at least 6 months prior to attainment of age 70 not including any period of leave of absence without pay~~.

SECTION 1382g. 40.02 (25) (a) 3. of the statutes is amended to read:

40.02 **(25)** (a) 3. The blind employees of the Wisconsin workshop for the blind authorized under s. 47.03 (1) (b), 1989 stats., or of the nonprofit corporation with which the department of workforce development contracts under s. 47.03 (1m) (a), 1989 stats.~~, as of the beginning of the calendar month following completion of 1,000 hours of service.~~ Persons employed by an employer who are blind when hired shall not be eligible for life insurance premium waiver because of any disability that is directly or indirectly attributed to blindness and may convert life insurance coverage only once under the contract.

SECTION 1382i. 40.02 (25) (a) 5. of the statutes is amended to read:

40.02 **(25)** (a) 5. Any <u>participating</u> state employee ~~who has been participating under the Wisconsin retirement system for a period of at least 6 months prior to attaining age 70 not including any period of leave of absence without pay and~~ who is on union service leave except the cost for premium payments shall be entirely the responsibility of the state employee on union service leave.

SECTION 1382L. 40.02 (25) (a) 6. of the statutes is amended to read:

40.02 **(25)** (a) 6. Any <u>participating</u> state employee of the office of district attorney, other than the district attorney, in a county having a population of 500,000

or more who did not elect under s. 978.12 (6) to continue insurance coverage with that county, or who did elect such coverage but has terminated that election under s. 978.12 (6), and who has participated under the retirement system established under chapter 201, laws of 1937, and under the Wisconsin retirement system ~~for a combined and consecutive period, of at least 6 months prior to attainment of age 70, not including any period of leave of absence without pay~~.

SECTION 1385b. 40.02 (42) (b) of the statutes is amended to read:

40.02 **(42)** (b) The date on which a participant attains the age of 62 years for a participant who was an elected official or an executive participating employee before January 1, 2017, except as provided in par. (g).

SECTION 1389f. 40.03 (2) (x) of the statutes is created to read:

40.03 **(2)** (x) 1. May enter into a memorandum of understanding with the commissioner of the opportunity schools and partnership program under subch. IX of ch. 115 to include the commissioner and individuals employed at schools transferred to the program as participating employees and eligible for health care coverage under s. 40.51 (7). For purposes of s. 40.21 (1), a memorandum of understanding under this subdivision shall be considered a resolution adopted by a governing body. The secretary may not enter into the memorandum of understanding under this subdivision if the memorandum of understanding would result in the violation s. 40.015.

2. May enter into a memorandum of understanding with the superintendent of schools of the school district operating under ch. 119 to include individuals employed at schools transferred to the superintendent of schools opportunity schools and partnership program under s. 119.33 as participating employees and eligible for health care coverage under s. 40.51 (7). For purposes of s. 40.21 (1), a memorandum

of understanding under this subdivision shall be considered a resolution adopted by a governing body. The secretary may not enter into the memorandum of understanding under this subdivision if the memorandum of understanding would result in the violation s. 40.015.

3. May enter into a memorandum of understanding with the commissioner of the opportunity schools and partnership program under subch. II of ch. 119 to include the commissioner and individuals employed at schools transferred to the program as participating employees and eligible for health care coverage under s. 40.51 (7). For purposes of s. 40.21 (1), a memorandum of understanding under this subdivision shall be considered a resolution adopted by a governing body. The secretary may not enter into a memorandum of understanding under this subdivision if the memorandum of understanding under this subdivision would result in a violation of s. 40.015.

SECTION 1389h. 40.03 (5) (c) of the statutes is amended to read:

40.03 **(5)** (c) Shall determine the proper rates of premiums and contributions required, or advise as to the appropriateness of premium rates proposed by independent insurers, for each of the benefit plans provided for by this chapter. <u>For the purpose of determining separate required contribution rates for participants under s. 40.05 (1) (a) 1. and 2., and for employers under s. 40.05 (2) (a), the actuary or actuarial firm may recommend, and the board may approve, combining the participant groups under s. 40.05 (1) (a) 1. and 2. if the combination is in the actuarial interest of the fund and would result in administrative efficiency.</u>

SECTION 1389r. 40.03 (6) (L) of the statutes is created to read:

40.03 **(6)** (L) In consultation with the division of personnel management in the department of administration, annually, by April 1, shall submit any proposed

changes to the group health insurance programs under subch. IV, other than programs under ss. 40.51 (7) and 40.55, to the joint committee on employment relations. The group insurance board may not implement any changes in the group health insurance programs unless approved by the joint committee on employment relations. The joint committee on employment relations shall hold a public hearing on the proposed changes. Annually, before May 1, the joint committee on employment relations shall approve, disapprove, or approve with modifications the proposed changes and shall notify the governor of its actions. Within 10 calendar days of the notification under this paragraph, the governor shall approve or reject in its entirety the proposed changes approved by the joint committee on employment relations. A vote of 6 members of the joint committee on employment relations may override any rejection of the governor.

SECTION 1391. 40.05 (4) (ag) 1. of the statutes is amended to read:

40.05 **(4)** (ag) 1. For insured part–time employees other than employees specified in s. 40.02 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are appointed to work less than 1,044 hours per year, an amount determined annually by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration under par. (ah).

SECTION 1392. 40.05 (4) (ag) 2. of the statutes is amended to read:

40.05 **(4)** (ag) 2. For eligible employees not specified in subd. 1. and s. 40.02 (25) (b) 2., an amount not more than 88 percent of the average premium cost of plans offered in each tier under s. 40.51 (6), as determined annually by the ~~director~~ administrator of the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration under par. (ah).

SECTION 1393. 40.05 (4) (ah) 1. of the statutes is amended to read:

40.05 **(4)** (ah) 1. Annually, the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration shall establish the amount that employees are required to pay for health insurance premiums in accordance with the maximum employer payments under par. (ag).

SECTION 1398. 40.05 (4g) (a) 4. of the statutes is amended to read:

40.05 **(4g)** (a) 4. Has received a military leave of absence under s. 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or under rules promulgated by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration or is eligible for reemployment with the state under s. 321.64 after completion of his or her service in the U.S. armed forces.

SECTION 1398m. 40.05 (5) (a) of the statutes is amended to read:

40.05 **(5)** (a) For teachers ~~in the unclassified service of the state~~ employed by the board of regents of the university, no contribution if the teacher has less than one year of state creditable service and an amount equal to the gross premium for coverage subject to a 130–day waiting period if the teacher has one year or more of state creditable service.

SECTION 1400. 40.06 (1) (dm) of the statutes is amended to read:

40.06 **(1)** (dm) Each determination by a department head regarding the classification of a state employee as a protective occupation participant shall be reviewed by the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration. A state employee's name may not be certified to the fund as a protective occupation participant under par. (d) until the ~~office~~

division of ~~state employment relations~~ personnel management in the department of administration approves the determination.

SECTION 1401. 40.08 (1c) of the statutes is amended to read:

40.08 **(1c)** WITHHOLDING OF ANNUITY AND CERTAIN BENEFIT PAYMENTS. Notwithstanding sub. (1), any monthly annuity paid under s. 40.23, 40.24, 40.25 (1) or (2), or 40.63 and any benefit paid under s. 40.62 or duty disability payment paid under s. 40.65 is subject to s. 767.75. The board and any member or agent thereof and the department and any employee or agent thereof are immune from civil liability for any act or omission while performing official duties relating to withholding any ~~annuity~~ payment pursuant to s. 767.57.

SECTION 1405d. 40.51 (2) of the statutes is amended to read:

40.51 **(2)** Except as provided in subs. (10), (10m), (11) and (16), any eligible employee may become covered by group health insurance by electing coverage within 30 days of being hired, to be effective as of the first day of the month ~~which begins on or after the date the application is received by the employer~~ that first occurs during the 30–day period, or by electing coverage prior to becoming eligible for employer contribution towards the premium cost as provided in s. 40.05 (4) (a) to be effective upon becoming eligible for employer contributions. An eligible employee who is not insured, but who is eligible for an employer contribution under s. 40.05 (4) (ag) 1., may elect coverage prior to becoming eligible for an employer contribution under s. 40.05 (4) (ag) 2., with the coverage to be effective upon becoming eligible for the increase in the employer contribution. Any employee who does not so elect at one of these times, or who subsequently cancels the insurance, shall not thereafter become insured unless the employee furnishes evidence of insurability satisfactory to the insurer, at the employee's own expense or obtains coverage subject to

contractual waiting periods. The method to be used shall be specified in the health insurance contract.

SECTION 1406. 40.513 of the statutes is created to read:

40.513 Payment of stipend in lieu of health care coverage for state employees. (1) Subject to sub. (3), a state employee who is eligible to receive health care coverage under s. 40.51 (6) may elect not to receive that coverage and instead be paid an annual stipend equal to $2,000 if all of the following occur:

(a) The employee is eligible for an employer contribution under s. 40.05 (4) (ag).

(b) The employee makes the election on a form provided by the department.

(c) The employee makes the election within 30 days of being hired or during any applicable enrollment period established by the department. If the employee makes the election within 30 days of being hired, the employee may not receive health care coverage under s. 40.51 (6) during the calendar year in which the election is made. If the employee makes the election during any annual applicable enrollment period established by the department, the employee may not receive health care coverage under s. 40.51 (6) during the succeeding calendar year.

(2) A stipend paid to an employee under sub. (1) shall be paid from the appropriation account that would otherwise have been used to pay the employer contribution toward premium payments under s. 40.05 (4) (ag) for that employee. If an employee makes the election within 30 days of being hired, the employer shall prorate the $2,000 stipend according to the remaining number of months in the calendar year in which the election is made.

(3) A state employee may not be paid an annual stipend under sub. (1) if any of the following occurs:

(a) The employee was eligible for an employer contribution under s. 40.05 (4) (ag) during the 2015 calendar year and elected not to receive health care coverage in that calendar year.

(b) The employee's spouse or domestic partner is receiving health care coverage under s. 40.51 (6).

SECTION 1407. 40.515 (1) of the statutes is amended to read:

40.515 **(1)** In addition to the health care coverage plans offered under s. 40.51 (6), beginning on January 1, 2015, the group insurance board shall offer to all state employees the option of receiving health care coverage through a high–deductible health plan and the establishment of a health savings account. Under this option, each employee shall receive health care coverage through a high–deductible health plan. The state shall make contributions into each employee's health savings account in an amount specified by the ~~director of the office~~ <u>administrator of the division</u> of ~~state employment relations~~ <u>personnel management in the department of administration</u> under s. 40.05 (4) (ah) 4. In designing a high–deductible health plan, the group insurance board shall ensure that the plan may be used in conjunction with a health savings account.

SECTION 1408. 40.52 (3) of the statutes is amended to read:

40.52 **(3)** The group insurance board, after consulting with the board of regents of the University of Wisconsin System, shall establish the terms of a health insurance plan for graduate assistants, for teaching assistants, and for employees–in–training designated by the board of regents, who are employed on at least a one–third full–time basis and for teachers who are employed on at least a one–third full–time basis by the University of Wisconsin System with an expected duration of employment of at least 6 months but less than one year. Annually, the ~~director of the~~

~~office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration shall establish the amount that the employer is required to pay in premium costs under this subsection.

SECTION 1409m. 40.61 (2) of the statutes is amended to read:

40.61 **(2)** Except as provided in sub. (4), any eligible employee may become covered by income continuation insurance by electing coverage within 30 days of initial eligibility, to be effective as of the first day of the month ~~which begins on or after the date the application is received by the employer~~ that first occurs during the 30–day period, or by electing coverage within ~~30~~ 60 days of initially becoming eligible for a higher level of employer contribution towards the premium cost to be effective as of the first day of the month following the date ~~the application is received by the employer~~ of eligibility for teachers employed by the university and effective as of the following April 1 for all other employees. Any employee who does not so elect at one of these times, or who subsequently cancels the insurance, may not thereafter become insured unless the employee furnishes evidence of insurability under the terms of the contract, or as otherwise provided by rule for employees under sub. (3), at the employee's own expense or obtains coverage subject to contractual waiting periods if contractual waiting periods are provided for by the contract or by rule for employees under sub. (3). An employee who furnishes satisfactory evidence of insurability under the terms of the contract shall become insured as of the first day of the month following the date of approval of evidence. The method to be used shall be determined by the group insurance board under sub. (1).

SECTION 1412d. 40.65 (2) (a) of the statutes is amended to read:

40.65 **(2)** (a) This paragraph applies to participants who first apply for benefits before May 3, 1988. Any person desiring a benefit under this section must apply to

the department of workforce development, which department shall determine whether the applicant is eligible to receive the benefit and the participant's monthly salary. Appeals from the eligibility decision shall follow the procedures under ss. 102.16 to 102.26. If it is determined that an applicant is eligible, the department of workforce development shall notify the department of employee trust funds and shall certify the applicant's monthly salary. If at the time of application for benefits an applicant is still employed in any capacity by the employer in whose employ the disabling injury occurred or disease was contracted, that continued employment shall not affect that applicant's right to have his or her eligibility to receive those benefits determined in proceedings before the ~~department of workforce development~~ division of hearings and appeals in the department of administration or the labor and industry review commission or in proceedings in the courts. The department of workforce development may promulgate rules needed to administer this paragraph.

SECTION 1413. 40.65 (2) (b) 3. of the statutes is amended to read:

40.65 **(2)** (b) 3. The department shall determine whether or not the applicant is eligible for benefits under this section on the basis of the evidence in subd. 2. An applicant may appeal a determination under this subdivision to the ~~department of workforce development~~ division of hearings and appeals in the department of administration.

SECTION 1414. 40.65 (2) (b) 4. of the statutes is amended to read:

40.65 **(2)** (b) 4. In hearing an appeal under subd. 3., the ~~department of workforce development~~ division of hearings and appeals in the department of administration shall follow the procedures under ss. 102.16 to 102.26.

SECTION 1420. 41.11 (6) of the statutes is repealed.

SECTION 1421. 41.16 (1) (a) 1. of the statutes is amended to read:

41.16 **(1)** (a) 1. A nonprofit organization, as defined in s. 106.13 ~~(4)~~ (3m) (a) 1r., whose purposes include tourism to or within the state or a particular region in the state.

SECTION 1422m. 41.25 of the statutes is created to read:

41.25 Frank Lloyd Wright promotion. (1) In the 2015–17 fiscal biennium, from the appropriation under s. 20.380 (1) (b), the department shall expend $500,000 to promote, advertise, and publicize buildings designed or constructed by Frank Lloyd Wright that are open to the public.

SECTION 1424m. 41.41 (4) (d) of the statutes is created to read:

41.41 **(4)** (d) Notwithstanding s. 15.03, the department shall process and forward all personnel and biennial budget requests by the board without change except as requested or concurred in by the board.

SECTION 1430. 44.11 of the statutes is repealed and recreated to read:

44.11 Central depository library. (1) In this section, "board" means the board of curators of the historical society.

(2) The board may participate in the formation and maintenance of a nonprofit–sharing corporation sponsored by participating colleges, universities, and libraries for the purpose of providing and operating a central library depository at a location in a midwestern state for the storage of little used books and other library and research materials of participating institutions, and which corporation may also perform any other functions for the benefit of participating institutions, including correlating library catalogs of the participating institutions, coordinating and planning the purchasing by each institution of costly or infrequently used books and research materials in order to avoid unnecessary duplication, and facilitating the loaning of library books and other library and research materials between

participating institutions. The board shall possess all powers necessary or convenient to accomplish the foregoing, including the authority to designate representatives or members of such corporation in accordance with its articles and bylaws.

(3) The board may make use of and pay for the use of the facilities and services of such nonprofit–sharing corporation, but the board shall retain title to all books and materials deposited with such corporation for storage or loaned to other participating institutions and the authority of the board to expend funds for the purchase of land, the construction of buildings and additions to buildings and the purchase of equipment for the purpose of providing such facilities shall be limited to funds appropriated under s. 20.245.

SECTION 1439. 45.10 of the statutes is created to read:

45.10 Veteran appearances. The department may reimburse any veteran who incurred travel expenses relating to an appearance that occurred at the request of the state, subject to the following:

(1) A veteran seeking reimbursement shall submit to the department documentation of travel expenses incurred.

(2) Notwithstanding ss. 16.53 (12) (c) and 20.916 (8) and (9), the department may reimburse all documented travel expenses but reimbursement shall not exceed $2,000 annually per veteran.

SECTION 1447m. 45.205 of the statutes is repealed.

SECTION 1453. 45.44 (1) (a) 5. of the statutes is amended to read:

45.44 **(1)** (a) 5. A license, certification, registration, or permit issued under s. <u>89.06, 89.072,</u> 94.10 (2), (3), or (3g), 94.50 (2), 94.704, 95.60, 97.17 (2), 97.175 (2), 97.22 (2), 98.145, 98.146, 98.18 (1) (a), or 168.23 (3).

SECTION 1454. 45.44 (1) (a) 14. of the statutes is amended to read:

45.44 **(1)** (a) 14. A license, certification, certification card, or permit issued under s. ~~252.23, 252.24,~~ 254.176, 254.178, 254.20, 254.71, and 256.15.

SECTION 1455. 45.44 (1) (a) 14. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

45.44 **(1)** (a) 14. A license, certification, certification card, or permit issued under ~~s.~~ ss. 97.33, 254.176, 254.178, 254.20, ~~254.71,~~ and 256.15.

SECTION 1458. 45.51 (2) (a) 3. of the statutes is amended to read:

45.51 **(2)** (a) 3. A spouse~~,~~ or surviving spouse~~, or parent~~ of a person under subd. 1. or 2 or a parent of a person who died while serving in the U.S. armed forces.

SECTION 1458r. 45.58 of the statutes is created to read:

45.58 Grants to local governments. From the appropriation under s. 20.485 (1) (kj), the department may make grants to cities, villages, and towns that provide services to veterans homes.

SECTION 1458rb. 45.58 of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 1459. 45.60 (1) (a) of the statutes is renumbered 45.60 (1) (a) (intro.) and amended to read:

45.60 **(1)** (a) (intro.) The department shall administer a program to coordinate the provision of military funeral honors in this state to ~~deceased veterans and to deceased persons who have served under honorable conditions in any national guard or in a reserve component of the U.S. armed forces.~~ all of the following:

SECTION 1460. 45.60 (1) (a) 1. of the statutes is created to read:

45.60 **(1)** (a) 1. Military personnel on active duty.

SECTION 1461. 45.60 (1) (a) 2. of the statutes is created to read:

45.60 **(1)** (a) 2. Former military members who served on active duty and were discharged under conditions other than dishonorable.

SECTION 1462. 45.60 (1) (a) 3. of the statutes is created to read:

45.60 **(1)** (a) 3. Members of the selective service.

SECTION 1463. 45.60 (1) (a) 4. of the statutes is created to read:

45.60 **(1)** (a) 4. Former members of the selected reserve and national guard who served at least one term of enlistment or period of initial obligated service and were discharged under conditions other than dishonorable.

SECTION 1464. 45.60 (1) (a) 5. of the statutes is created to read:

45.60 **(1)** (a) 5. Former members of the selected reserve or national guard who were discharged due to a service–connected disability or for a disability subsequently adjudicated to have been service–connected.

SECTION 1465. 45.82 (2) of the statutes is amended to read:

45.82 **(2)** The department of veterans affairs shall award a grant annually, on a reimbursable basis as specified in this subsection, to a county that meets the standards developed under this section ~~and~~ if the county executive, administrator, or administrative coordinator certifies to the department that it employs a county veterans service officer who, if chosen after ~~August 9, 1989~~ April 15, 2015, is chosen from a list of candidates who have taken a civil service examination for the position of county veterans service officer developed and administered by the ~~division~~ bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration, or is appointed under a civil service competitive examination procedure under s. 59.52 (8) or ch. 63. ~~The grant shall be~~ The department of veterans affairs shall twice yearly reimburse grant recipients for documented expenses under sub. (5), subject to the following annual reimbursement

limits: $8,500 for a county with a population of less than 20,000, $10,000 for a county with a population of 20,000 to 45,499, $11,500 for a county with a population of 45,500 to 74,999, and $13,000 for a county with a population of 75,000 or more. The department of veterans affairs shall use the most recent Wisconsin official population estimates prepared by the demographic services center when making grants under this subsection.

SECTION 1465m. 45.82 (4) of the statutes is amended to read:

45.82 **(4)** The department shall provide grants on a reimbursable basis as specified in this subsection to the governing bodies of federally recognized American Indian tribes and bands from the appropriation under s. 20.485 (2) (km) or (vw) if that governing body enters into an agreement with the department regarding the creation, goals, and objectives of a tribal veterans service officer, appoints a veteran to act as a tribal veterans service officer, and gives that veteran duties similar to the duties described in s. 45.80 (5), except that the veteran shall report to the governing body of the tribe or band. The department ~~may make annual grants of up to~~ shall twice yearly reimburse grant recipients for documented expenses under sub. (5), not to exceed $15,000 per grant under this subsection and shall promulgate rules to implement this subsection.

SECTION 1465n. 45.82 (5) of the statutes is created to read:

45.82 **(5)** Only the following expenses are eligible for reimbursement under subs. (2) and (4):

(a) Information technology.

(b) Transportation for veterans and service to veterans with barriers.

(c) Special outreach to veterans.

(d) Training and services provided by the department and the federal department of veterans affairs.

(e) Salary and fringe benefit expenses incurred in 2015; salary and fringe benefit expenses incurred in 2016, except that total reimbursement for such expenses shall not exceed 50 percent of the applicable maximum grant under sub. (2) or (4); and salary and fringe benefit expenses incurred in 2017, except that total reimbursement for such expenses shall not exceed 25 percent of the applicable maximum grant under sub. (2) or (4).

SECTION 1465o. 45.82 (6) of the statutes is created to read:

45.82 **(6)** The department shall promulgate rules establishing criteria and procedures for reimbursement under subs. (2) and (4).

SECTION 1466. 46.011 (1) of the statutes is renumbered 46.011 (1e).

SECTION 1467. 46.011 (1c) of the statutes is created to read:

46.011 **(1c)** "Community–based juvenile delinquency–related services" means juvenile delinquency–related services provided under ch. 938 other than juvenile correctional services.

SECTION 1468b. 46.011 (1p) of the statutes is created to read:

46.011 **(1p)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) (a), or (7g), or 938.357 (4).

SECTION 1469b. 46.011 (1p) of the statutes, as created by 2015 Wisconsin Act .... (this act), is amended to read:

46.011 **(1p)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) ~~(a)~~, or (7g), or 938.357 (4).

SECTION 1470. 46.03 (18) (a) of the statutes is amended to read:

46.03 **(18)** (a) Except as provided in s. 46.10 (14) (b) and (c), the department shall establish a uniform system of fees for services provided or purchased by the department, or a county department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided under ch. 48 and subch. III of ch. 49; community–based juvenile delinquency–related services; juvenile correctional services; services provided to courts; and outreach, information, and referral services; or when, as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. A county department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees that it collects under this program to cover the cost of those services.

SECTION 1471. 46.03 (20) (a) of the statutes is amended to read:

46.03 **(20)** (a) ~~Except for payments provided under ch. 48 or subch. III of ch. 49, the~~ The department may make payments directly to recipients of public assistance or to ~~such~~ persons authorized to receive ~~such~~ those payments in accordance with law and rules of the department on behalf of the counties. ~~Except for payments provided under ch. 48 or subch. III of ch. 49, the~~ The department may charge the counties for the cost of operating public assistance systems ~~which~~ that make ~~such~~ those payments.

SECTION 1471nb. 46.036 (3) (a) of the statutes is amended to read:

46.036 **(3)** (a) ~~Purchase of service contracts~~ Contracts under this section shall be written in accordance with rules promulgated and procedures established by the department. Contracts for client services shall show the total dollar amount to be purchased ~~and~~; shall show for each service the number of clients to be served, number of client service units, the unit rate per client service, and the total dollar

amount for each service; shall permit the provider of a rate–based service to generate a surplus of revenue earned under the contract over allowable costs incurred in the contract period; and shall permit a nonprofit corporation that is a provider of a rate–based service or a rate–regulated service to retain from that surplus the amounts specified in sub. (5m) (b), (c), (d), or (em), whichever is applicable. Nothing in this paragraph shall be construed to guarantee the generation of a surplus by a provider of a rate–based service.

SECTION 1471nc. 46.036 (3) (c) of the statutes is amended to read:

46.036 **(3)** (c) For proprietary agencies, contracts may include a percentage add–on for profit according to rules promulgated by the department. In calculating profits generated by a rate–regulated service, a proprietary agency may combine revenues in the same manner that a nonprofit corporation is permitted to combine revenues under sub. (5m) (c) 1. and may offset surpluses generated by affiliated providers against deficits generated by such providers in the same manner that a nonprofit corporation is permitted to offset surpluses against deficits under sub. (5m) (c) 2. In calculating profits generated by a rate–based service, a proprietary agency that is a successor provider following a merger, acquisition, consolidation, reorganization, sale, or other transfer may offset surpluses generated by a preexisting provider against deficits generated by such a provider in the same manner that a nonprofit corporation is permitted to offset surpluses against deficits under sub. (5m) (d).

SECTION 1471ne. 46.036 (5m) (a) 1. of the statutes is renumbered 46.036 (5m) (a) 1r.

SECTION 1471nf. 46.036 (5m) (a) 1d. of the statutes is created to read:

46.036 **(5m)** (a) 1d. "Affiliated provider" means a provider that has control of, is subject to the control of, or is under common control with another provider.

SECTION 1471ng. 46.036 (5m) (a) 1g. of the statutes is created to read:

46.036 **(5m)** (a) 1g. "Combined revenues" means the aggregate revenues received by a provider from all purchasers of all rate–regulated services provided by the provider.

SECTION 1471nh. 46.036 (5m) (a) 1j. of the statutes is created to read:

46.036 **(5m)** (a) 1j. "Control" means the possession of the power, directly or indirectly, to direct or cause the direction of the management and policies of a provider through the ownership of more than 50 percent of the voting rights of the provider, by contract, or otherwise.

SECTION 1471nj. 46.036 (5m) (a) 2. of the statutes is amended to read:

46.036 **(5m)** (a) 2. "Rate–based service" means a service or a group of <u>similar</u> services, as determined by the department, <u>provided under one or more contracts between a provider and the purchaser of those services</u> that is reimbursed through a prospectively set rate and that is distinguishable from other services or groups of <u>similar</u> services by the purpose for which funds are provided for that service or group of <u>similar</u> services and by the source of funding for that service or group of <u>similar</u> services.

SECTION 1471nk. 46.036 (5m) (a) 3. of the statutes is created to read:

46.036 **(5m)** (a) 3. "Rate–regulated service" means a rate–based service that is reimbursed through a rate established under s. 49.343.

SECTION 1471nn. 46.036 (5m) (b) 1. and 2. of the statutes are consolidated, renumbered 46.036 (5m) (b) and amended to read:

46.036 **(5m)** (b) Subject to ~~subd. 2. and~~ pars. (c), (d), (e), and (em), if revenue under a contract for the provision of a rate–based service exceeds allowable costs incurred in the contract period, the provider ~~may~~ shall be permitted to retain ~~from the~~ any surplus generated by that rate–based service ~~up to 5% of the revenue received under the contract. A provider that retains a surplus under this subdivision shall~~ as provided in this paragraph and to use that retained ~~surplus to cover a deficit between revenue and allowable costs incurred in any preceding or future contract period for the same rate–based service that generated the surplus or to address the programmatic needs of clients served by the same rate–based service that generated the surplus. 2.~~ amount, in the sole discretion of the provider, to cover any allowable costs specified in 2 CFR Part 200 or in any other applicable federal law or regulation. If on December 31 of any year the amount accumulated by a provider from all contract periods ending during that year for a rate–based service exceeds 5 percent of the total revenue received from all of those contract periods, the provider shall provide written notice of that excess to all purchasers of that rate–based service and, upon the written request of such a purchaser received no later than 6 months after the date of the notice, shall return to the purchaser the purchaser's proportional share of that excess. Subject to pars. (c), (d), (e), and (em), a provider may accumulate funds from more than one contract period under this paragraph~~, except that, if at the end of a contract period the amount accumulated from all contract periods for a rate–based service exceeds 10% of the revenue received under all current contracts for that rate–based service, the provider shall, at the request of a purchaser, return to that purchaser the purchaser's proportional share of that excess and use any of that excess that is not returned to a purchaser to reduce the provider's unit rate per client for that rate–based service in the next contract period. If a provider has held~~

~~for 4 consecutive contract periods an accumulated reserve for a rate–based service that is equal to or exceeds 10% of the revenue received under all current contracts for that rate–based service, the provider shall apply 50% of that accumulated amount to reducing its unit rate per client for that rate–based service in the next contract period~~. A contract for a rate–based service may not limit the provider to retaining from any surplus generated by that service an amount that is less than 5 percent of the revenue received under the contract. Nothing in this paragraph shall be construed to guarantee the generation of a surplus by the provider of a rate–based service.

SECTION 1471np. 46.036 (5m) (c) of the statutes is created to read:

46.036 **(5m)** (c) 1. Subject to subd. 2. and par. (e), if on December 31 of any year the combined revenues from all contract periods ending during that year for all rate–regulated services exceed the allowable costs related to the provision of those rate–regulated services in that year, the provider shall be permitted to retain any surplus generated by those rate–regulated services as provided in this subdivision and to use that retained amount, in the sole discretion of the provider, to cover any allowable costs specified in 2 CFR Part 200 or in any other applicable federal law or regulation. If on December 31 of any year the amount accumulated by a provider from all contract periods ending during that year for a rate–regulated service provided under those contracts in that year exceeds 5 percent of the total revenue received from all of those contract periods, the provider shall provide written notice of that excess to all purchasers of that rate–regulated service and, upon the written request of such a purchaser received no later than 6 months after the date of the notice, shall return to the purchaser the purchaser's proportional share of that excess. A contract for a rate–regulated service may not limit the provider to

retaining from any surplus generated by that service an amount that is less than 5 percent of the revenue received under the contract. Nothing in this subdivision shall be construed to guarantee the generation of a surplus by a provider of a rate–regulated service.

2. In calculating under subd. 1. the surplus generated by 2 or more affiliated providers, any surplus of combined revenues over allowable costs generated by one or more of those affiliated providers shall be reduced, but not below zero, by any deficit between combined revenues and allowable costs generated by any one or more of those affiliated providers. If after that reduction there remains any net surplus, that net surplus shall be allocated among the affiliated providers that generated a surplus in proportion to the amount of surplus generated by each such affiliated provider and subd. 1. shall apply to each such affiliated provider's proportionate share of that surplus.

SECTION 1471nq. 46.036 (5m) (d) of the statutes is created to read:

46.036 **(5m)** (d) In making the calculations under par. (b), if 2 or more providers engage in a merger, acquisition, consolidation, reorganization, sale, or other transfer resulting in a single successor provider, all surpluses generated by a rate–based service provided by a preexisting provider shall be offset against all deficits generated by that service provided by a preexisting provider and those net surpluses or deficits shall be the surpluses or deficits of the successor provider.

SECTION 1471nr. 46.036 (5m) (e) of the statutes is amended to read:

46.036 **(5m)** (e) Notwithstanding par. (b) ~~1. and 2.~~, the department or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that purchases care and services from an inpatient alcohol and other drug abuse treatment program that is not affiliated with a hospital and that is licensed as a community–based residential

facility, may allocate to the program an amount that is equal to the amount of revenues received by the program that are in excess of the allowable costs incurred in the period of a contract between the program and the department or the county department for purchase of care and services under this section. The department or the county department may make the allocation under this paragraph only if the funds so allocated do not reduce any amount of unencumbered state aid to the department or the county department that otherwise would lapse to the general fund.

SECTION 1471ns. 46.036 (5m) (em) of the statutes is amended to read:

46.036 **(5m)** (em) Notwithstanding pars. (b) ~~1. and 2.~~ and (e), a county department under s. 46.215, 51.42, or 51.437 providing client services in a county having a population of 500,000 or more or a nonstock, nonprofit corporation providing client services in such a county may not retain a surplus ~~under par. (b) 1.,~~ <u>or</u> accumulate funds under par. (b) ~~2.,~~ or allocate an amount under par. (e) from revenues that are used to meet the maintenance–of–effort requirement under the federal temporary assistance for needy families program under 42 USC 601 to 619.

SECTION 1472. 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,365,500 in each fiscal year and, from the appropriation account under s. 20.410 (3) (hm), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) ~~$2,707,100~~ <u>$2,929,200</u> in fiscal year ~~2013–14~~ <u>2015–16</u> and ~~$2,772,800~~ <u>$2,997,600</u> in fiscal year ~~2014–15~~ <u>2016–17</u>, for services for juveniles placed at the Mendota juvenile treatment center. The department of health

services may charge the department of corrections not more than the actual cost of providing those services.

SECTION 1473. 46.10 (14) (e) 1. of the statutes is amended to read:

46.10 **(14)** (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a) or 48.363 (2) for support determined under this subsection constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108 and other money due or to be due in the future to the county department under s. 46.22 or 46.23 in the county where the order was entered or to the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

SECTION 1474. 46.206 (1) (a) of the statutes is amended to read:

46.206 **(1)** (a) The department shall supervise the administration of social services, except ~~as~~ for social services provided under ch. 48 and subch. III of ch. 49 ~~and except for~~, community-based juvenile delinquency-related services, and juvenile correctional services. The department shall submit to the federal authorities state plans for the administration of social services, except ~~as~~ for social services provided under ch. 48 and subch. III of ch. 49 ~~and except for~~, community-based juvenile delinquency-related services, and juvenile correctional services, in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their correctness.

SECTION 1475. 46.206 (2) of the statutes is amended to read:

46.206 **(2)** The county administration of all laws relating to social services~~,~~ ~~except with respect to the programs under ch. 48 and subch. III of ch. 49 and to juvenile delinquency–related programs,~~ shall be vested in the officers and agencies designated in the statutes.

SECTION 1478b. 46.215 (1) (d) of the statutes is amended to read:

46.215 **(1)** (d) To make investigations that relate to services under subchs. IV and V of ch. 49 upon request by the department of health services~~, to make investigations that relate to juvenile delinquency–related services at the request of the department of corrections,~~ and to make investigations that relate to programs under ch. 48 and subch. III of ch. 49 <u>or to community–based juvenile delinquency–related services</u> upon request by the department of children and families.

SECTION 1484. 46.215 (2) (a) 1. of the statutes is amended to read:

46.215 **(2)** (a) 1. In order to ensure the availability of a full range of care and services, the county department of social services may contract, either directly or through the department of health services, with public or voluntary agencies or others to purchase, in full or in part, care and services, except as provided under subch. III of ch. 49 and s. 301.08 (2)~~, which~~ <u>and except for community–based juvenile delinquency–related services, that</u> the county department of social services is authorized by any statute to furnish in any manner. ~~This~~ <u>That</u> care and ~~these~~ <u>those</u> services may be purchased from the department of health services if the department of health services has staff to furnish ~~the~~ <u>that</u> care and <u>those</u> services. If the county department of social services has adequate staff, it may sell ~~the~~ <u>that</u> care and <u>those</u> services directly to another county or state agency.

SECTION 1485. 46.215 (2) (a) 2. of the statutes is amended to read:

46.215 **(2)** (a) 2. In order to ensure the availability of a full range of care and services, the county department of social services may contract, either directly or through the department of children and families, with public or voluntary agencies, or others to purchase, in full or in part, care and services under ch. 48 and subch. III of ch. 49 ~~which~~ and community–based juvenile delinquency–related services that the county department of social services is authorized to furnish. ~~This~~ That care and ~~these~~ those services may be purchased from the department of children and families if the department of children and families has staff to furnish ~~the~~ that care and those services. If the county department of social services has adequate staff, it may sell ~~the~~ that care and those services directly to another county or state agency.

SECTION 1487. 46.215 (2) (c) 1. of the statutes is amended to read:

46.215 **(2)** (c) 1. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for the purchase of care and services ~~to be purchased~~, except for care and services under subch. III of ch. 49 or s. 301.08 (2) and community–based juvenile delinquency–related services. The department of health services may review the contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for ~~such~~ those purposes. The joint committee on finance may require the department of health services to submit the contracts to the committee for review and approval. The department of health services may not make any payments to a county for programs included in a contract under review by the committee. The department of health services shall reimburse each county for the contracts from the appropriations under s. 20.435 (7) (b) and (o), as appropriate, under s. 46.495.

SECTION 1488. 46.215 (2) (c) 2. of the statutes is amended to read:

46.215 **(2)** (c) 2. A county department of social services shall develop, under the requirements of s. 49.34, plans and contracts for the purchase of care and services ~~to be purchased~~ under ch. 48 and subch. III of ch. 49 and of community–based juvenile delinquency–related services. The department of children and families may review the contracts and approve them if they are consistent with s. 49.34 and if state or federal funds are available for ~~such~~ those purposes. The joint committee on finance may require the department of children and families to submit the contracts to the committee for review and approval. The department of children and families may not make any payments to a county for programs included in a contract under review by the committee.

SECTION 1489. 46.215 (2) (c) 3. of the statutes is amended to read:

46.215 **(2)** (c) 3. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for ~~juvenile delinquency–related care and services to be purchased~~ the purchase of juvenile correctional services. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and if state or federal funds are available for such purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of ~~corrections~~ children and families may not make any payments under s. 48.526 to a county for programs included in a contract under review by the committee. The department of ~~corrections~~ children and families shall reimburse each county for the contracts from the appropriations under s. ~~20.410 (3) (cd) and (ko)~~ 20.437 (1) (cj) and (o) as appropriate.

SECTION 1490. 46.22 (1) (b) 1. b. of the statutes is amended to read:

46.22 **(1)** (b) 1. b. To make investigations ~~which~~ that relate to welfare services, except ~~as~~ for welfare services provided under ch. 48 and subch. III of ch. 49, community–based juvenile delinquency–related services, and juvenile correctional services, upon request by the department of health services.

SECTION 1493. 46.22 (1) (b) 2. a. of the statutes is created to read:

46.22 **(1)** (b) 2. a. To administer community–based juvenile delinquency–related services under s. 48.526.

SECTION 1494. 46.22 (1) (b) 2. c. of the statutes is amended to read:

46.22 **(1)** (b) 2. c. To make investigations as provided under ch. 48 and subch. III of ch. 49 and investigations relating to community–based juvenile delinquency–related services upon request by the department of children and families.

SECTION 1495. 46.22 (1) (b) 5m. a. of the statutes is amended to read:

46.22 **(1)** (b) 5m. a. To ~~administer~~ purchase juvenile ~~delinquency–related~~ correctional services under s. 301.26.

SECTION 1496b. 46.22 (1) (b) 5m. c. of the statutes is repealed.

SECTION 1500. 46.22 (1) (e) 3. a. of the statutes is amended to read:

46.22 **(1)** (e) 3. a. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for the purchase of care and services, except for care and services provided under ch. 48, subch. III of ch. 49, and s. 301.08 (2)~~, to be purchased~~ and community–based juvenile delinquency–related services. The department of health services may review the contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for ~~such~~ those purposes. The joint committee on finance may require the department of health services to submit the contracts to the committee for review

and approval. The department of health services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health services shall reimburse each county for the contracts from the appropriations under s. 20.435 (7) (b) and (o) according to s. 46.495.

SECTION 1501. 46.22 (1) (e) 3. b. of the statutes is amended to read:

46.22 **(1)** (e) 3. b. A county department of social services shall develop, under the requirements of s. 49.34, plans and contracts for the purchase of care and services under ch. 48 and subch. III of ch. 49 ~~to be purchased~~ and of community–based juvenile delinquency–related services. The department of children and families may review the contracts and approve them if they are consistent with s. 49.34 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of children and families to submit the contracts to the committee for review and approval. The department of children and families may not make any payments to a county for programs included in the contract that is under review by the committee.

SECTION 1502. 46.22 (1) (e) 3. c. of the statutes is amended to read:

46.22 **(1)** (e) 3. c. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for the purchase of juvenile ~~delinquency–related care and services to be purchased~~ correctional services. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and to the extent that state or federal funds are available for ~~such~~ those purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of ~~corrections~~ children and families may not make any payments under s. 48.526 to a county for programs included in the contract that is under review by

the committee. The department of ~~corrections~~ children and families shall reimburse each county for the contracts from the appropriations under s. ~~20.410 (3) (cd) and (ko)~~ 20.437 (1) (cj) and (o) as appropriate.

SECTION 1503. 46.22 (2g) (d) of the statutes is renumbered 46.22 (2g) (d) (intro.) and amended to read:

46.22 **(2g)** (d) (intro.) Prepare, with the assistance of the county social services director under sub. (3m) (b) 5., ~~a~~ all of the following:

1. A proposed budget for submission to the county executive or county administrator~~, a.~~

2. A final budget for submission to the department of health services in accordance with s. 46.031 (1) for authorized services, except services under ch. 48, subch. III of ch. 49, or s. 301.08 (2)~~, a~~ and authorized community–based juvenile delinquency–related services.

3. A final budget for submission to the department of children and families in accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch. 49~~, and a~~ and authorized community–based juvenile delinquency–related services.

4. A final budget for submission to the department of corrections in accordance with s. 301.031 (1) for the purchase of authorized juvenile ~~delinquency–related~~ correctional services.

SECTION 1507. 46.23 (5) (a) 1. of the statutes is amended to read:

46.23 **(5)** (a) 1. Shall determine administrative and program policies, except as provided under ch. 48 and subch. III of ch. 49 and except for policies relating to community–based juvenile delinquency–related ~~policies,~~ services or to the purchase of juvenile correctional services, within limits established by the department of health services. Policy decisions, except as provided under ch. 48 and subch. III of

ch. 49 and except for policy decisions relating to community–based juvenile delinquency–related ~~policies,~~ services or to the purchase of juvenile correctional services, that are not reserved by statute for the department of health services may be delegated by the secretary to the county human services board.

SECTION 1508. 46.23 (5) (a) 2. of the statutes is amended to read:

46.23 **(5)** (a) 2. Shall determine administrative and program policies under ch. 48 and subch. III of ch. 49 and administrative and program policies relating to community–based juvenile delinquency–related services within limits established by the department of children and families. Policy decisions under ch. 48 and subch. III of ch. 49 and policy decisions relating to community–based juvenile delinquency–related services that are not reserved by statute for the department of children and families may be delegated by the secretary of children and families to the county human services board.

SECTION 1509. 46.23 (5) (a) 3. of the statutes is amended to read:

46.23 **(5)** (a) 3. Shall determine ~~juvenile delinquency–related~~ administrative programs and policies relating to the purchase of juvenile correctional services within limits established by the department of corrections. ~~Juvenile delinquency–related policy~~ Policy decisions relating to the purchase of juvenile correctional services that are not reserved by statute for the department of corrections may be delegated by the secretary of corrections to the county human services board.

SECTION 1510. 46.23 (5) (c) 1. of the statutes is amended to read:

46.23 **(5)** (c) 1. Shall determine whether state mandated services, except for services under ch. 48 and subch. III of ch. 49, community–based juvenile delinquency–related services, and juvenile ~~delinquency–related~~ correctional

services, are provided ~~or~~ by, purchased from, or contracted for with local providers, and monitor the performance of ~~such~~ those contracts. Purchase of services contracts shall be subject to the conditions specified in s. 46.036.

SECTION 1511. 46.23 (5) (c) 2. of the statutes is amended to read:

46.23 **(5)** (c) 2. Shall determine whether state mandated services under ch. 48 and subch. III of ch. 49 and state-mandated community-based juvenile delinquency-related services are provided ~~or~~ by, purchased from, or contracted for with local providers, and monitor the performance of ~~such~~ those contracts. Purchase of services contracts shall be subject to the conditions specified in s. 49.34.

SECTION 1512d. 46.23 (5) (c) 3. of the statutes is amended to read:

46.23 **(5)** (c) 3. Shall ~~determine whether state mandated juvenile delinquency-related services are provided or purchased or contracted for with local providers, and~~ monitor the performance of ~~such contracts. Purchase of service~~ contracts for the purchase of juvenile correctional services. Contracts for the purchase of those services shall be subject to the conditions specified in s. 301.031.

SECTION 1513. 46.23 (5) (n) 1. of the statutes is amended to read:

46.23 **(5)** (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for authorized services, except for services under ch. 48 and subch. III of ch. 49, community-based juvenile delinquency-related services, and juvenile ~~delinquency-related~~ correctional services. Notwithstanding the categorization of or limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval of the department of health services the county human services board may expend ~~these~~ those funds consistent with any service provided under s. 46.495 or 51.42.

SECTION 1514. 46.23 (5) (n) 2. of the statutes is amended to read:

46.23 **(5)** (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for authorized services under ch. 48 and subch. III of ch. 49 and for authorized community–based juvenile delinquency–related services. Notwithstanding the categorization of or limits specified for funds allocated under s. 48.569, with the approval of the department of children and families the county human services board may expend ~~these~~ those funds consistent with any service provided under s. 48.569.

SECTION 1515. 46.23 (5) (n) 3. of the statutes is amended to read:

46.23 **(5)** (n) 3. Shall submit a final budget in accordance with s. 301.031 (1) for the purchase of authorized juvenile ~~delinquency–related~~ correctional services.

SECTION 1516. 46.23 (5m) (c) of the statutes is amended to read:

46.23 **(5m)** (c) Prepare, with the assistance of the county human services director under sub. (6m) (e), a proposed budget for submission to the county executive or county administrator~~,~~; a final budget for submission to the department of health services in accordance with s. 46.031 (1) for authorized services, except services under ch. 48 and subch. III of ch. 49 ~~and~~, community–based juvenile delinquency–related services, and juvenile correctional services; a final budget for submission to the department of children and families in accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch. 49~~,~~ and for authorized community–based juvenile delinquency–related services; and a final budget for submission to the department of corrections in accordance with s. 301.031 for the purchase of authorized juvenile ~~delinquency–related~~ correctional services.

SECTION 1517. 46.23 (6) (a) (intro.) of the statutes is amended to read:

46.23 **(6)** (a) (intro.) A county human services director appointed under sub. (5) (f) shall have all of the administrative and executive powers and duties of managing, operating, maintaining, and improving the services and programs of the county

department of human services~~,~~. Those powers and duties are subject to the rules promulgated by the department of health services for programs, except that, with respect to services or programs under ch. 48 and subch. III of ch. 49 and community–based juvenile delinquency–related services or programs, those powers and duties are subject to the rules promulgated by the department of children and families ~~for services or programs under ch. 48 and subch. III of ch. 49,~~ and, with respect to the purchase of juvenile correctional services or programs, those powers and duties are subject to the rules promulgated by the department of corrections ~~for juvenile delinquency–related services or programs~~. In consultation with the county human services board under sub. (5) and subject to its approval, the county human services director shall prepare all of the following:

SECTION 1518. 46.266 of the statutes is repealed.

SECTION 1519. 46.268 of the statutes is repealed.

SECTION 1523. 46.27 (6r) (b) 1m. of the statutes is renumbered 46.27 (6r) (b) 1m. (intro.) and amended to read:

46.27 **(6r)** (b) 1m. (intro.) The person meets the requirements under ~~s. 46.266 (1) (a), (b) or (c)~~ any of the following for receipt of care in an institution for mental diseases~~.~~:

SECTION 1524. 46.27 (6r) (b) 1m. a. and b. of the statutes are created to read:

46.27 **(6r)** (b) 1m. a. A person who resided in the facility on the date of the finding that a skilled nursing facility or intermediate care facility that provides care to Medical Assistance recipients to be an institution for mental diseases whose care in the facility is disallowed for federal financial participation under Medical Assistance.

b. A person who is aged 21 to 64, who has a primary diagnosis of mental illness, who would meet the level of care requirements for Medical Assistance reimbursement in a skilled nursing facility or intermediate care facility but for a finding that the facility is an institution for mental diseases, and for whom services would be provided in place of a person specified in subd. 1m. a. who discontinues services.

SECTION 1525. 46.27 (7) (am) of the statutes is amended to read:

46.27 **(7)** (am) From the appropriation under s. 20.435 ~~(7)~~ (4) (bd), the department shall allocate funds to each county or private nonprofit agency with which the department contracts to pay assessment and case plan costs under sub. (6) not otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse multicounty consortia for the cost of assessing persons eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long–term community support services and for a risk reserve under par. (fr).

SECTION 1526. 46.27 (7) (b) of the statutes is amended to read:

46.27 **(7)** (b) From the appropriations under s. 20.435 ~~(7)~~ (4) (bd) and (im), the department shall allocate funds to each county to pay the cost of providing long–term community support services under sub. (5) (b) not otherwise paid under s. 49.45 to persons eligible for medical assistance under s. 49.46, 49.47, or 49.471 (4) (a) or to persons whom the county department or aging unit administering the program finds likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care. The average per person reimbursement under this paragraph may not exceed the state share of the average per person payment

rate the department expects under s. 49.45 (6m). The county department or aging unit administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long–term community support services. Counties may use unspent funds allocated under this paragraph from the appropriation under s. 20.435 ~~(7)~~ (4) (bd) for a risk reserve under par. (fr).

SECTION 1527. 46.27 (7) (fm) of the statutes is amended to read:

46.27 **(7)** (fm) The department shall, at the request of a county, carry forward up to 5% of the amount allocated under this subsection to the county for a calendar year if up to 5% of the amount so allocated has not been spent or encumbered by the county by December 31 of that year, for use by the county in the following calendar year, except that the amount carried forward shall be reduced by the amount of funds that the county has notified the department that the county wishes to place in a risk reserve under par. (fr). The department may transfer funds within s. 20.435 ~~(7)~~ (4) (bd) to accomplish this purpose. An allocation under this paragraph does not affect a county's base allocation under this subsection and shall lapse to the general fund unless expended within the calendar year to which the funds are carried forward. A county may not expend funds carried forward under this paragraph for administrative or staff costs, except administrative or staff costs that are associated with implementation of the waiver under sub. (11) and approved by the department.

SECTION 1529. 46.27 (7) (g) (intro.) of the statutes is amended to read:

46.27 **(7)** (g) (intro.) The department may carry forward to the next state fiscal year funds allocated under this subsection and not encumbered by counties by December 31 or carried forward under par. (fm). The department may transfer moneys within s. 20.435 ~~(7)~~ (4) (bd) to accomplish this purpose. An allocation under

this paragraph shall not affect a county's base allocation for the program. The department may allocate these transferred moneys during the next fiscal year to counties for planning and implementation of resource centers under s. 46.283 or care management organizations under s. 46.284 and for the improvement or expansion of long–term community support services for clients whose cost of care significantly exceeds the average cost of care provided under this section, including any of the following:

SECTION 1530. 46.27 (7g) (d) of the statutes is amended to read:

46.27 **(7g)** (d) The department may require the county department or aging unit selected to administer the program in each county to gather and provide the department with information needed to recover payment of long–term community support services under this subsection. The department shall pay to the county department or aging unit an amount equal to 5% of the recovery collected by the department relating to a beneficiary for whom the county department or aging unit made the last determination of eligibility for funding under sub. (7). A county department or aging unit may use funds received under this paragraph only to pay costs incurred under this paragraph and shall remit the remainder, if any, to the department for deposit in the appropriation account under s. 20.435 ~~(7)~~ (4) (im). The department may withhold payments under this paragraph for failure to comply with the department's requirements under this paragraph. The department shall treat payments made under this paragraph as costs of administration of the program.

SECTION 1531. 46.27 (7g) (e) of the statutes is amended to read:

46.27 **(7g)** (e) From the appropriation under s. 20.435 ~~(7)~~ (4) (im), the department shall pay the amount of the payments under par. (d) and shall spend the

remainder of the funds recovered under this subsection for long–term community support services funded under sub. (7) (b).

SECTION 1532. 46.27 (11) (c) 3. of the statutes is amended to read:

46.27 **(11)** (c) 3. Medical assistance reimbursement for services a county, a private nonprofit agency or an aging unit with which the department contracts provides under this subsection shall be made from the appropriations under s. 20.435 (4) (bd) and (o) and (7) (b) ~~and (bd)~~.

SECTION 1533. 46.27 (13) of the statutes is created to read:

46.27 **(13)** PROGRAM TERMINATION. Notwithstanding subs. (5), (6), (6g), (6u), (7), (7m), (8), and (11), after the date the family care benefit, as defined in s. 46.2805 (4), is available to eligible residents of a county, the department may discontinue the program under this section in that county.

SECTION 1534. 46.271 (1) (a) (intro.) of the statutes is amended to read:

46.271 **(1)** (a) (intro.) From the appropriation under s. 20.435 ~~(7)~~ (4) (bd), the department shall award $100,000 in each fiscal year to applying county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or to an aging unit under the conditions specified in par. (c) to establish pilot projects for home and community–based long–term support services. Funds awarded to the pilot projects shall be used to do any of the following:

SECTION 1535. 46.272 of the statutes is created to read:

46.272 Children's community options program. (1) DEFINITIONS. In this section:

(a) "Child" means a person under 22 years of age who is not eligible to receive services in or be on a waiting list for an adult long–term care program.

(b) "Disability" means a severe physical, developmental, or emotional impairment which is diagnosed medically, behaviorally, or psychologically, which is characterized by the need for individually planned and coordinated care, treatment, vocational rehabilitation, or other services and which has resulted or is likely to result in substantial limitation on the ability to function in at least 2 of the following areas, equivalent to nursing home, hospital, or institution for mental disease level of care:

1. Self–care.
2. Receptive and expressive language.
3. Learning.
4. Mobility.
5. Self–direction.

(c) "Hospital" has the meaning provided in s. 50.33 (2).

(d) "Institutional setting" means a nursing home, as defined in s. 50.01 (3), a state–operated long–term care facility, or any other residential facility that provides long–term care to children outside of a home.

(e) "Residence" means the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation. Physical presence shall be prima facie evidence of intent to remain.

(f) "State–operated long–term care facility" means a state center for the developmentally disabled and a Wisconsin veterans home operated by the department of veterans affairs under s. 45.50.

(g) "Voluntary" means according to an individual's free choice, if competent, or by choice of his or her parent or guardian, if the individual is adjudicated incompetent or is a minor.

(2) DEPARTMENTAL DUTIES. The department shall do all of the following to establish a children's community options program:

(a) Review and approve or disapprove the selection of a county department to administer the children's community options program.

(b) In consultation with representatives of counties; programs that provide community–based services to children or families, other publicly funded programs, and the social services, mental health, and developmental disabilities programs under ss. 46.495, 51.42, and 51.437; the independent living center program under s. 46.96; and the Medical Assistance program under subch. IV of ch. 49; and with recipients of children's community support services, develop guidelines for implementing the program and criteria for reviewing community options plans from counties participating in the program under this section. The guidelines and criteria shall address cost–effectiveness, scope, feasibility and impact on the quality and appropriateness of health services and social services and shall provide counties with maximum flexibility to develop programs that address local needs.

(c) Review and approve or disapprove the community options plan of each county participating in the children's community options program.

(d) Require that a county, by use of a form provided by the department or other appropriate procedure, ensure that persons receiving services under this section meet the eligibility requirements for the children's community options program.

(e) Periodically monitor the implementation of the children's community options program.

(f) Review and approve or disapprove the terms of risk reserve escrow accounts created under sub. (13) (f) and approve or disapprove disbursements for administrative or staff costs from the risk reserve escrow accounts.

(4) DUTIES OF PARTICIPATING COUNTY DEPARTMENTS. Each participating county department shall do all of the following:

(a) Appoint members to an advisory committee or appoint an existing committee in the service area as the children's community options advisory committee to assist in developing the program plan and to monitor the program. The committee shall include, but need not be limited to, the following members:

1. Parents of children with disabilities including, if possible, parents from families that participate in the children's community options program. To the maximum extent possible, the parents shall be representative of the various disability, racial, and ethnic groups in the service area. The members specified under this subdivision shall constitute a majority of the membership of the committee.

2. Persons from the service area representing the county department under s. 46.23, 51.42, or 51.437 and the county department under s. 46.215 or 46.22, school districts, and local health departments, as defined in s. 250.01 (4). At least one of the committee members selected under this subdivision shall be a person providing community social services to children with disabilities who are eligible for the program.

3. Persons in the service area who provide social or educational services to children who have disabilities other than the providers specified in subd. 2.

(b) Cooperate with the committee appointed under par. (a) to prepare a program plan. The program plan shall include all of the following:

1. A description of the proposed program operations.

2. The estimated number of families that will be assessed and served.

3. A list of specific groups, if any, that will be given priority for available funding.

4. A description of the outreach procedures that will be used to ensure that the program will be made available to children with physical, emotional, and developmental disabilities.

5. The procedures that will be used to determine family needs.

6. A description of the methods that will be used for the development and monitoring of service plans and for coordinating the provision of services and goods to participating families.

7. A description of the methods that will be used to promote the creation of informal support and advocacy systems for families.

8. A description of the method that will be used to monitor the children's community options program.

(c) Submit the proposed program plan to the department upon approval by the children's community options program advisory committee.

(d) Administer the program or contract with a human service agency in the service area to administer the program within the limits of state and federal funds under subs. (13) and (14).

(e) In conjunction with the county department under s. 46.215 or 46.22, if any, in the service area and with the administering agency, if it is not the county department under s. 46.23, 51.42, or 51.437, coordinate the administration of the program with the administration of other publicly funded programs that serve children who have disabilities.

(f) Submit all information and reports required by the department.

(5) POWERS AND DUTIES OF A PRIVATE NONPROFIT AGENCY. The department may contract with a private nonprofit agency for services under this section. The agency

shall have the powers and duties under this section of a county department designated to administer the program.

(6) DUTIES OF COUNTIES OR AGENCIES. Each county or each agency under contract under sub. (5) shall:

(a) Cooperate in the development of the program plan under sub. (4) (b).

(b) Provide information about the program and other programs for children who have disabilities to families in the service area.

(c) Implement the program in accordance with the program plan.

(d) Designate one of its employees as the coordinator for each participating family.

(7) COUNTY DEPARTMENT DUTIES. The county department selected to administer the children's community options program shall:

(a) Organize assessment activities specified in par. (f) and sub. (8). The county department shall utilize persons for each assessment who can determine the needs of the child being assessed and who know the availability within the county of services. The county department shall coordinate the involvement of representatives from the county departments under ss. 46.215, 46.22, 51.42 and 51.437, and health service providers in the assessment activities specified in sub. (8), as well as the child being assessed and members of the child's family or the child's guardian.

(b) Within the limits of state and federal funds allocated under sub. (13), arrange service contracts under s. 46.036 and ensure the provision of necessary long–term community support services for each child who meets the criteria for services under the children's community options program.

(c) Within the limits of state and federal funds allocated under sub. (13), provide for ongoing care management services in accordance with the requirements established under sub. (10) (b) 1., periodic case plan review and follow–up services for any child receiving community support services under the children's community options program.

(d) Determine, under sub. (9), the fee, if any, for all families or guardians of children who meet the criteria to receive services and are applying for or receiving children's community support services that are funded under sub. (13) or (14).

(e) In the instances in which a child who is provided community support services under this section for which the child or his or her parent or guardian receives direct funding, serve directly as a fiscal agent or contract with a fiscal intermediary to serve as a fiscal agent for that child for the purposes of performing the responsibilities and protecting the interests of the individual under the unemployment insurance law. The county department may elect to act as a fiscal agent or contract with a fiscal intermediary to serve as a fiscal agent for a child who is provided long–term community support services under s. 46.275, 46.277, 46.278, 46.2785, 46.495, 51.42, or 51.437. The fiscal agent under this paragraph is responsible for remitting any federal unemployment compensation taxes or state unemployment insurance contributions owed by the child, including any interest and penalties which are owed by the child; for serving as the representative of the child in any investigation, meeting, hearing or appeal involving ch. 108 or the federal unemployment tax act (26 USC 3301 to 3311) in which the child is a party; and for receiving, reviewing, completing and returning all forms, reports and other documents required under ch. 108 or the federal unemployment tax act on behalf of the child. A child may make an informed, knowing and voluntary election to waive

the right to a fiscal agent. The waiver may be as to all or any portion of the fiscal agent's responsibilities. The waiver may be rescinded in whole or in part at any time.

(f) Develop assessments and care plans according to uniform criteria established by the department for children in all long–term care programs.

(8) ASSESSMENTS. Within the limits of state and federal funds allocated under sub. (13) and within the limits of fees collected, an assessment shall be conducted for any child with a disability who is seeking services in the program.

(9) FINANCIAL ELIGIBILITY AND FEES. (a) The department shall create a sliding scale formula for a fee chargeable for conduct of an assessment under sub. (8), for development of a case plan, and for children's long–term community support services that is based on the child's ability to pay, unless prohibited from payment under the federal Medicaid law.

(b) The county department selected to administer the program shall require all children or their parents or guardians applying for children's long–term community support services at the time of application and all children receiving the services that are funded under sub. (13) or (14) annually to provide the following information:

1. A declaration of income, on a form prescribed by the department.

2. A declaration of costs paid annually for care and services related to the special needs or disability of the child for whom the application is made or services are provided.

(c) From the information obtained under par. (b), the county department shall determine the amount of the fee for receipt of children's long–term community support services under this section. The county department shall require payment by the child or parent or guardian of the child of 100 percent of the amount calculated under this paragraph.

(d) The county department shall used funds received under par (c) to pay for long–term community support services for children who are eligible for services under the children's community options program.

(10) SERVICES; CARE MANAGEMENT REQUIREMENTS. (a) 1. Within the limits of state and federal funds allocated under sub. (13) and within the limits of fees collected, the department shall reimburse, if applicable, and the county department or private nonprofit agency shall provide long–term community support services to eligible children who have a disability.

2. The department may not reimburse and the county department or private nonprofit agency may not pay for room and board for children under the children's community options program.

(b) The department, after consulting with representatives of counties, hospitals, and individuals who receive services under the children's community options program under this section, shall do all of the following:

1. Establish minimum requirements for the provision of care management services, as defined by the department, including standards for care, times for performance of duties, and size of case loads.

2. Specify a reasonable schedule for phasing in the requirements established under subd. 1.

3. Provide technical consultation and assistance to the administrator of the program with respect to the requirements established under subd. 1.

(c) The department need not promulgate as rules under ch. 227 the requirements under par. (b) 1. or the schedule under par. (b) 2.

(11) FISCAL RESPONSIBILITY. Except as provided in s. 51.40, and within the limitations under sub. (13) (a) 2., the fiscal responsibility of a county for an

assessment, unless the assessment is performed by an entity under a contract as specified under s. 46.284 (2), case plan, or services provided to a child under this section is as follows:

(a) For a child seeking admission to or about to be admitted to an institutional setting, the county in which the child has residence is the county of fiscal responsibility.

(b) For a child residing in an institutional setting, except a state–operated long–term care facility, the county in which the institution is located is the county of fiscal responsibility.

(c) For a child living in an institutional setting, except a state–operated long–term care facility, whose legal residence is established in another county, the county in which the legal residence is established is the county of fiscal responsibility.

(d) For a child residing in a state–operated long–term care facility, or for a person protectively placed under ch. 55, the county in which the child has residence before he or she enters the state–operated long–term care facility or is protectively placed is the county of fiscal responsibility.

(12) REIMBURSEMENT DISALLOWANCES. The department may disallow reimbursement under this section for services provided to children who do not meet the eligibility requirements for the children's community options program or any other eligibility requirements established by the department.

(13) FUNDING. (a) Subject to pars. (b) and (h), from the appropriation under s. 20.435 (4) (bd), the department shall allocate funds to each county or private nonprofit agency with which the department contracts for all of the following purposes:

1. To pay assessment and case plan costs not otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse multicounty consortia for the cost of assessing children eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this subdivision to pay the cost of long–term community support services and for a risk reserve under par. (f).

2. To pay the cost of providing long–term community support services described under sub. (7) (b) not otherwise paid under s. 49.45 to children eligible for medical assistance under s. 49.46, 49.47, or 49.471 (4) (a). The county department administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each child receiving long–term community support services. Counties may use unspent funds allocated under this subdivision from the appropriation under s. 20.435 (4) (bd) for a risk reserve under par. (f).

(b) 1. Receipt of funds under this section is subject to s. 46.495 (2).

2. The department may not release funds under this subsection before approving the county's community options plan.

3. No county may use funds received under par. (a) 2. to pay for long–term community support services provided to any child who resides in a nursing home, unless the department waives this restriction on use of funds and the services are provided in accordance with a discharge plan.

4. No county may use funds received under this section to purchase land or construct buildings.

(c) The department may release funds to counties acting jointly, if the counties sign a contract approved by the secretary that explains the plans for joint sponsorship.

(d) If the department determines that a county demonstrates a pattern of failure to serve clients whose cost of care significantly exceeds the average cost of care for children's long–term community support services provided under this section, the department may require that county to reserve a portion of funds allocated under this subsection for provision of service to those clients.

(e) The department shall, at the request of a county, carry forward up to 5 percent of the amount allocated under this subsection to the county for a calendar year if up to 5 percent of the amount so allocated has not been spent or encumbered by the county by December 31 of that year, for use by the county in the following calendar year, except that the amount carried forward shall be reduced by the amount of funds that the county has notified the department that the county wishes to place in a risk reserve under par. (f). The department may transfer funds within s. 20.435 (4) (bd) to accomplish this purpose. An allocation under this paragraph does not affect a county's base allocation under this subsection and shall lapse to the general fund unless expended within the calendar year to which the funds are carried forward. A county may not expend funds carried forward under this paragraph for administrative or staff costs, except administrative or staff costs that are associated with implementation of the waiver under sub. (14) and approved by the department.

(f) 1. Notwithstanding s. 46.036 (3) and (5m), a county may place in a risk reserve funds that are allocated under par. (a) or sub. (14) (b) 1. and are not expended or encumbered for services under this subsection or sub. (14). The county shall notify

the department of this decision and of the amount to be placed in the risk reserve. The county shall maintain the risk reserve in an interest–bearing escrow account with a financial institution, as defined in s. 69.30 (1) (b), if the department has approved the terms of the escrow. All interest from the principal shall be reinvested in the escrow account.

2. The annual amount of a county's expenditure for a risk reserve, as specified in subd. 1., may not exceed 10 percent of the county's most recent allocation under par. (a) and sub. (14) (b) 1. or $750,000, whichever is less. The total amount of the risk reserve, including interest, may not exceed 15 percent of the county's most recent allocation under this subsection.

3. A county may expend funds maintained in a risk reserve, as specified in subd. 1., for any of the following purposes:

a. To defray costs of children's long–term community support services under this section.

b. If approved by the department, for administrative or staff costs under this section.

4. A county that maintains a risk reserve, as specified in subd. 1., shall annually, on a form prescribed by the department, submit to the department a record of the status of the risk reserve, including revenues and disbursements.

(g) The department may carry forward to the next state fiscal year funds allocated under this subsection and not encumbered by counties by December 31 or carried forward under par. (e). The department may transfer moneys within s. 20.435 (4) (bd) to accomplish this purpose. An allocation under this paragraph shall not affect a county's base allocation for the program. The department may allocate these transferred moneys during the next fiscal year to counties for the improvement

or expansion of long–term community support services for clients whose cost of care significantly exceeds the average cost of care provided under this section, including any of the following:

1. Specialized training for providers of services under this section.

2. Start–up costs for developing needed services.

3. Home modifications.

4. Purchase of medical equipment or other specially adapted equipment.

(h) Funds allocated under this subsection may not be used to replace any other state and federal funds or any county funds that are currently being provided under any program to a family whose child is receiving services through the children's community options program.

(14) MEDICAL ASSISTANCE WAIVER. (a) The department may request a waiver from the federal department of health and human services authorizing the department to provide as part of the Medical Assistance program services for persons who are eligible for children's long–term support community options program services under sub. (7) (b).

(b) 1. Medical assistance reimbursement for services a county or a private nonprofit agency, or with which the department contracts provides under this subsection shall be made from the appropriations under s. 20.435 (4) (bd) and (o) and (7) (b). Payments made under sub. (13) (a) may be used as the state share for purposes of Medical Assistance reimbursement.

3. The department may contract for services under this subsection with a county or a private nonprofit agency.

4. No county or private nonprofit agency may use funds received under this subsection to provide residential services in a group home, as defined in s. 48.02 (7),

that has more than 5 beds, unless the department approves the provision of services in a group home that has 6 to 8 beds.

(c) If a county department or private nonprofit agency providing services under this subsection is certified under s. 49.45 (37) (a), the waiver under s. 49.45 (37), if in effect, applies to plans of care for children receiving services under this subsection.

(15) RIGHT TO HEARING. A child who is denied eligibility for services or whose services are reduced or terminated under this section may request a hearing from the department under s. 227.44, except that lack of adequate funding may not serve as the basis for a request under this subsection.

SECTION 1536. 46.277 (5g) (b) of the statutes is renumbered 46.277 (5g) (b) (intro.) and amended to read:

46.277 **(5g)** (b) (intro.) This section does not apply to the delicensure of a bed of an institution for mental diseases of an individual who is aged 21 to 64, who has a primary diagnosis of mental illness and who otherwise meets <u>any of</u> the <u>following</u> requirements ~~of s. 46.266 (1) (a), (b) or (c).~~<u>:</u>

SECTION 1537. 46.277 (5g) (b) 1. and 2. of the statutes are created to read:

46.277 **(5g)** (b) 1. A person who resided in the facility on the date of the finding that a skilled nursing facility or intermediate care facility that provides care to Medical Assistance recipients to be an institution for mental diseases whose care in the facility is disallowed for federal financial participation under Medical Assistance.

2. A person who is aged 21 to 64, who has a primary diagnosis of mental illness, who would meet the level of care requirements for Medical Assistance reimbursement in a skilled nursing facility or intermediate care facility but for a

finding that the facility is an institution for mental diseases, and for whom services would be provided in place of a person specified in subd. 1. who discontinues services.

SECTION 1542. 46.2803 (2) of the statutes is amended to read:

46.2803 **(2)** Notwithstanding s. 46.27 (7), a county in which a care management organization is operating pursuant to a contract under s. 46.284 (2) or a county in which a program described under s. 46.2805 (1) (a) or (b) is administered may use funds appropriated under s. 20.435 ~~(7)~~ (4) (bd) and allocated to the county under s. 46.27 (7) to provide community mental health or substance abuse services and supports for persons with mental illness or persons in need of services or supports for substance abuse and to provide services under the Family Support Program under s. 46.985.

SECTION 1543. 46.2803 (2) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

46.2803 **(2)** Notwithstanding s. 46.27 (7), a county in which a care management organization is operating pursuant to a contract under s. 46.284 (2) or a county in which a program described under s. 46.2805 (1) (a) or (b) is administered may use funds appropriated under s. 20.435 (4) (bd) and allocated to the county under s. 46.27 (7) to provide community mental health or substance abuse services and supports for persons with mental illness or persons in need of services or supports for substance abuse ~~and to provide services under the Family Support Program under s. 46.985~~.

SECTION 1568. 46.281 (4) (d) of the statutes is amended to read:

46.281 **(4)** (d) The department shall deposit payments made by counties under this subsection in the appropriation account under s. 20.435 ~~(7) (g)~~ (4) (h).

SECTION 1569b. 46.2825 (2) (i) of the statutes is created to read:

46.2825 **(2)** (i) Review and assess the self–directed services option, as defined in s. 46.2899 (1).

SECTION 1586. 46.283 (5) of the statutes is amended to read:

46.283 **(5)** FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bd), (bm), (gm), (pa), and (w) and (7) (b)~~, (bd),~~ and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

SECTION 1603. 46.284 (5) (a) of the statutes is amended to read:

46.284 **(5)** (a) From the appropriation accounts under s. 20.435 (4) (b), (bd), (g), (gm), (h), (im), (o), and (w) and (7) (b), ~~(bd), and (g),~~ the department shall provide funding on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

SECTION 1618c. 46.2895 (4) (n) of the statutes is created to read:

46.2895 **(4)** (n) In accordance with state law, operate a health maintenance organization.

SECTION 1621. 46.2896 of the statutes is created to read:

46.2896 Counting promissory notes as assets. (1) In this section:

(a) "Long–term care program" means the long–term care program under s. 46.27, 46.275, 46.277, 46.278, or 46.2785; the family care program providing the benefit under s. 46.286; the Family Care Partnership program; or the long–term care program defined in s. 46.2899 (1).

(b) "Promissory note" means a written, unconditional agreement, given in return for goods, money loaned, or services rendered, under which one party promises to pay another party a specified sum of money at a specified time or on demand.

(2) When determining or redetermining an individual's financial eligibility for a long–term care program, the department shall include a promissory note as a countable asset if all of the following apply:

(a) The individual applying for or receiving benefits under the long–term care program or his or her spouse provided the goods, money loaned, or services rendered for the promissory note.

(b) The promissory note was entered into or purchased on or after the effective date of this paragraph .... [LRB inserts date].

(c) The promissory note is negotiable, assignable, and enforceable and does not contain any terms making it unmarketable.

(3) A promissory note is presumed to be negotiable and its asset value is the outstanding principal balance at the time the individual applies for the long–term care program or at the time the individual's eligibility for the long–term care program is redetermined, unless the individual shows by credible evidence from a knowledgeable source that the note is nonnegotiable or has a different current market value, which will then be considered the asset value.

SECTION 1626. 46.29 (1) (intro.) of the statutes is amended to read:

46.29 **(1)** (intro.) From the appropriation account under s. 20.435 ~~(7)~~ (4) (a), the department shall distribute at least $16,100 in each fiscal year for operation of the council on physical disabilities. The council on physical disabilities shall do all of the following:

SECTION 1627. 46.29 (3) (d) of the statutes is amended to read:

46.29 **(3)** (d) The ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration.

SECTION 1630. 46.295 (1) of the statutes is amended to read:

46.295 **(1)** The department may, on the request of any hearing–impaired person, city, village, town, or county or private agency, provide funds from the appropriation accounts under s. 20.435 (4) (hs) and (7) (d) ~~and (hs)~~ to reimburse interpreters for hearing–impaired persons for the provision of interpreter services.

SECTION 1631. 46.40 (1) (a) of the statutes is amended to read:

46.40 **(1)** (a) Within the limits of available federal funds and of the appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and for services under ss. 46.87~~, 46.985,~~ and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to county aging units, as provided in subs. (2), (2m), (8), and ~~(7) to~~ (9).

SECTION 1632. 46.40 (7) of the statutes is repealed.

SECTION 1633. 46.40 (7m) of the statutes is created to read:

46.40 **(7m)** STATE COMMUNITY MENTAL HEALTH ALLOCATION. For community mental health services, the department shall distribute not less than $24,348,700 in each fiscal year.

SECTION 1634. 46.40 (14m) of the statutes is amended to read:

46.40 **(14m)** COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year, each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each tribal governing body shall submit to the department a proposed budget for the expenditure of funds allocated under this section or carried forward under s. 46.45

(3) ~~(a)~~. The proposed budget shall be submitted on a form developed by the department and approved by the department of administration.

SECTION 1635. 46.45 (3) (a) of the statutes is amended to read:

46.45 **(3)** (a) Except as provided in par. (b), at the request of a county, tribal governing body, or private nonprofit organization, the department shall carry forward up to 3% of the total amount allocated to the county, tribal governing body, or nonprofit organization for a calendar year~~, not including the amount allocated to the county under s. 46.40 (7), which amount may be carried forward as provided in par. (c)~~. All funds carried forward for a tribal governing body or nonprofit organization and all funds allocated under s. 46.40 (2m) carried forward for a county shall be used for the purpose for which the funds were originally allocated. Other funds carried forward under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that a county may not use any funds carried forward under this paragraph for administrative or staff costs. An allocation of carried–forward funding under this paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and (9).

SECTION 1636. 46.45 (3) (c) of the statutes is repealed.

SECTION 1637. 46.45 (6) (a) of the statutes is renumbered 46.45 (6) and amended to read:

46.45 **(6)** The department may carry forward 10% of any funds specified in sub. (3) ~~(a)~~ that are not carried forward under sub. (3) ~~(a)~~ for emergencies, for justifiable unit services costs above planned levels, and for increased costs due to population shifts. An allocation of carried–forward funding under this paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and (9).

SECTION 1638. 46.45 (6) (b) of the statutes is repealed.

SECTION 1639. 46.56 (3) (a) 4. of the statutes is repealed.

SECTION 1640. 46.56 (10) of the statutes is repealed.

SECTION 1644w. 46.96 (title) of the statutes is amended to read:

46.96 (title) **Independent living center grants; independent living services.**

SECTION 1645. 46.96 (2) of the statutes is amended to read:

46.96 **(2)** The department shall make grants from the appropriations under s. 20.435 (7) (c), (kc), and (na) to independent living centers for nonresidential services to severely disabled individuals.

SECTION 1645c. 46.96 (2d) of the statutes is created to read:

46.96 **(2d)** The department shall make grants from the appropriations under s. 20.435 (7) (c) and (na) for the purposes for which the federal moneys are received, including for independent living services.

SECTION 1646. 46.985 of the statutes is repealed.

SECTION 1647. 46.99 (4) of the statutes is amended to read:

46.99 **(4)** From the appropriation account under s. 20.435 (4) (o), the department may distribute to counties that provide services under this section the amount of federal moneys received by the state as the federal share of medical assistance for those services, minus the amount transferred to the appropriation account under s. 20.435 ~~(7)~~ (4) (im) for the department's costs of administering this section. Counties shall use moneys distributed under this section to provide services under this section or s. 51.44.

SECTION 1648. 47.02 (3m) (p) of the statutes is repealed.

SECTION 1648n. 48.185 (3) of the statutes is created to read:

48.185 **(3)** Venue for a proceeding under s. 48.366 (3) (am) shall be in the county where the most recent order specified in s. 48.366 (1) (a) or (b) was issued.

SECTION 1648s. 48.315 (2m) (c) of the statutes is created to read:

48.315 **(2m)** (c) The court making a finding under s. 48.366 (3) (am) 3. that a person's placement in out–of–home care under a transition–to–independent–living agreement is in the best interests of the person more than 180 days after the date on which the agreement is entered into.

SECTION 1649. 48.366 (1) of the statutes is renumbered 48.366 (1) (intro.) and amended to read:

48.366 **(1)** (intro.) APPLICABILITY. This section applies to a person who is a full–time student of a secondary school or its vocational or technical equivalent, for whom an individualized education program under s. 115.787 is in effect, and to whom any of the following applies:

(a) The person is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, or in a supervised independent living arrangement under an order under s. 48.355, 48.357, or 48.365 that terminates as provided in s. 48.355 (4) (b) 1., 2., or 3., 48.357 (6) (a) 1., 2., or 3., or 48.365 (5) (b) 1., 2., or 3. on or after the person attains 18 years of age ~~or who~~.

(b) The person is in the guardianship and custody of an agency specified in s. 48.427 (3m) (a) 1. to 4. or (am) under an order under s. 48.43~~, who is a full–time student of a secondary school or its vocational or technical equivalent, and for whom an individualized education program under s. 115.787 is in effect~~ that terminates on the date on which the person attains 18 years of age.

SECTION 1650. 48.366 (1) (c) of the statutes is created to read:

48.366 **(1)** (c) The person is placed in a shelter care facility on the date on which an order specified in par. (a) or (b) terminates.

SECTION 1651. 48.366 (2) (a) of the statutes is amended to read:

48.366 **(2)** (a) Not less than 120 days before an order described in sub. (1) (a) or (b) terminates, the agency primarily responsible for providing services under the order shall request the person who is the subject of the order to indicate whether he or she wishes to be discharged from out–of–home care on termination of the order or wishes to continue in out–of–home care under a voluntary agreement under sub. (3). If the person is subject to an order under s. 48.355, 48.357, or 48.365 described in sub. (1) (a), the agency shall also request the person to indicate whether he or she wishes to continue in out–of–home care until the date specified in s. 48.365 (5) (b) 4. under an extension of the order. If the person indicates that he or she wishes to be discharged from out–of–home care on termination of the order, the agency shall request a transition–to–discharge hearing under par. (b). If the person indicates that he or she wishes to continue in out–of–home care under an extension of an order under s. 48.355, 48.357, or 48.365 described in sub. (1) (a), the agency shall request an extension of the order under s. 48.365. If the person indicates that he or she wishes to continue in out–of–home care under a voluntary agreement under sub. (3), the agency and the person shall enter into such an agreement.

SECTION 1652. 48.366 (2) (b) 1. of the statutes is amended to read:

48.366 **(2)** (b) 1. If the person who is the subject of an order described in sub. (1) (a) or (b) indicates that he or she wishes to be discharged from out–of–home care on termination of the order, the agency primarily responsible for providing services to the person under the order shall request the court to hold a transition–to–discharge hearing and shall cause notice of that request to be provided

to that person, the parent, guardian, and legal custodian of that person, any foster parent or other physical custodian described in s. 48.62 (2) of that person, that person's court–appointed special advocate, all parties who are bound by the dispositional order, and, if that person is an Indian child who has been removed from the home of his or her parent or Indian custodian, that person's Indian custodian and tribe.

SECTION 1653. 48.366 (2) (b) 3. of the statutes is amended to read:

48.366 **(2)** (b) 3. At the hearing the court shall review with the person who is the subject of an order described in sub. (1) (a) or (b) the options specified in par. (a) ~~and~~. If the person is subject to an order under s. 48.355, 48.357, or 48.365 described in sub. (1) (a), the court shall also advise the person that he or she may continue in out–of–home care as provided in par. (a) under an extension of an order under s. 48.355, 48.357, or 48.365 described in sub. (1) (a) or under a voluntary agreement under sub. (3).

SECTION 1654. 48.366 (2) (b) 4. of the statutes is amended to read:

48.366 **(2)** (b) 4. If the court determines that the person who is the subject of an order described in sub. (1) (a) or (b) understands that he or she may continue in out–of–home care, but wishes to be discharged from that care on termination of the order, the court shall advise the person that he or she may enter into a voluntary agreement under sub. (3) at any time before he or she is granted a high school or high school equivalency diploma or reaches 21 years of age, whichever occurs first, so long as he or she is a full–time student at a secondary school or its vocational or technical equivalent and an individualized education program under s. 115.787 is in effect for him or her. If the court determines that the person wishes to continue in out–of–home care under an extension of an order under s. 48.355, 48.357, or 48.365

described in sub. (1) (a), the court shall schedule an extension hearing under s. 48.365. If the court determines that the person wishes to continue in out–of–home care under a voluntary agreement under sub. (3), the court shall order the agency primarily responsible for providing services to the person under the order to provide transition–to–independent–living services for the person under a voluntary agreement under sub. (3).

SECTION 1655. 48.366 (3) (a) of the statutes is amended to read:

48.366 **(3)** (a) On termination of an order described in sub. (1) (a) or (b), the person who is the subject of the order, or the person's guardian on behalf of the person, and the agency primarily responsible for providing services to the person under the order may enter into a transition–to–independent–living agreement under which the person continues in out–of–home care and continues to be a full–time student at a secondary school or its vocational or technical equivalent under an individualized education program under s. 115.787 until the date on which the person reaches 21 years of age, is granted a high school or high school equivalency diploma, or terminates the agreement as provided in par. (b), whichever occurs first, and the agency provides services to the person to assist him or her in transitioning to independent living.

SECTION 1656. 48.366 (3) (am) of the statutes is created to read:

48.366 **(3)** (am) 1. No later than 150 days after a transition–to–independent–living agreement is entered into, the agency primarily responsible for providing services under the agreement shall petition the court for a determination that the person's placement in out–of–home care under the agreement is in the best interests of the person. The request shall contain the name and address of the placement and specific information showing why the placement

is in the best interests of the person and shall have a copy of the agreement attached to it. The agency shall cause written notice of the petition to be sent to the person who is the subject of the agreement and the person's guardian.

2. On receipt of a petition under subd. 1., the court shall set a date for a hearing on the petition that allows a reasonable time for the parties to prepare but is within 30 days after the date of receipt of the petition. Not less than 3 days before the hearing the agency primarily responsible for providing services under the agreement or the court shall provide notice of the hearing to all persons who are entitled to receive notice under subd. 1. A copy of the petition shall be attached to the notice.

3. If the court finds that the person's placement in out–of–home care under the agreement is in the best interests of the person, the court shall grant an order determining that placement in out–of–home care under the agreement is in the best interests of the person. The court shall grant or deny the order no later than 180 days after the date on which the transition–to–independent–living agreement is entered into.

4. The court shall make the findings under subd. 3. on a case–by–case basis based on circumstances specific to the person and shall document or reference the specific information on which those findings are based in the order under subd. 3. An order that merely references subd. 3. without documenting or referencing that specific information in the order or an amended order that retroactively corrects an earlier order that does not comply with this subdivision is not sufficient to comply with this subdivision.

SECTION 1657. 48.366 (3) (d) of the statutes is created to read:

48.366 **(3)** (d) If the agency that enters into a voluntary agreement under this subsection is the department or a county department, the voluntary agreement shall

also specifically state that the department or the county department has placement and care responsibility for the person who is the subject of the agreement as required under 42 USC 672 (a) (2) and has primary responsibility for providing services to the person.

SECTION 1658. 48.366 (3g) of the statutes is created to read:

48.366 **(3g)** APPEAL PROCEDURES. (a) Any person who is aggrieved by the failure of an agency to enter into a transition–to–independent–living agreement under sub. (3) or by an agency's termination of such an agreement has the right to a contested case hearing under ch. 227.

SECTION 1659. 48.366 (4) (a) of the statutes is amended to read:

48.366 **(4)** (a) Rules permitting a foster home, group home, or residential care center for children and youth to provide care for persons who agree to continue in out–of–home care under an extension of an order described in sub. (1) <u>(a)</u> or a voluntary agreement under sub. (3).

SECTION 1660. 48.38 (1) (ad) of the statutes is created to read:

48.38 **(1)** (ad) "Child" includes a person 18 years of age or over for whom a permanency plan is required under sub. (2).

SECTION 1661. 48.38 (2) (d) of the statutes is amended to read:

48.38 **(2)** (d) The child was placed under a voluntary agreement between the agency and the child's parent under s. 48.63 (1) (a) or (5) (b) <u>or under a voluntary transition–to–independent–living agreement under s. 48.366 (3)</u>.

SECTION 1662. 48.38 (4) (fg) 5. of the statutes is amended to read:

48.38 **(4)** (fg) 5. As provided in par. (fm), <u>placement in</u> some other planned permanent living arrangement that includes an appropriate, enduring relationship

with an adult, including sustaining care ~~or long–term foster care, but not including independent living~~, or the goal of transitioning the child to independence.

SECTION 1663. 48.38 (4) (fg) 6. of the statutes is repealed.

SECTION 1664. 48.38 (4) (fm) of the statutes is amended to read:

48.38 **(4)** (fm) If the agency determines that there is a compelling reason why it currently would not be in the best interests of the child to return the child to his or her home or to place the child for adoption, with a guardian, or with a fit and willing relative as the permanency goal for the child, the permanency goal of placing the child in some other planned permanent living arrangement or of transitioning the child to independence as described in par. (fg) 5. If the agency makes that determination, the plan shall include the efforts made to achieve that permanency goal, including, if appropriate, through an out–of–state placement, a statement of that compelling reason, and, notwithstanding that compelling reason, a concurrent plan under s. 48.355 (2b) towards achieving a goal under par. (fg) 1. to 4. as a concurrent permanency goal in addition to the permanency goal under par. (fg) 5.

SECTION 1665. 48.38 (5) (a) of the statutes is amended to read:

48.38 **(5)** (a) Except as provided in s. 48.63 (5) (d), the court or a panel appointed under par. (ag) shall review the permanency plan for each child for whom a permanency plan is required under sub. (2) in the manner provided in this subsection not later than 6 months after the date on which the child was first removed from his or her home and every 6 months after a previous review under this subsection for as long as the child is placed outside the home, except that for the review that is required to be conducted not later than 12 months after the child was first removed from his or her home and the reviews that are required to be conducted every 12 months after that review the court shall hold a hearing under sub. (5m) to review the

permanency plan, which hearing may be instead of or in addition to the review under this subsection. The 6–month and 12–month periods referred to in this paragraph include trial reunifications under s. 48.358.

SECTION 1666. 48.38 (5) (c) 6. d. of the statutes is amended to read:

48.38 **(5)** (c) 6. d. Being placed in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult, including sustaining care ~~or long–term foster care, but not including independent living~~, or transitioning to independence.

SECTION 1667. 48.38 (5) (c) 9. of the statutes is amended to read:

48.38 **(5)** (c) 9. If the child is the subject of an order that terminates as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4. or 48.365 (5) (b) 4. or of a voluntary transition–to–independent–living agreement under s. 48.366 (3), the appropriateness of the transition–to–independent–living plan developed under s. 48.385; the extent of compliance with that plan by the child, the child's guardian, if any, the agency primarily responsible for providing services under that plan, and any other service providers; and the progress of the child toward making the transition to independent living.

SECTION 1668. 48.38 (5m) (a) of the statutes is amended to read:

48.38 **(5m)** (a) The court shall hold a hearing to review the permanency plan and to make the determinations specified in sub. (5) (c) for each child for whom a permanency plan is required under sub. (2) no later than 12 months after the date on which the child was first removed from the home and every 12 months after a previous hearing under this subsection for as long as the child is placed outside the home. The 12–month periods referred to in this paragraph include trial reunifications under s. 48.358.

SECTION 1669. 48.385 of the statutes is amended to read:

48.385 Plan for transition to independent living. During the 90 days immediately before a child who is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, or in a supervised independent living arrangement attains 18 years of age or, if the child is placed in such a placement under an order under s. 48.355, 48.357, or 48.365 that terminates under s. 48.355 (4) (b) after the child attains 18 years of age <u>or under a voluntary transition–to–independent–living agreement under s. 48.366 (3) that terminates under s. 48.366 (3) (a) after the child attains 18 years of age</u>, during the 90 days immediately before the termination of the order <u>or agreement</u>, the agency primarily responsible for providing services to the child under the order <u>or agreement</u> shall provide the child with assistance and support in developing a plan for making the transition from out–of–home care to independent living. The transition plan shall be personalized at the direction of the child, shall be as detailed as the child directs, and shall include specific options for obtaining housing, health care, education, mentoring and continuing support services, and workforce support and employment services.

SECTION 1674. 48.48 (8p) of the statutes is amended to read:

48.48 **(8p)** To reimburse tribes and county departments, from the appropriation under s. 20.437 (1) (kz), for unexpected or unusually high–cost out–of–home care placements of Indian children by tribal courts<u>, other than placements to which s. 938.485 (4) applies,</u> and for subsidized guardianship payments under s. 48.623 (1) or (6) for guardianships of Indian children ordered by tribal courts. In this subsection, "unusually high–cost out–of–home care placements" means the amount by which the cost to a tribe or to a county department

of out–of–home care placements of Indian children by tribal courts, other than placements to which s. 938.485 (4) applies, exceeds $50,000 in a fiscal year.

SECTION 1675. 48.48 (19) of the statutes is created to read:

48.48 **(19)** To purchase or provide treatment and services for children who are the victims of trafficking, as defined in s. 940.302 (1) (d), for purposes of a commercial sex act, as defined in s. 940.302 (1) (a). Within the availability of funding under s. 20.437 (1) (e), the department shall ensure that that treatment and those services are available to children in all geographic areas of the state, including both urban and rural communities.

SECTION 1676. 48.526 (title) of the statutes is created to read:

48.526 (title) **Community youth and family aids.**

SECTION 1677. 48.526 (1) of the statutes is created to read:

48.526 **(1)** PROCEDURES. The department shall develop procedures for the implementation of this section and standards for the development and delivery of community–based juvenile delinquency–related services, as defined in s. 46.011 (1c), and shall provide consultation and technical assistance to aid counties in the implementation and delivery of those services. The department shall establish information systems and monitoring and evaluation procedures to report periodically to the governor and legislature on the statewide impact of this section.

SECTION 1678. 48.526 (7) (h) of the statutes, as affected by 2015 Wisconsin Act .... (this act), sections 4291 and 4292, is amended to read:

48.526 **(7)** (h) For counties that are ~~participating in the corrective sanctions program~~ purchasing community supervision services under s. 938.533 (2), $1,062,400 in the last 6 months of ~~2015~~ 2017, $2,124,800 in ~~2016~~ 2018, and $1,062,400 in the first 6 months of ~~2017~~ 2019 for the provision of ~~corrective sanctions~~

community supervision services for juveniles from that county. In distributing funds to counties under this paragraph, the department shall ~~determine a county's distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county~~ distribute to each county the full amount of the charges for the services purchased by that county, except that if the amounts available under this paragraph are insufficient to distribute that full amount, the department shall distribute those available amounts to each county that purchases community supervision services based on the ratio that the charges to that county for those services bear to the total charges to all counties that purchase those services.

SECTION 1678m. 48.53 (3) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.53 (3).

SECTION 1678p. 48.53 (3) (a) 2. of the statutes is created to read:

48.53 **(3)** (a) 2. Upon consultation with the state superintendent of public instruction, a grant to a school board for support of a literacy or early childhood development program.

SECTION 1678r. 48.53 (3) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 1678s. 48.53 (3) (c) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 1678t. 48.545 (2) (a) (intro.) of the statutes is amended to read:

48.545 **(2)** (a) (intro.) From the appropriations under s. 20.437 (1) (eg), (kb), and (nL), the department, subject to par. (am), shall distribute $2,097,700 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of ~~500,000~~ 750,000 or more, $1,171,800 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county having a population of ~~500,000~~ 750,000 or more, and $55,000 in each fiscal year to Diverse and Resilient, Inc. to provide programs to accomplish all of the following:

SECTION 1678v. 48.545 (2) (am) of the statutes is created to read:

48.545 **(2)** (am) From the amounts allocated under par. (a), the department may distribute an amount determined by the department to a nonprofit corporation or public agency to provide a program that accomplishes all of the following:

1. Prevents and reduces the incidence of adverse early childhood experiences in children 8 years of age and under and reduces the effects of those experiences through behavioral health and other services.

2. Provides professional development, training, and research in serving children 8 years of age and under for practitioners serving those children.

3. Provides direct services for children 8 years of age and under.

4. Provides child care, including a special care nursery, for children 8 years of age and under that has achieved the top rating provided under the child care quality rating system under s. 48.659.

5. Provides early intervention services under s. 51.44, early childhood education services, in–home treatment services, family services, and outpatient occupational therapy, physical therapy, and speech therapy services for children 8 years of age and under.

SECTION 1678w. 48.545 (2) (b) of the statutes is amended to read:

48.545 **(2)** (b) A nonprofit corporation or public agency that is applying for a grant under par. (a) or (am) shall provide to the department a proposed service plan for the use of the grant moneys. If the department approves the service plan, the department may award the grant. The department shall award the grants on a competitive basis and for a 3–year period.

SECTION 1678x. 48.562 of the statutes is renumbered 48.562 (1), and 48.562 (1) (am), (b), (c), (d) and (dm), as renumbered, are amended to read:

48.562 **(1)** (am) Recommend policies and plans for the improvement of the child welfare system in Milwaukee County and submit its recommendations with respect to those policies and plans to the department under ~~sub. (4m)~~ par. (dm).

(b) Recommend measures for evaluating the effectiveness of the child welfare system in Milwaukee County, including outcome measures, and submit its recommendations with respect to those measures to the department under ~~sub. (4m)~~ par. (dm).

(c) Recommend funding priorities for the child welfare system in Milwaukee County and submit its recommendations with respect to those funding priorities to the department under ~~sub. (4m)~~ par. (dm).

(d) Identify innovative public and private funding opportunities for the child welfare system in Milwaukee County and submit its recommendations with respect to those funding opportunities to the department under ~~sub. (4m)~~ par. (dm).

(dm) Annually, submit a report of its recommendations under ~~subs. (1m) to (4)~~ pars. (am) to (d) to the department, which within 60 days after receiving the report shall prepare a response to those recommendations and transmit the report, together

with its response, to the governor and to the appropriate standing committees of the legislature under s. 13.172 (3).

SECTION 1678y. 48.562 (2m) of the statutes is created to read:

48.562 **(2m)** Any restructuring of the subunit of the department responsible for administering child welfare services in a county having a population of 750,000 or more shall not affect the duties and responsibilities of the Milwaukee child welfare partnership council specified in sub. (1).

SECTION 1679. 48.563 (2) of the statutes is amended to read:

48.563 **(2)** BASIC COUNTY ALLOCATION. For children and family services under s. 48.569 (1) (d), the department shall distribute not more than ~~$66,475,500~~ $68,264,800 in ~~each~~ fiscal year 2015–16 and $68,327,900 in fiscal year 2016–17.

SECTION 1680. 48.569 (2) (a) of the statutes is amended to read:

48.569 **(2)** (a) The county treasurer and each director of a county department shall monthly certify under oath to the department, in the manner the department prescribes, the claim of the county for state reimbursement under this section, and if the department approves the claim it shall certify to the department of administration for reimbursement to the county for amounts due under this section and payment claimed to be made to the counties monthly. ~~The department may make advance payments prior to the beginning of each month equal to one–twelfth of the contracted amount.~~

SECTION 1681. 48.57 (3m) (a) 1. of the statutes is renumbered 48.57 (3m) (a) 1. (intro.) and amended to read:

48.57 **(3m)** (a) 1. (intro.) "Child" means a person under 18 years of age~~;~~. "Child" also includes a person 18 years of age or over, ~~but~~ if any of the following applies:

a. The person is under 19 years of age, ~~who~~ is a full–time student in good academic standing at a secondary school or its vocational or technical equivalent, and ~~who~~ is reasonably expected to complete his or her program of study and be granted a high school or high school equivalency diploma~~; or a person 18 years of age or over, but~~.

b. The person is under 21 years of age, ~~who~~ is a full–time student in good academic standing at a secondary school or its vocational or technical equivalent ~~if~~, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the kinship care relative under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition–to–independent–living agreement under s. 48.366 (3) or 938.366 (3).

SECTION 1682. 48.57 (3m) (ar) of the statutes is renumbered 48.57 (3m) (i) 1. and amended to read:

48.57 **(3m)** (i) 1. ~~The department shall promulgate rules~~ Rules to provide assessment criteria for determining whether a kinship care relative who is providing care and maintenance for a child is eligible to receive payments under par. (am). The rules shall also provide that any criteria established under the rules shall first apply to applications for payments under par. (am) received, and to reviews under par. (d) conducted, on the effective date of those rules.

SECTION 1683. 48.57 (3m) (b) 1. of the statutes is amended to read:

48.57 **(3m)** (b) 1. The county department or, in a county having a population of 500,000 or more, the department shall refer to the attorney responsible for support enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for

whom a payment is made under par. (am). This subdivision does not apply to a child 18 years of age or over for whom a payment is made under par. (am).

SECTION 1684. 48.57 (3m) (i) of the statutes is created to read:

48.57 **(3m)** (i) The department shall promulgate rules to implement this subsection. Those rules shall include all of the following:

2. Rules governing the provision of kinship care payments for the care and maintenance of a child after the child attains 18 years of age.

SECTION 1685. 48.57 (3n) (a) 1. of the statutes is renumbered 48.57 (3n) (a) 1. (intro.) and amended to read:

48.57 **(3n)** (a) 1. (intro.) "Child" means a person under 18 years of age~~;~~. "Child" also includes a person 18 years of age or over, ~~but~~ if any of the following applies:

a. The person is under 19 years of age, ~~who~~ is a full–time student in good academic standing at a secondary school or its vocational or technical equivalent, and ~~who~~ is reasonably expected to complete his or her program of study and be granted a high school or high school equivalency diploma~~; or a person 18 years of age or over, but~~.

b. The person is under 21 years of age, ~~who~~ is a full–time student in good academic standing at a secondary school or its vocational or technical equivalent ~~if~~, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the long–term kinship care relative under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition–to–independent–living agreement under s. 48.366 (3) or 938.366 (3).

SECTION 1686. 48.57 (3n) (b) 1. of the statutes is amended to read:

48.57 **(3n)** (b) 1. The county department or, in a county having a population of 500,000 or more, the department shall refer to the attorney responsible for support enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for whom a payment is made under par. (am). <u>This subdivision does not apply to a child 18 years of age or over for whom a payment is made under par. (am).</u>

SECTION 1687. 48.57 (3n) (i) of the statutes is created to read:

48.57 **(3n)** (i) The department shall promulgate rules to implement this subsection. Those rules shall include rules governing the provision of long–term kinship care payments for the care and maintenance of a child after the child attains 18 years of age.

SECTION 1688. 48.599 (1) of the statutes is renumbered 48.599 (1r).

SECTION 1689. 48.599 (1g) of the statutes is created to read:

48.599 **(1g)** "Child" means a person under 18 years of age. For purposes of the authority to provide care and maintenance for a child placed in a residential care center for children and youth operated by a child welfare agency and of counting the number of children for whom a child welfare agency may provide such care and maintenance, "child" also includes a person 18 years of age or over, but under 21 years of age, who is placed in a residential care center for children and youth operated by a child welfare agency under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates after the person attains 18 years of age, under a voluntary transition–to–independent–living agreement under s. 48.366 (3) or 938.366 (3), or under the placement and care responsibility of another state under 42 USC 675 (8) (B) (iv).

SECTION 1690. 48.619 (intro.) of the statutes is renumbered 48.619 and amended to read:

48.619 Definition. In this subchapter, "child" means a person under 18 years of age. For purposes of the authority to provide care and maintenance for a child and of counting the number of children for whom a foster home or group home may provide care and maintenance, "child" also includes a person 18 years of age or over, but under 21 years of age, who resides in the foster home or group home~~, if any of the following applies:~~ under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates after the person attains 18 years of age, under a voluntary transition–to–independent–living agreement under s. 48.366 (3) or 938.366 (3), or under the placement and care responsibility of another state under 42 USC 675 (8) (B) (iv).

SECTION 1691. 48.619 (1) of the statutes is repealed.

SECTION 1692. 48.619 (2) of the statutes is repealed.

SECTION 1693. 48.623 (1m) of the statutes is created to read:

48.623 **(1m)** DURATION OF ELIGIBILITY. Subsidized guardianship payments under sub. (1) or (6) may be continued after the child attains 18 years of age if any of the following applies:

(a) The child is under 19 years of age, is a full–time student at a secondary school or its vocational or technical equivalent, and is reasonably expected to complete the program before reaching 19 years of age.

(b) The child is under 21 years of age, is a full–time student at a secondary school or its vocational or technical equivalent, has a mental or physical disability that warrants the continuation of those payments as determined by the county department or, in a county having a population of 750,000 or more, the department, is not eligible for social security disability insurance under 42 USC 401 to 433 or supplemental security income under 42 USC 1381 to 1385 based on disability, and

otherwise lacks adequate resources to continue in secondary school or its vocational or technical equivalent.

(c) The child is under 21 years of age, is a full–time student at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the child, and the subsidized guardianship agreement for the child became effective on or after the date on which the child attained 16 years of age.

SECTION 1694. 48.623 (7) (d) of the statutes is created to read:

48.623 **(7)** (d) Rules governing the provision of subsidized guardianship payments for the care of a child after the child attains 18 years of age.

SECTION 1695. 48.685 (6) (a) of the statutes is amended to read:

48.685 **(6)** (a) ~~The~~ Except as provided in this paragraph, the department shall require any person who applies for issuance, continuation, or renewal of a license to operate an entity, ~~the department in a county having a population of 500,000 or more, a county department, or an agency contracted with under s. 48.651 (2) shall require any child care provider who applies for initial certification under s. 48.651 or for renewal of that certification,~~ a county department or a child welfare agency shall require any person who applies for issuance or renewal of a license to operate a foster home under s. 48.62, and the department in a county having a population of 750,000 or more or a county department shall require any person who applies for subsidized guardianship payments under s. 48.623 (6)~~, and a school board shall require any person who proposes to contract with the school board under s. 120.13 (14) or to renew a contract under that subsection,~~ to complete a background information form that is provided by the department. The department shall require any person who applies for issuance, but not continuation, of a license to operate a child care center

under s. 48.65, a school board shall require any person who proposes to contract, but not renew a contract, with the school board under s. 120.13 (14), and the department in a county having a population of 750,000 or more, a county department, or an agency contracted with under s. 48.651 (2) shall require any child care provider who applies for initial certification, but not renewal of that certification, under s. 48.651 to complete a background information form that is provided by the department.

SECTION 1696. 48.685 (6) (am) of the statutes is amended to read:

48.685 **(6)** (am) Except as provided in this paragraph, every 4 years an entity shall require all of its caregivers and all nonclient residents of the entity or of a caregiver specified in sub. (1) (ag) 1. am. of the entity to complete a background information form that is provided to the entity by the department. ~~Every year a~~ A child care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) or a child care provider that is certified under s. 48.651 is exempt from the 4–year requirement, but shall require ~~all of its caregivers and~~ any new caregiver or nonclient ~~residents~~ resident to complete a background information form that is provided to the child care center or child care provider by the department.

SECTION 1696m. 48.78 (2) (L) of the statutes is created to read:

48.78 **(2)** (L) 1. In this paragraph, "qualified independent researcher" means a faculty member of a university who satisfies all of the following:

a. The faculty member has an approved protocol from an institutional review board for human subjects research to work with data containing personal information for the purposes of evaluating the program under s. 119.23.

b. The faculty member has received from the state and properly managed data containing personal information for the purposes of evaluating the program under s. 119.23 before the effective date of this subd. 1. b. .... [LRB inserts date].

2. Notwithstanding par. (a), the department shall permit a qualified independent researcher to have access to any database maintained by the department for the purpose of cross–matching information contained in any such database with a database that both is in the possession of the qualified independent researcher and contains information regarding pupils participating in the program under s. 119.23. The department may charge a fee to the qualified independent researcher for the information that does not exceed the cost incurred by the department to provide the information.

SECTION 1697. 48.975 (3m) of the statutes is renumbered 48.975 (3m) (intro.) and amended to read:

48.975 **(3m)** DURATION. (intro.) The adoption assistance may be continued after the adoptee ~~reaches the age of 18 if that adoptee is a full–time high school student.~~ attains 18 years of age if any of the following applies:

SECTION 1698. 48.975 (3m) (a), (b) and (c) of the statutes are created to read:

48.975 **(3m)** (a) The adoptee is under 19 years of age, is a full–time student at a secondary school or its vocational or technical equivalent, and is reasonably expected to complete the program before reaching 19 years of age.

(b) The adoptee is under 21 years of age, is a full–time student at a secondary school or its vocational or technical equivalent, has a mental or physical disability that warrants the continuation of adoption assistance as determined by the department, is not eligible for social security disability insurance under 42 USC 401 to 433 or supplemental security income under 42 USC 1381 to 1385 based on disability, and otherwise lacks adequate resources to continue in secondary school or its vocational or technical equivalent.

(c) The adoptee is under 21 years of age, is a full–time student at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the adoptee, and the adoption assistance agreement for the adoptee became effective on or after the date on which the adoptee attained 16 years of age.

SECTION 1699. 48.975 (5) (f) of the statutes is created to read:

48.975 **(5)** (f) Rules governing the provision of adoption assistance for the care of a child after the child attains 18 years of age.

SECTION 1700. 48.981 (1) (b) of the statutes is amended to read:

48.981 **(1)** (b) "Community placement" means probation; extended supervision; parole; aftercare; conditional transfer into the community under s. 51.35 (1); conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 residential care center for children and youth or a Type 2 juvenile correctional facility authorized under s. 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06 or 980.08; participation in the community residential confinement program under s. 301.046, the intensive sanctions program under s. 301.048, ~~the corrective sanctions program~~ community supervision under s. 938.533, the intensive supervision program under s. 938.534, or the serious juvenile offender program under s. 938.538; or any other placement of an adult or juvenile offender in the community under the custody or supervision of the department of corrections, the department of health services, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 or any other person under contract with the department of corrections, the department of health services or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 to exercise custody or supervision over the offender.

SECTION 1700m. 48.981 (2m) (b) 1. of the statutes is amended to read:

48.981 **(2m)** (b) 1. "Health care provider" means a physician, as defined under s. 448.01 (5), a physician assistant, as defined under s. 448.01 (6), or a nurse holding a certificate of registration under s. 441.06 (1) or a license under s. 441.10 ~~(3)~~.

SECTION 1701. 48.985 of the statutes is repealed.

SECTION 1702. 49.11 (1) of the statutes is renumbered 49.11 (1e).

SECTION 1703b. 49.11 (1c) of the statutes is created to read:

49.11 **(1c)** "Community–based juvenile delinquency–related services" means juvenile delinquency–related services provided under ch. 938 other than services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) (a), or (7g), or 938.357 (4).

SECTION 1704b. 49.11 (1c) of the statutes, as created by 2015 Wisconsin Act .... (this act), is amended to read:

49.11 **(1c)** "Community–based juvenile delinquency–related services" means juvenile delinquency–related services provided under ch. 938 other than services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) ~~(a)~~, or (7g), or 938.357 (4).

SECTION 1705. 49.138 (5) of the statutes is created to read:

49.138 **(5)** (a) The department shall recover from an individual receiving emergency assistance under this section an overpayment of the emergency assistance if the overpayment resulted from a misrepresentation by the individual applying for the assistance with respect to any fact having an effect on the individual's eligibility for, or the amount of, the assistance granted.

(b) If an overpayment of emergency assistance provided under this section resulted from an error made by a Wisconsin Works agency, the department shall

recover the overpayment from the Wisconsin Works agency and may do so by offsetting the amount from amounts otherwise due the agency under a contract under s. 49.143.

(c) The department may recover overpayments of emergency assistance under par. (a) or (b) in the manners provided in ss. 49.195 (3m) and 49.85. Nothing in this paragraph or par. (b) precludes the department from recovering emergency assistance overpayments through any other legal means.

SECTION 1706. 49.141 (1) (intro.) of the statutes is amended to read:

49.141 **(1)** DEFINITIONS. (intro.) As used in ss. 49.141 to 49.161 and 49.26:

SECTION 1706m. 49.141 (1) (g) of the statutes is amended to read:

49.141 **(1)** (g) "Minimum wage" means the state minimum hourly wage under ~~ch. 104~~ s. 104.035 (1) or the federal minimum hourly wage under 29 USC 206 (a) (1), whichever is applicable.

SECTION 1707. 49.143 (2) (a) (intro.) of the statutes is amended to read:

49.143 **(2)** (a) (intro.) Establish ~~a~~ at least one community steering committee within 60 days after the date on which the contract is ~~awarded~~ signed. A Wisconsin Works agency must establish as many committees as necessary to allow the representation required under subd. 1m. on each committee without exceeding the maximum number of members under subd. 1m. All of the following apply to a community steering committee created under this paragraph:

1m. The Wisconsin ~~works~~ Works agency shall ~~recommend the members of the committee to the chief executive officer of each county served by the Wisconsin works agency. The chief executive officer of each county shall~~ appoint the members of the committee~~. The number of members that each chief executive officer appoints to the committee shall be in proportion to the population of that officer's county relative to~~

~~the population of each other county served by the Wisconsin works agency, except that the chief executive officer of a county that is not a Wisconsin works agency shall appoint the director of the county department under s. 46.215, 46.22 or 46.23, or his or her designee, and one other representative of the county department under s. 46.215, 46.22 or 46.23. The committee shall consist of at least 12 members, but not more than 15 members.~~ within the following parameters:

2m. The members of the committee shall appoint a chairperson who shall be a person who represents business interests.

4m. The committee shall do all of the following:

SECTION 1708. 49.143 (2) (a) 1. of the statutes is renumbered 49.143 (2) (a) 4m. a.

SECTION 1709. 49.143 (2) (a) 1m. a. of the statutes is created to read:

49.143 **(2)** (a) 1m. a. The total number of members on the committee may not exceed 20.

SECTION 1710. 49.143 (2) (a) 1m. b. of the statutes is created to read:

49.143 **(2)** (a) 1m. b. Each county that the Wisconsin Works agency serves must be represented on a committee by a member who is a representative of a county department responsible for economic development, of a city department responsible for economic development for a city that is in that county, or of the business community in that county. The Wisconsin Works agency shall appoint at least one representative of business interests as a member of the committee.

SECTION 1711. 49.143 (2) (a) 2. of the statutes is renumbered 49.143 (2) (a) 4m. b. and amended to read:

49.143 **(2)** (a) 4m. b. Identify and encourage employers to provide permanent jobs for persons who are eligible for ~~trial employment match program jobs or community service jobs~~ Wisconsin Works.

SECTION 1712. 49.143 (2) (a) 3. of the statutes is renumbered 49.143 (2) (a) 4m. c. and amended to read:

49.143 **(2)** (a) 4m. c. Create, and encourage others to create, subsidized jobs for persons who are eligible for ~~trial employment match program jobs or community service jobs~~ Wisconsin Works.

SECTION 1713. 49.143 (2) (a) 4. of the statutes is renumbered 49.143 (2) (a) 4m. d. and amended to read:

49.143 **(2)** (a) 4m. d. Create, and encourage others to create, ~~on-the-job training sites~~ work experience opportunities, including supported work experience, for persons who are eligible for ~~trial employment match program jobs or community service jobs~~ Wisconsin Works.

SECTION 1714. 49.143 (2) (a) 5. and 6. of the statutes are consolidated, renumbered 49.143 (2) (a) 3m. and amended to read:

49.143 **(2)** (a) 3m. ~~Foster~~ The committee may foster and guide the entrepreneurial efforts of participants who are eligible for ~~trial employment match program jobs or community service jobs. 6. Provide~~ Wisconsin Works and provide mentors, both from its membership and from recruitment of members of the community, to provide job-related guidance, including assistance in resolving job-related issues and the provision of job leads or references, to persons who are eligible for ~~trial employment match program jobs or community service jobs~~ Wisconsin Works.

SECTION 1715. 49.143 (2) (a) 7. of the statutes is renumbered 49.143 (2) (a) 4m. e. and amended to read:

49.143 **(2)** (a) 4m. e. Coordinate with ~~the council on workforce investment~~ local workforce development boards established under 29 USC ~~2821~~ 2832 to ensure compatibility of purpose and no duplication of effort.

SECTION 1716. 49.143 (2) (a) 8. of the statutes is repealed.

SECTION 1717. 49.143 (2) (a) 10. of the statutes is repealed.

SECTION 1718. 49.145 (2) (n) 1. (intro.) of the statutes is amended to read:

49.145 **(2)** (n) 1. (intro.) Except as provided in subd. 4., beginning on the date on which the individual has attained the age of 18, the total number of months in which the individual or any adult member of the individual's Wisconsin ~~works~~ Works group has participated in, or has received benefits under, any of the following or any combination of the following does not exceed ~~60~~ 48 months, whether or not consecutive:

SECTION 1719. 49.145 (2) (n) 1. a. of the statutes is amended to read:

49.145 **(2)** (n) 1. a. The job opportunities and basic skills program under s. 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job opportunities and basic skills program counts toward the ~~60–month~~ 48–month limit.

SECTION 1720. 49.145 (2) (n) 3. of the statutes is amended to read:

49.145 **(2)** (n) 3. A Wisconsin ~~works~~ Works agency may extend the time limit under this paragraph only if the Wisconsin ~~works~~ Works agency determines, in accordance with rules promulgated by the department, that ~~unusual circumstances exist that warrant an extension of the participation period~~ the individual is experiencing hardship or that the individual's family includes an individual who has been battered or subjected to extreme cruelty.

SECTION 1721. 49.147 (3) (ac) (intro.) of the statutes is amended to read:

49.147 **(3)** (ac) *Employer subsidies and reimbursements.* (intro.) The Wisconsin Works agency shall pay to an employer that employs a participant under this subsection a wage subsidy in an amount that is negotiated between the Wisconsin Works agency and the employer but that is not ~~less~~ more than the state or federal minimum wage that applies to the participant. The wage subsidy shall be paid for each hour that the participant actually works, up to a maximum of 40 hours per week. The employer shall pay the participant any difference between the wage subsidy amount and the participant's wage and must pay the participant at least minimum wage. In addition to paying the wage subsidy, the Wisconsin Works agency may, as negotiated between the Wisconsin Works agency and the employer, reimburse the employer for all or a portion of other costs that are attributable to the employment of the participant, including any of the following:

SECTION 1722. 49.147 (4) (at) of the statutes is amended to read:

49.147 **(4)** (at) *Motivational training.* A Wisconsin ~~works~~ Works agency may require a participant, during the first 2 weeks of participation under this subsection, to participate in an assessment and motivational training program ~~identified by the community steering committee under s. 49.143 (2) (a) 10~~. The Wisconsin ~~works~~ Works agency may require not more than 40 hours of participation per week under this paragraph in lieu of the participation requirement under par. (as).

SECTION 1723. 49.147 (5) (bt) of the statutes is amended to read:

49.147 **(5)** (bt) *Motivational training.* A Wisconsin ~~works~~ Works agency may require a participant, during the first 2 weeks of participation under this subsection, to participate in an assessment and motivational training program ~~identified by the community steering committee under s. 49.143 (2) (a) 10~~. The Wisconsin ~~works~~

Works agency may require not more than 40 hours of participation per week under this paragraph in lieu of the participation requirement under par. (bs).

SECTION 1724. 49.151 (1) (intro.) of the statutes is renumbered 49.151 (1m) (intro.).

SECTION 1725. 49.151 (1) (a) of the statutes is repealed.

SECTION 1726. 49.151 (1) (b) of the statutes is renumbered 49.151 (1m) (a) (intro.) and amended to read:

49.151 **(1m)** (a) (intro.) The participant, or an individual who is in the participant's Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), fails, without good cause, as determined by the Wisconsin Works agency, to ~~appear~~ do any of the following:

1. Appear for an interview with a prospective employer ~~or, if the participant is in a Wisconsin Works transitional placement, the participant fails to appear.~~

2. Appear for an assigned work activity, ~~including an activity under s. 49.147 (5) (b) 1. a. to d., without good cause, as determined~~ as defined in 42 USC 607 (d), or for an activity assigned by the Wisconsin Works agency.

SECTION 1727. 49.151 (1) (c) of the statutes is renumbered 49.151 (1m) (b) and amended to read:

49.151 **(1m)** (b) The participant, or an individual who is in the participant's Wisconsin ~~works~~ Works group and who is subject to the work requirement under s. 49.15 (2), voluntarily leaves appropriate employment or training without good cause, as determined by the Wisconsin ~~works~~ Works agency.

SECTION 1728. 49.151 (1) (d) of the statutes is renumbered 49.151 (1m) (d) and amended to read:

49.151 **(1m)** (d) The participant, or an individual who is in the participant's Wisconsin ~~works~~ Works group and who is subject to the work requirement under s. 49.15 (2), ~~loses~~ is discharged from appropriate employment ~~as a result of being discharged~~ or training for cause.

SECTION 1729. 49.151 (1) (e) of the statutes is renumbered 49.151 (1m) (f) and amended to read:

49.151 **(1m)** (f) The participant, or an individual who is in the participant's Wisconsin ~~works~~ Works group and who is subject to the work requirement under s. 49.15 (2), demonstrates through other behavior or action, as specified by the department by rule, that he or she refuses to participate in a Wisconsin ~~works~~ Works employment position.

SECTION 1730. 49.151 (1c) of the statutes is created to read:

49.151 **(1c)** DEFINITIONS. In this section:

(a) "Employer" means a subsidized or unsubsidized employer or a work experience provider.

(b) "Employment" means subsidized or unsubsidized employment or an assigned work experience activity.

SECTION 1731. 49.151 (1m) (c) of the statutes is created to read:

49.151 **(1m)** (c) The participant, or an individual who is in the participant's Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), voluntarily leaves a work experience site without good cause, as determined by the Wisconsin Works agency.

SECTION 1732. 49.151 (1m) (e) of the statutes is created to read:

49.151 **(1m)** (e) The participant, or an individual who is in the participant's Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), is discharged from a work experience site for cause.

SECTION 1733. 49.1515 (1) of the statutes is amended to read:

49.1515 **(1)** GUIDELINES BY RULE. The department shall by rule specify guidelines for determining when a participant, or individual in the participant's Wisconsin Works group, who engages in a behavior specified in s. 49.151 ~~(1)~~ (1m) (a), (b), (c), (d), ~~or~~ (e), or (f) is demonstrating a refusal to participate.

SECTION 1734g. 49.153 (1) (intro.) of the statutes is amended to read:

49.153 **(1)** WRITTEN AND ORAL NOTICE. (intro.) ~~Before~~ Except as provided in sub. (1m), before taking any action against a participant that would result in a 20 percent or more reduction in the participant's benefits or in termination of the participant's eligibility to participate in Wisconsin Works, a Wisconsin Works agency shall do all of the following:

SECTION 1734r. 49.153 (1m) of the statutes is created to read:

49.153 **(1m)** NOTICE NOT REQUIRED. A Wisconsin Works agency is not required to comply with the requirements under sub. (1) if the action taken against a participant is a result of the participant no longer meeting the eligibility criteria under s. 49.145 (2) (a), (b), (c), (d), (g), (i), (j), (m), (q), (r), or (rm) or (3).

SECTION 1735. 49.155 (1m) (intro.) of the statutes is amended to read:

49.155 **(1m)** ELIGIBILITY. (intro.) Except as provided in s. 49.155 (3g), the department shall determine, contract with a county department or agency to determine, or contract with a county department or agency to share determination of the eligibility of individuals residing in a particular geographic region or who are members of a particular Indian tribal unit for child care subsidies under this section.

Under this section, an individual may receive a subsidy for child care for a child who has not attained the age of 13 or, if the child is disabled, who has not attained the age of 19, if the individual meets all of the following conditions:

SECTION 1736. 49.155 (3) (intro.) of the statutes is amended to read:

49.155 **(3)** CHILD CARE LOCAL ADMINISTRATION. (intro.) Except as provided in sub. (3g), ~~the~~ a county department or agency with which the department contracts under sub. (1m) to determine eligibility in a particular geographic region or for a particular Indian tribal unit shall administer child care assistance in that geographic region or for that tribal unit. For the administration of child care assistance under this section, the department may require the county department or agency to do all of the following:

SECTION 1737. 49.155 (3m) (am) of the statutes is created to read:

49.155 **(3m)** (am) If the department contracts with a county department or agency under sub. (1m), the department shall allocate funds for the eligibility determination function under the contract. When allocating these funds, the department may consider trends in applications, a county department's or agency's past eligibility determination expenditures, the respective portions of the eligibility determination function to be performed by the department and the county department or agency, and any other factor determined by the department.

SECTION 1738. 49.155 (3m) (b) 1. of the statutes is amended to read:

49.155 **(3m)** (b) 1. Subject to subds. 2. and 3., the department shall, to the extent practicable, allocate funds to a contract entered into under sub. (1m) for the administration of the program under sub. (3) in the same proportion as the geographic region's or Indian tribal unit's proportionate share of all ~~statewide subsidy authorizations and eligibility redeterminations under sub. (3) (e)~~ funding

allocated under par. (am) for eligibility determination functions during the contract period or, if the department elects, in the same proportion as the geographic region's or Indian tribal unit's proportionate share of all children for whom a subsidy was provided under this section in the most recent 12–month period for which applicable statistics are available before the start of the contract period.

SECTION 1739. 49.159 (1) (a) (intro.) of the statutes is amended to read:

49.159 **(1)** (a) (intro.) An individual who would be eligible under s. 49.145 except that the individual is the noncustodial parent of a dependent child is eligible for services and benefits under par. (b) if the individual is subject to a child support order, the individual satisfies all of the requirements related to substance abuse screening, testing, and treatment under s. 49.162 that apply to the individual, and any of the following applies to the custodial parent of the dependent child:

SECTION 1740. 49.162 of the statutes is created to read:

49.162 Substance abuse screening and testing for certain work experience programs. (1) In this section:

(a) "Administering agency" means the department or an agency with which the department contracts to administer a program.

(b) "Controlled substance" has the meaning given in s. 961.01 (4).

(c) "Program" means any of the following:

1. Services and benefits under s. 49.159 (1) (b).

2. The Transform Milwaukee Jobs program or the Transitional Jobs program under s. 49.163.

3. A work experience and job training program under s. 49.36.

(2) Beginning on the effective date of the rules promulgated under sub. (7), or on the effective date of the emergency rules promulgated under 2015 Wisconsin Act

.... (this act), section 9106 (2c), whichever is earlier, in order to participate in a program, an individual who applies to participate in a program or who registers for a program under sub. (1) (c) 3., shall complete a controlled substance abuse screening questionnaire. If, on the basis of answers to the questionnaire, the administering agency determines that there is a reasonable suspicion that an individual who is otherwise eligible for a program is abusing a controlled substance, the administering agency shall require the individual to undergo a test for the use of a controlled substance. If the individual refuses to submit to a test, the individual is not eligible to participate in a program until the individual complies with the requirement to undergo a test for the use of a controlled substance.

(3) If an individual who undergoes a test under sub. (2) tests negative for the use of a controlled substance, or tests positive for the use of a controlled substance but presents evidence satisfactory to the administering agency that the individual possesses a valid prescription for each controlled substance for which the individual tests positive, the individual will have satisfactorily completed the substance abuse testing requirements under this section.

(4) (a) If an individual who undergoes a test under sub. (2) tests positive for the use of a controlled substance without presenting evidence of a valid prescription as described in sub. (3), the administering agency shall require the individual to participate in substance abuse treatment to remain eligible to participate in a program. If the individual refuses to participate in substance abuse treatment, the individual is not eligible to participate in a program until the individual complies with the requirement to participate in substance abuse treatment.

(b) During the time that an individual is receiving substance abuse treatment under par. (a), the administering agency shall require the individual to undergo

random testing for the use of a controlled substance. For the individual to remain eligible for a program, the individual must cooperate with the testing and the results of the tests must be negative or, if any results are positive, the individual must present evidence of a valid prescription as described in sub. (3). If the results of any test during treatment are positive for the use of a controlled substance and the individual does not present evidence of a valid prescription for the controlled substance, the individual shall have the opportunity to begin the treatment again one time, as determined by the administering agency. If the individual begins the substance abuse treatment again, he or she shall remain eligible for a program as long as the results of all tests for the use of a controlled substance during the subsequent treatment are negative for the use of a controlled substance or, if any results are positive, the individual presents evidence of a valid prescription for the controlled substance.

(c) If an individual receiving treatment under par. (b) completes treatment and, at the conclusion of the treatment, tests negative for the use of a controlled substance or presents evidence of a valid prescription for any controlled substance for which the individual tests positive, the individual will have satisfactorily completed the substance abuse testing requirements under this section.

(5) The department shall manage the costs and reinvest the savings under this section, and shall work with the administering agency, if different from the department, to manage the costs and reinvest the savings.

(6) From the appropriation under s. 20.437 (2) (em), the department shall pay substance abuse treatment costs under this section that are not otherwise covered by medical assistance under subch. IV, private insurance, or another type of coverage. If treatment costs payable by the department exceed the moneys available

under s. 20.437 (2) (em), the department shall request the joint committee on finance to take action under s. 13.101. The requirement of a finding of emergency under s. 13.101 (3) (a) 1. does not apply to such a request.

(7) The department shall promulgate rules to implement the substance abuse screening, testing, and treatment requirements under this section.

SECTION 1741. 49.163 (2) (a) of the statutes is amended to read:

49.163 **(2)** (a) The department shall establish a Transform Milwaukee Jobs program in Milwaukee County and, if funding is available, may establish a Transitional Jobs program outside of Milwaukee County. To the extent of available funds, the department shall conduct the Transitional Jobs program, if established, in one or more geographic areas in the state that are not in Milwaukee County. In selecting the geographic area or areas in which to conduct the Transitional Jobs program, the department shall give priority to those areas with relatively high rates of unemployment and childhood poverty <u>and to other areas with special needs that the department determines should be given priority</u>.

SECTION 1742. 49.163 (2) (am) 7. of the statutes is created to read:

49.163 **(2)** (am) 7. Satisfy all of the requirements related to substance abuse screening, testing, and treatment under s. 49.162 that apply to the individual.

SECTION 1743. 49.163 (3) (a) 3. a. of the statutes is amended to read:

49.163 **(3)** (a) 3. a. A wage subsidy <u>that is</u> equal to ~~the~~ <u>an</u> amount ~~of wages that~~ <u>negotiated between the department and</u> the employer or contractor ~~pays to the individual~~<u>, that is paid</u> for ~~hours~~ <u>each hour the individual</u> actually worked, not to exceed 40 hours per week ~~at~~<u>, and that is not more than</u> the federal or state minimum wage that applies to the individual.

SECTION 1744. 49.163 (3) (a) 4. of the statutes is amended to read:

49.163 **(3)** (a) 4. An employer, or, subject to the approval of the department, a contractor under sub. (4), that employs an individual participating in the program may pay the individual an amount that exceeds any wage subsidy paid to the employer or contractor by the department under subd. 3. a., except that the employer or contractor must pay the individual at least minimum wage.

SECTION 1745. 49.175 (1) (intro.) of the statutes is amended to read:

49.175 **(1)** ALLOCATION OF FUNDS. (intro.) Except as provided in ~~sub.~~ subs. (2) and (3), within the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc), (md), (me), and (s) and (3) (kp), the department shall allocate the following amounts for the following purposes:

SECTION 1746. 49.175 (1) (a) of the statutes is amended to read:

49.175 **(1)** (a) *Wisconsin Works benefits.* For Wisconsin Works benefits, ~~$82,014,000~~ $83,000,000 in fiscal year ~~2013–14~~ 2015–16 and ~~$72,696,000~~ $83,000,000 in fiscal year ~~2014–15~~ 2016–17.

SECTION 1747. 49.175 (1) (b) of the statutes is amended to read:

49.175 **(1)** (b) *Wisconsin Works agency contracts; job access loans.* For contracts with Wisconsin Works agencies under s. 49.143 and for job access loans under s. 49.147 (6), ~~$57,586,500 in fiscal year 2013–14 and $58,336,500~~ $58,336,500 in each fiscal year ~~2014–15~~.

SECTION 1748. 49.175 (1) (g) of the statutes is amended to read:

49.175 **(1)** (g) *State administration of public assistance programs and overpayment collections.* For state administration of public assistance programs and the collection of public assistance overpayments, ~~$12,697,100~~ $15,080,200 in fiscal year ~~2013–14~~ 2015–16 and ~~$12,812,700~~ $15,295,800 in fiscal year ~~2014–15~~ 2016–17.

SECTION 1749. 49.175 (1) (i) of the statutes is amended to read:

49.175 **(1)** (i) *Emergency assistance.* For emergency assistance under s. 49.138 and for transfer to the department of administration for low–income energy or weatherization assistance programs, ~~$7,500,000~~ $8,500,000 in fiscal year 2015–16 and $8,400,000 in ~~each~~ fiscal year 2016–17.

SECTION 1749m. 49.175 (1) (j) of the statutes is created to read:

49.175 **(1)** (j) *Grants for providing civil legal services.* For the grants under 2015 Wisconsin Act .... (this act), section 9106 (2q), to Wisconsin Trust Account Foundation, Inc., for distribution to programs that provide civil legal services to low–income families, $500,000 in each fiscal year.

SECTION 1750. 49.175 (1) (k) of the statutes is amended to read:

49.175 **(1)** (k) *Transform Milwaukee and Transitional Jobs programs.* For contract costs under the Transform Milwaukee Jobs program and the Transitional Jobs program under s. 49.163, ~~$3,750,000~~ $6,000,000 in fiscal year ~~2013–14~~ 2015–16 and ~~$5,000,000~~ $7,000,000 in fiscal year ~~2014–15~~ 2016–17.

SECTION 1750g. 49.175 (1) (L) of the statutes is created to read:

49.175 **(1)** (L) *Adult literacy grants.* For grants to qualified applicants under s. 49.169 to provide literacy training to adults who are eligible for temporary assistance for needy families under 42 USC 601 et seq., $41,600 in each fiscal year.

SECTION 1751. 49.175 (1) (n) of the statutes is created to read:

49.175 **(1)** (n) *Fostering futures: connections count.* For funding community connectors to interact with vulnerable families with young children and to connect families with formal and informal community support, $360,300 in fiscal year 2016–17.

SECTION 1752. 49.175 (1) (p) of the statutes is amended to read:

49.175 **(1)** (p) *Direct child care services.* For direct child care services under s. 49.155, ~~$271,400,200~~ $262,064,700 in fiscal year ~~2013–14~~ 2015–16 and ~~$274,734,000~~ $280,719,700 in fiscal year ~~2014–15~~ 2016–17.

SECTION 1753. 49.175 (1) (q) of the statutes is amended to read:

49.175 **(1)** (q) *Child care state administration and licensing activities.* For state administration of child care programs under s. 49.155 and for child care licensing activities, ~~$29,719,000~~ $35,244,600 in fiscal year ~~2013–14~~ 2015–16 and ~~$31,799,500~~ $33,248,300 in fiscal year ~~2014–15~~ 2016–17.

SECTION 1754. 49.175 (1) (qm) of the statutes is amended to read:

49.175 **(1)** (qm) *Quality care for quality kids.* For the child care quality improvement activities specified in s. 49.155 (1g), ~~$13,095,800~~ $15,492,700 in each fiscal year.

SECTION 1755. 49.175 (1) (r) of the statutes is amended to read:

49.175 **(1)** (r) *Children of recipients of supplemental security income.* For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, ~~$33,688,000~~ $31,338,200 in each fiscal year.

SECTION 1756. 49.175 (1) (s) of the statutes is amended to read:

49.175 **(1)** (s) *Kinship care and long-term kinship care assistance.* For kinship care and long–term kinship care payments under s. 48.57 (3m) (am) and (3n) (am), for assessments to determine eligibility for those payments, and for agreements under s. 48.57 (3t) with the governing bodies of Indian tribes for the administration of the kinship care and long–term kinship care programs within the boundaries of the reservations of those tribes, ~~$20,335,200~~ $21,222,700 in fiscal year ~~2013–14~~ 2015–16 and ~~$20,774,400~~ $21,435,000 in fiscal year ~~2014–15~~ 2016–17.

SECTION 1757. 49.175 (1) (t) of the statutes is amended to read:

49.175 **(1)** (t) *Safety and out-of-home placement services.* For services provided to ensure the safety of children who the department or a county determines may remain at home if appropriate services are provided, and for services provided to families with children placed in out-of-home care, ~~$7,711,100~~ $3,647,200 in ~~each~~ fiscal year 2015-16 and $5,392,700 in fiscal year 2016-17.

SECTION 1758. 49.175 (1) (u) of the statutes is amended to read:

49.175 **(1)** (u) *Prevention services.* For services to prevent child abuse or neglect in counties having a population of 500,000 or more, ~~$1,489,600~~ $1,389,600 in each fiscal year.

SECTION 1758m. 49.175 (1) (v) of the statutes is created to read:

49.175 **(1)** (v) *General education development.* For general education development testing and preparation for individuals who are eligible for temporary assistance for needy families under 42 USC 601 et seq., $127,000 in fiscal year 2015-16 and $115,000 in fiscal year 2016-17.

SECTION 1759. 49.175 (1) (z) of the statutes is amended to read:

49.175 **(1)** (z) *Grants to the Boys and Girls Clubs of America.* For grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., focusing on study habits, intensive tutoring in math and English, and exposure to career options and role models, ~~$1,250,000 in fiscal year 2013-14 and $1,100,000~~ $1,175,000 in each fiscal year ~~2014-15~~. Grants provided under this paragraph may not be used by the grant recipient to replace funding for programs that are being funded, when the grant proceeds are received, with moneys other than those from the appropriations

specified in sub. (1) (intro.). The total amount of the grants ~~for fiscal year 2013–14~~ includes ~~$25,000 for the greater Wisconsin Rapids Area Boys and Girls Club to fund the Cranberry Science, Technology, Engineering, and Mathematics program and, if the program provides $125,000 in matching funds, $125,000~~ funds for the Green Bay Boys and Girls Clubs for the BE GREAT: Graduate program in the amount of matching funds that the program provides, up to $75,000 in each fiscal year, to be used only for activities for which federal Temporary Assistance for Needy Families block grant moneys may be used.

SECTION 1759m. 49.175 (1) (zh) of the statutes is amended to read:

49.175 **(1)** (zh) *Earned income tax credit supplement.* For the transfer of moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, ~~$62,500,000~~ $67,600,000 in fiscal year 2015–16 and $69,700,000 in ~~each~~ fiscal year 2016–17.

SECTION 1760. 49.175 (3) of the statutes is created to read:

49.175 **(3)** LIMIT ON CERTAIN FUNDS. Moneys from the appropriation account under s. 20.437 (3) (kp) for the allocations specified in sub. (1) shall be limited to $4,730,300 and may be expended only for obligations incurred between October 1, 2015, and September 30, 2016.

SECTION 1761. 49.195 (title) of the statutes is amended to read:

49.195 (title) **Recovery of aid to families with dependent children ~~and~~, Wisconsin ~~works~~ Works benefits, and overpayments of emergency assistance.**

SECTION 1762. 49.195 (3) of the statutes is amended to read:

49.195 **(3)** A county, tribal governing body, Wisconsin ~~works~~ Works agency, or the department shall determine whether an overpayment has been made under s.

~~49.19~~ 49.138, 49.148, 49.155 ~~or~~, 49.157, or 49.19 and, if so, the amount of the overpayment. The county, tribal governing body, Wisconsin ~~works~~ Works agency, or department shall provide notice of the overpayment to the liable person. The department shall give that person an opportunity for a review following the procedure specified under s. 49.152, if the person received the overpayment under s. 49.141 to 49.161, and for a hearing under ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all overpayments made under s. ~~49.19~~ 49.138, 49.148, 49.155 ~~or~~, 49.157, or 49.19 that have not already been received under s. 49.138 (5), 49.161, or 49.19 (17) or received as a setoff under s. 71.93 and shall promulgate rules establishing policies and procedures to administer this subsection. The rules shall include notification procedures similar to those established for child support collections.

SECTION 1762m. 49.22 (13) of the statutes is created to read:

49.22 **(13)** (a) Subject to par. (b), the department may terminate child and spousal support enforcement services if there is no longer a current support or maintenance order and either of the following applies:

1. Any support or maintenance arrearages total less than $500.

2. Any support or maintenance arrearages are considered unenforceable by a county child support agency under s. 59.53 (5) because no support or maintenance payments have been collected for 3 years and all administrative and legal remedies for collection of arrearages have been attempted or are determined to be ineffective because the payer is unable to pay, the payer has no known income or assets, and there is no reasonable prospect that the payer will be able to pay in the foreseeable future.

(b) The department shall, not less than 60 days prior to terminating child or spousal support services, notify the individual who receives the services, or the initiating state in an interstate enforcement action, of its intent to terminate services. If the individual or the state provides information to the department in response to the notification that could result in an effective enforcement action, the department may not terminate services.

(c) An individual or the initiating state in an interstate enforcement action may request the department to resume child or spousal support enforcement services terminated under this subsection if there is a change of circumstances that could result in an effective enforcement action and the individual or the state completes a new application for services and pays any applicable fee to the department for its services.

SECTION 1763. 49.26 (1) (gm) 1. d. of the statutes is created to read:

49.26 **(1)** (gm) 1. d. A child whose Wisconsin Works group includes a participant under s. 49.147 (3), (4), or (5) who has been unable to participate in activities required under s. 49.147 (3), (4), or (5) due to the child's school–related problems.

SECTION 1764. 49.275 of the statutes is amended to read:

49.275 Cooperation with federal government. The department may cooperate with the federal government in carrying out federal acts concerning public assistance under this subchapter ~~and~~, child welfare under ch. 48, and community–based juvenile delinquency–related services under ch. 938 and in other matters of mutual concern ~~under this subchapter~~ pertaining to public welfare ~~and under ch. 48 pertaining to~~, child welfare, and juvenile delinquency under this subchapter and chs. 48 and 938.

SECTION 1765. 49.32 (1) (a) of the statutes is amended to read:

49.32 **(1)** (a) Except as provided in s. 49.345 (14) (b) and (c), the department shall establish a uniform system of fees for services ~~provided or purchased~~ under this subchapter and ch. 48, and community–based juvenile delinquency–related services under ch. 938, purchased or provided by the department~~,~~ or by a county department under s. 46.215, 46.22, or 46.23, except as provided in s. 49.22 (6) and except when, as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. A county department under s. 46.215, 46.22, or 46.23 shall apply the fees that it collects under this program to cover the cost of those services. The department shall report to the joint committee on finance no later than March 1 of each year on the number of children placed for adoption by the department during the previous year and the costs to the state for services relating to such adoptions.

SECTION 1766. 49.32 (1) (b) of the statutes is amended to read:

49.32 **(1)** (b) Except as provided in s. 49.345 (14) (b) and (c), any person receiving services purchased or provided ~~or purchased~~ under par. (a) or the spouse of the person and, in the case of a minor, the parents of the person, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, shall be liable for the services in the amount of the fee established under par. (a).

SECTION 1767. 49.32 (2) (b) of the statutes is amended to read:

49.32 **(2)** (b) The department may make social services payments and payments for community–based juvenile delinquency–related services directly to recipients, vendors, or providers in accordance with law and rules of the department

on behalf of the counties ~~which~~ that have contracts to have ~~such~~ those payments made on their behalf.

SECTION 1767m. 49.32 (6m) of the statutes is created to read:

49.32 **(6m)** MILWAUKEE PARENTAL CHOICE PROGRAM RESEARCH. (a) In this subsection, "qualified independent researcher" means a faculty member of a university who satisfies all of the following:

1. The faculty member has an approved protocol from an institutional review board for human subjects research to work with data containing personal information for the purposes of evaluating the program under s. 119.23.

2. The faculty member has received from the state and properly managed data containing personal information for the purposes of evaluating the program under s. 119.23 before the effective date of this subdivision .... [LRB inserts date].

(b) The department shall permit a qualified independent researcher to have access to any database maintained by the department for the purpose of cross–matching information contained in any such database with a database that both is in the possession of the qualified independent researcher and contains information regarding pupils participating in the program under s. 119.23. The department may charge a fee to the qualified independent researcher for the information that does not exceed the cost incurred by the department to provide the information.

SECTION 1768. 49.325 (1) (a) of the statutes is amended to read:

49.325 **(1)** (a) Each county department under s. 46.215, 46.22, or 46.23 shall submit its final budget for services purchased or directly provided ~~or purchased~~ under this subchapter or ch. 48 and for community–based juvenile

delinquency–related services purchased or directly provided under ch. 938 to the department by December 31 annually.

SECTION 1769. 49.325 (2) of the statutes is amended to read:

49.325 **(2)** ASSESSMENT OF NEEDS. Before developing and submitting a proposed budget for services purchased or directly provided ~~or purchased~~ under this subchapter or ch. 48 and for community–based juvenile delinquency–related services purchased or directly provided under ch. 938 to the county executive or county administrator or the county board, the county departments listed in sub. (1) shall assess needs and inventory resources and services, using an open public participation process.

SECTION 1770. 49.325 (2g) (a) of the statutes is amended to read:

49.325 **(2g)** (a) The department shall annually submit to the county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department a proposed written contract containing the allocation of funds for services purchased or directly provided ~~or purchased~~ under this subchapter or ch. 48, for community–based juvenile delinquency–related services purchased or directly provided under ch. 938, and for such administrative requirements as necessary. The contract as approved may contain conditions of participation consistent with federal and state law. The contract may also include provisions necessary to ensure uniform cost accounting of services. Any changes to the proposed contract shall be mutually agreed upon. The county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department shall approve the contract before January 1 of the year in which it takes effect unless the department grants an extension. The county board of supervisors in a county with

a single–county department or the county boards of supervisors in counties with a multicounty department may designate an agent to approve addenda to any contract after the contract has been approved.

SECTION 1771. 49.325 (2g) (b) of the statutes is amended to read:

49.325 **(2g)** (b) The department may not approve contracts for amounts in excess of available revenues. The county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department may appropriate funds for community–based juvenile delinquency–related services. Actual expenditure of county funds shall be reported in compliance with procedures developed by the department.

SECTION 1772. 49.325 (2g) (c) of the statutes is amended to read:

49.325 **(2g)** (c) The joint committee on finance may require the department to submit contracts between county departments under ss. 46.215, 46.22, and 46.23 and providers of services under this subchapter or ch. 48 or of community–based juvenile delinquency–related services under ch. 938 to the committee for review and approval.

SECTION 1773. 49.325 (2r) (a) 1. of the statutes is amended to read:

49.325 **(2r)** (a) 1. For services under this subchapter or ch. 48 or community–based juvenile delinquency–related services under ch. 938 that duplicate or are inconsistent with services being purchased or provided ~~or purchased~~ by the department or other county departments receiving grants–in–aid or reimbursement from the department.

SECTION 1774. 49.325 (2r) (a) 2. of the statutes is amended to read:

49.325 **(2r)** (a) 2. Inconsistent with state or federal statutes, rules, or regulations, in which case the department may also arrange for the provision of

services under this subchapter or ch. 48 or community–based juvenile delinquency–related services under ch. 938 by an alternate agency. The department may not arrange for the provision of those services by an alternate agency unless the joint committee on finance or a review body designated by the committee reviews and approves the department's determination.

SECTION 1775. 49.34 (1) of the statutes is amended to read:

49.34 **(1)** All services under this subchapter and ch. 48 and all community–based juvenile delinquency–related services under ch. 938 purchased by the department or by a county department under s. 46.215, 46.22, or 46.23 shall be authorized and contracted for under the standards established under this section. The department may require the county departments to submit the contracts to the department for review and approval. For purchases of $10,000 or less the requirement for a written contract may be waived by the department. No contract is required for care provided by foster homes that are required to be licensed under s. 48.62. When the department directly contracts for services, ~~it~~ the department shall follow the procedures in this section in addition to meeting purchasing requirements established in s. 16.75.

SECTION 1776. 49.34 (2) of the statutes is amended to read:

49.34 **(2)** All services purchased under this subchapter and ch. 48 and all community–based juvenile delinquency–related services purchased under ch. 938 shall meet standards established by the department and other requirements specified by the purchaser in the contract. Based on these standards the department shall establish standards for cost accounting and management information systems that shall monitor the utilization of the services, and document the specific services in meeting the service plan for the client and the objective of the service.

SECTION 1776n. 49.34 (3) (a) of the statutes is amended to read:

49.34 **(3)** (a) ~~Purchase of service contracts~~ Contracts under this section shall be written in accordance with rules promulgated and procedures established by the department. Contracts for client services shall show the total dollar amount to be purchased ~~and~~; shall show for each service the number of clients to be served, number of client service units, the unit rate per client service, and the total dollar amount for each service; shall permit the provider of a rate–based service to generate a surplus of revenue earned under the contract over allowable costs incurred in the contract period; and shall permit a nonprofit corporation that is a provider of a rate–based service or a rate–regulated service to retain from that surplus the amounts specified in sub. (5m) (b), (d), (e), or (em), whichever is applicable. Nothing in this paragraph shall be construed to guarantee the generation of a surplus by a provider of a rate–based service.

SECTION 1776p. 49.34 (3) (c) of the statutes is amended to read:

49.34 **(3)** (c) For proprietary agencies, contracts may include a percentage add–on for profit according to rules promulgated by the department. In calculating profits generated by a rate–regulated service, a proprietary agency may combine revenues in the same manner that a nonprofit corporation is permitted to combine revenues under sub. (5m) (d) 1. and may offset surpluses generated by affiliated providers against deficits generated by such providers in the same manner that a nonprofit corporation is permitted to offset surpluses against deficits under sub. (5m) (d) 2. In calculating profits generated by a rate–based service, a proprietary agency that is a successor provider following a merger, acquisition, consolidation, reorganization, sale, or other transfer may offset surpluses generated by a preexisting provider against deficits generated by such a provider in the same

manner that a nonprofit corporation is permitted to offset surpluses against deficits under sub. (5m) (e).

SECTION 1777. 49.34 (3) (f) of the statutes is repealed.

SECTION 1777fb. 49.34 (5m) (a) 1. of the statutes is renumbered 49.34 (5m) (a) 1r.

SECTION 1777fc. 49.34 (5m) (a) 1d. of the statutes is created to read:

49.34 **(5m)** (a) 1d. "Affiliated provider" means a provider that has control of, is subject to the control of, or is under common control with another provider.

SECTION 1777fe. 49.34 (5m) (a) 1g. of the statutes is created to read:

49.34 **(5m)** (a) 1g. "Combined revenues" means the aggregate revenues received by a provider from all purchasers of all rate–regulated services provided by the provider.

SECTION 1777ff. 49.34 (5m) (a) 1j. of the statutes is created to read:

49.34 **(5m)** (a) 1j. "Control" means the possession of the power, directly or indirectly, to direct or cause the direction of the management and policies of a provider through the ownership of more than 50 percent of the voting rights of the provider, by contract, or otherwise.

SECTION 1777fh. 49.34 (5m) (a) 2. of the statutes is amended to read:

49.34 **(5m)** (a) 2. "Rate–based service" means a service or a group of similar services, as determined by the department, provided under one or more contracts between a provider and the purchaser of those services that is reimbursed through a prospectively set rate and that is distinguishable from other services or groups of similar services by the purpose for which funds are provided for that service or group of similar services and by the source of funding for that service or group of similar services.

SECTION 1777fj. 49.34 (5m) (a) 3. of the statutes is created to read:

49.34 **(5m)** (a) 3. "Rate–regulated service" means a rate–based service that is reimbursed through a rate established under s. 49.343.

SECTION 1777fk. 49.34 (5m) (b) 1. and 2. of the statutes are consolidated, renumbered 49.34 (5m) (b) and amended to read:

49.34 **(5m)** (b) Subject to ~~subds. 2. and 3. and par.~~ pars. (d), (e), and (em), if revenue under a contract for the provision of a rate–based service exceeds allowable costs incurred in the contract period, the provider ~~may~~ shall be permitted to retain ~~from the~~ any surplus generated by that rate–based service ~~up to 5% of the contract amount. A provider that retains a surplus under this subdivision shall~~ as provided in this paragraph and to use that retained ~~surplus to cover a deficit between revenue and allowable costs incurred in any preceding or future contract period for the same rate–based service that generated the surplus or to address the programmatic needs of clients served by the same rate–based service that generated the surplus. This subdivision does not apply to a child welfare agency that is authorized under s. 48.61 (7) to license foster homes, a group home, as defined in s. 48.02 (7), or a residential care center for children and youth, as defined in s. 48.02 (15d). 2.~~ amount, in the sole discretion of the provider, to cover any allowable costs specified in 2 CFR part 200 or in any other applicable federal law or regulation. If on December 31 of any year the amount accumulated by a provider from all contract periods ending during that year for a rate–based service exceeds 5 percent of the total revenue received from all of those contract periods, the provider shall provide written notice of that excess to all purchasers of the rate–based service and, upon the written request of such a purchaser received no later than 6 months after the date of the notice, shall return to the purchaser the purchaser's proportional share of that excess. Subject to ~~subd.~~

~~3. and par.~~ pars. (d), (e), and (em), a provider may accumulate funds from more than one contract period under this paragraph~~, except that, if at the end of a contract period the amount accumulated from all contract periods for a rate–based service exceeds 10% of the amount of all current contracts for that rate–based service, the provider shall, at the request of a purchaser, return to that purchaser the purchaser's proportional share of that excess and use any of that excess that is not returned to a purchaser to reduce the provider's unit rate per client for that rate–based service in the next contract period. If a provider has held for 4 consecutive contract periods an accumulated reserve for a rate–based service that is equal to or exceeds 10% of the amount of all current contracts for that rate–based service, the provider shall apply 50% of that accumulated amount to reducing its unit rate per client for that rate–based service in the next contract period. The department may grant an exception to this subdivision upon request of a provider that is a child welfare agency that is authorized under s. 48.61 (7) to license foster homes, a group home, as defined in s. 48.02 (7), or a residential care center for children and youth, as defined in s. 48.02 (15d)~~. A contract for a rate–based service may not limit the provider to retaining from any surplus generated by that service an amount that is less than 5 percent of the revenue received under the contract. Nothing in this paragraph shall be construed to guarantee the generation of a surplus by the provider of a rate–based service.

SECTION 1777fn. 49.34 (5m) (b) 3. of the statutes is repealed.

SECTION 1777fp. 49.34 (5m) (d) of the statutes is created to read:

49.34 **(5m)** (d) 1. Subject to subd. 2. and par. (e), if on December 31 of any year the combined revenues from all contract periods ending during that year for all rate–regulated services exceed the allowable costs related to the provision of those

rate–regulated services in that year, the provider shall be permitted to retain any surplus generated by those rate–regulated services as provided in this subdivision and to use that retained amount, in the sole discretion of the provider, to cover any allowable costs specified in 2 CFR Part 200 or in any other applicable federal law or regulation. If on December 31 of any year the amount accumulated by a provider from all contract periods ending during that year for a rate–regulated service provided under those contracts in that year exceeds 5 percent of the total revenue received from all of those contract periods, the provider shall provide written notice of that excess to all purchasers of that rate–regulated service and, upon the written request of such a purchaser received no later than 6 months after the date of the notice, shall return to the purchaser the purchaser's proportional share of that excess. The department may grant an exception to this subdivision upon the request of a provider of a rate–regulated service. A contract for a rate–regulated service may not limit the provider to retaining from any surplus generated by that service an amount that is less than 5 percent of the revenue received under the contract. Nothing in this subdivision shall be construed to guarantee the generation of a surplus by the provider of a rate–regulated service.

2. In calculating under subd. 1. the surplus generated by 2 or more affiliated providers, any surplus of combined revenues over allowable costs generated by one or more of those affiliated providers shall be reduced, but not below zero, by any deficit between combined revenues and allowable costs generated by any one or more of those affiliated providers. If after that reduction there remains any net surplus, that net surplus shall be allocated among the affiliated providers that generated a surplus in proportion to the amount of surplus generated by each such affiliated

provider and subd. 1. shall apply to each such affiliated provider's proportionate share of that surplus.

SECTION 1777fq. 49.34 (5m) (e) of the statutes is created to read:

49.34 **(5m)** (e) In making the calculations under pars. (b) and (d), if 2 or more providers engage in a merger, acquisition, consolidation, reorganization, sale, or other transfer resulting in a single successor provider, all surpluses generated by a rate–based service or a rate–regulated service provided by a preexisting provider shall be offset against all deficits generated by that service provided by a preexisting provider and those net surpluses or deficits shall be the surpluses or deficits of the successor provider.

SECTION 1777fr. 49.34 (5m) (em) of the statutes is amended to read:

49.34 **(5m)** (em) Notwithstanding par. (b) ~~1. and 2.~~, a county department under s. 46.215, 51.42, or 51.437 providing client services in a county having a population of 500,000 or more or a nonstock, nonprofit corporation providing client services in such a county may not retain a surplus generated by a rate–based service or accumulate funds from more than one contract period for a rate–based service from revenues that are used to meet the maintenance–of–effort requirement under the federal temporary assistance for needy families program under 42 USC 601 to 619.

SECTION 1778. 49.345 (1) of the statutes is amended to read:

49.345 **(1)** Liability and the collection and enforcement of such liability for the care, maintenance, services, and supplies specified in this section are governed exclusively by this section, except in cases of child support ordered by a court under s. 48.355 (2) (b) 4., 48.357 (5m) (a), ~~or~~ 48.363 (2)<u>, 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a), or 938.363 (2)</u> or ch. 767.

SECTION 1779. 49.345 (2) of the statutes is amended to read:

49.345 **(2)** Except as provided in sub. (14) (b) and (c), any person, including ~~but not limited to~~ a person placed under s. 48.345 (3) ~~or~~, 48.357 (1) or (2m), 938.183, 938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance, services, and supplies provided by any institution in this state, in which the state is chargeable with all or part of the person's care, maintenance, services, and supplies, and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services, and supplies in accordance with the fee schedule established by the department under s. 49.32 (1). If a spouse, widow, or minor, or an incapacitated person may be lawfully dependent upon the property for his or her support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for the person. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt ~~thereof~~ of the notice is not a condition of liability.

SECTION 1780. 49.345 (8) (g) of the statutes is amended to read:

49.345 **(8)** (g) Pay quarterly from the appropriation under s. 20.437 (1) (gg) the collection moneys due county departments under ss. 46.215, 46.22, and 46.23. Payments shall be made as soon after the close of each quarter as is practicable.

SECTION 1781. 49.345 (14) (b) of the statutes is amended to read:

49.345 **(14)** (b) Except as provided in par. (c), and subject to par. (cm), liability of a parent specified in sub. (2) or s. 49.32 (1) for the care and maintenance of the parent's minor child who has been placed by a court order under s. 48.355 ~~or~~, 48.357, 938.183, 938.355, or 938.357 in a residential, nonmedical facility such as a group home, foster home, subsidized guardianship home, or residential care center for children and youth shall be determined by the court by using the percentage standard established by the department under s. 49.22 (9) and by applying the percentage standard in the manner established by the department under par. (g).

SECTION 1782. 49.345 (14) (e) 1. of the statutes is amended to read:

49.345 **(14)** (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), or 48.363 (2) for support determined under this subsection constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, and other money due or to be due in the future to the county department under s. 46.22 or 46.23 in the county where the order was entered or to the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

SECTION 1783. 49.345 (14) (e) 1. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

49.345 **(14)** (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), ~~or~~ 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a), or 938.363 (2) for support determined under this subsection constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits

under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, and other money due or to be due in the future to the county department under s. 46.215, 46.22, or 46.23 in the county where the order was entered or to the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

SECTION 1784. 49.345 (14) (g) of the statutes is amended to read:

49.345 **(14)** (g) For purposes of determining child support under par. (b), the department shall promulgate rules related to the application of the standard established by the department under s. 49.22 (9) to a child support obligation for the care and maintenance of a child who is placed by a court order under s. 48.355 ~~or~~, 48.357, 938.183, 938.355, or 938.357 in a residential, nonmedical facility. The rules shall take into account the needs of any person, including dependent children other than the child, whom either parent is legally obligated to support.

SECTION 1785. 49.345 (16) of the statutes is amended to read:

49.345 **(16)** The department shall delegate to county departments under ss. 46.215, 46.22, and 46.23 or the local providers of care and services meeting the standards established by the department under s. 49.34 the responsibilities vested in the department under this section for collection of fees for services other than those provided at state facilities, if the county departments or providers meet the conditions that the department determines are appropriate. The department may delegate to county departments under ss. 46.215, 46.22, and 46.23 the responsibilities vested in the department under this section for collection of fees for services provided at the state facilities if the necessary conditions are met.

SECTION 1785m. 49.348 of the statutes is created to read:

49.348 Recidivism reduction program. (1) The department may request proposals for a program that reduces the rate of recidivism of persons in the city of Milwaukee who have previously been incarcerated following a criminal conviction. The department shall specify that the program will be conducted under a contract with a 5–year term and that no payment will be made under the contract until the organization selected to conduct the program demonstrates, after the 5–year term, that the program met a certain minimum level of success, as determined under subs. (2) and (4). The selected organization may serve as an intermediary for obtaining funding to perform the contract by raising capital from private donors or investors and for subcontracting with direct providers to achieve the specified performance outcomes. In evaluating proposals, the department shall give a preference to those that incorporate reuniting parents with their children.

(2) The legislative audit bureau shall assist the department and the selected organization in identifying benchmarks by which to measure the organization's performance under the contract.

(3) After selecting a proposal, the department shall submit a written plan for the program and the contract under which it will be performed to the joint committee on finance. The department shall include in the plan information on the selected proposal and organization, the methods by which the organization will finance startup and ongoing costs of the program during the 5–year term of the contract, the benchmarks identified under sub. (2), the methods by which performance will be monitored and measured, the levels of payment for different degrees of success, and any service providers that the selected organization intends to engage in order to deliver services under the contract. If the cochairpersons of the joint committee on finance do not notify the department within 14 working days after the date of the

submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented by the department. If, within 14 days after the date of the submittal of the plan, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the plan, the department may only implement the plan as approved by the committee.

(4) After completion of the 5–year contract term, the legislative audit bureau shall conduct an audit of the program to determine whether the benchmarks identified under sub. (2) have been met.

SECTION 1786. 49.35 (1) (a) of the statutes is amended to read:

49.35 **(1)** (a) The department shall supervise the administration of programs under this subchapter and ch. 48 <u>and of community–based juvenile delinquency–related programs under ch. 938</u>. The department shall submit to the federal authorities state plans for the administration of programs under this subchapter and ch. 48 <u>and of community–based juvenile delinquency–related programs under ch. 938</u> in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their correctness.

SECTION 1787. 49.35 (1) (b) of the statutes is amended to read:

49.35 **(1)** (b) All records of the department and all county records relating to programs under this subchapter and ch. 48<u>, community–based juvenile delinquency–related programs under ch. 938,</u> and aid under s. 49.18, 1971 stats., s. 49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973, shall be open to inspection at all reasonable hours by authorized representatives of the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county records relating to the administration of the services and public assistance specified

in this paragraph shall be open to inspection at all reasonable hours by authorized representatives of the department.

SECTION 1788. 49.35 (2) of the statutes is amended to read:

49.35 **(2)** The county administration of all laws relating to programs under this subchapter and ch. 48 <u>and to community–based juvenile delinquency–related programs under ch. 938</u> shall be vested in the officers and agencies designated in the statutes.

SECTION 1789. 49.36 (3) (a) of the statutes is amended to read:

49.36 **(3)** (a) Except as provided in par. (f) <u>and subject to sub. (3m)</u>, a person ordered to register under s. 767.55 (2) (am) shall participate in a work experience program if services are available.

SECTION 1790. 49.36 (3m) of the statutes is created to read:

49.36 **(3m)** A person is not eligible to participate in a program under this section unless the person satisfies all of the requirements related to substance abuse screening, testing, and treatment under s. 49.162 that apply to the individual.

SECTION 1791p. 49.45 (3g) of the statutes is created to read:

49.45 **(3g)** PAYMENTS TO FEDERALLY QUALIFIED HEALTH CENTERS. (a) For services provided by a federally qualified health center before July 1, 2016, to a recipient of the Medical Assistance program under this subchapter, the department shall reimburse the federally qualified health center under a payment methodology in effect on January 1, 2015, and in accordance with 42 USC 1396a (bb) (6).

(b) For services provided by a federally qualified health center on or after July 1, 2016, to a recipient of the Medical Assistance program under this subchapter, the department shall reimburse the federally qualified health centers using a payment methodology based on the Medicaid prospective payment system under 42 USC

1396a (bb) (1) to (3). The department shall consult with federally qualified health centers in developing the payment methodology under this paragraph. The department shall phase–in over fiscal years 2016–17, 2017–18, and 2018–19 payment of new rates under the payment methodology developed under this paragraph.

SECTION 1791r. 49.45 (3m) of the statutes is created to read:

49.45 **(3m)** DISPROPORTIONATE SHARE HOSPITAL PAYMENTS. (a) Subject to par. (c) and notwithstanding sub. (3) (e), from the appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department shall pay to hospitals that serve a disproportionate share of low–income patients an amount equal to the sum of $15,000,000, as the state share of payments, and the matching federal share of payments. The department may make a payment to a hospital under this subsection under the calculation method described in par. (b) if the hospital meets all of the following criteria:

1. The hospital is located in this state.

2. The hospital provides a wide array of services, including services provided through an emergency department.

3. The inpatient days for Medical Assistance recipients at the hospital were at least 6 percent of the total inpatient days at that hospital during the most recent year for which such information is available.

4. The hospital meets applicable, minimum requirements to be a disproportionate share hospital under 42 USC 1396r–4 and any other applicable federal law.

(b) The department shall comply with all of the following when making payments to hospitals described in par. (a):

1. The department shall distribute the total amount of moneys described under par. (a) to be paid to hospitals with a disproportionate share of low–income patients by doing all of the following:

a. Dividing the number of Medical Assistance recipient inpatient days at a hospital by the number of total inpatient days at the hospital to obtain the percentage of Medical Assistance recipient inpatient days at that hospital.

b. Subject to subds. 2. and 3., providing an increase to the inpatient fee–for–service base rate for each hospital that qualifies for a disproportionate share hospital payment such that the hospital's overall fee–for–service add–on percentage under this subsection increases as the hospital's percentage of Medical Assistance recipient inpatient days increases.

2. The department shall ensure that the total amount of moneys available to pay hospitals with a disproportionate share of low–income patients is distributed in each fiscal year.

3. The department shall limit the maximum payment to hospitals such that all of the following are true for disproportionate share hospital payments under this subsection in a fiscal year:

a. No single hospital receives more than $2,500,000.

b. The amount of payment is in accordance with federal rules concerning the hospital specific limit.

(c) If the department needs data to calculate the payments under this subsection other than the data available from the Medicaid Management Information System, the fiscal survey data, or the federal centers for Medicare and Medicaid services public records, the department shall collect the necessary data from hospitals.

(d) The department shall seek any necessary approval from the federal department of health and human services to implement the hospital payment methodology described under pars. (a) and (b). If approval is necessary and approval from the federal department of health and human services is received, the department shall implement the payment methodology described under pars. (a) and (b). If approval is necessary and the department and the federal department of health and human services negotiate a methodology for making payments to hospitals with a disproportionate share of low–income patients that is different from the methodology described under pars. (a) and (b), the department, before implementing the negotiated payment methodology, shall submit to the joint committee on finance the negotiated payment methodology. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the submittal by the department that the committee has scheduled a meeting for the purpose of reviewing the negotiated payment methodology, the department may implement the negotiated payment methodology. If, within 14 working days after the date of the submittal by the department, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the negotiated payment methodology, the negotiated payment methodology may be implemented only on approval of the committee.

SECTION 1792. 49.45 (6m) (br) 1. of the statutes is amended to read:

49.45 **(6m)** (br) 1. Notwithstanding s. ~~20.410 (3) (cd),~~ 20.435 ~~or~~ (7) (b) or 20.437 <u>(1) (cj) or</u> (2) (dz), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.435 (7) (b), or the department shall direct the department of children and families to reduce allocations of funds to counties or Wisconsin Works agencies in the amount of the

disallowance from the appropriation account under s. 20.437 (1) (cj) or (2) (dz) ~~or direct the department of corrections to reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.410 (3) (cd)~~, in accordance with s. 16.544 to the extent applicable.

SECTION 1793. 49.45 (6v) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 1794. 49.45 (6v) (c) of the statutes is amended to read:

49.45 **(6v)** (c) If the report specified in par. (b) indicates that utilization of beds by recipients of medical assistance in facilities is less than estimates for that utilization reflected in the intentions of the joint committee on finance, legislature and governor, as expressed by them in the budget determinations, the department shall include a proposal to transfer moneys from the appropriation under s. 20.435 (4) (b) to the appropriation under s. 20.435 ~~(7)~~ (4) (bd) for the purpose of increasing funding for the community options program under s. 46.27. The amount proposed for transfer may not reduce the balance in the appropriation account under s. 20.435 (4) (b) below an amount necessary to ensure that that appropriation account will end the current fiscal year or the current fiscal biennium with a positive balance. The secretary shall transfer the amount identified under the proposal.

SECTION 1796. 49.45 (23) (c) of the statutes is repealed.

SECTION 1797. 49.45 (23) (g) of the statutes is created to read:

49.45 **(23)** (g) 1. Subject to subd. 3., the department shall submit to the secretary of the federal department of health and human services an amendment to the waiver requested under par. (a) that authorizes the department to do all of the following with respect to the childless adults demonstration project under this subsection:

a. Impose monthly premiums as determined by the department.

b. Impose higher premiums for enrollees who engage in behaviors that increase their health risks, as determined by the department.

c. Require a health risk assessment for all enrollees.

d. Limit an enrollee's eligibility under the demonstration project to no more than 48 months. The department shall specify the eligibility formula in the waiver amendment.

e. Require, as a condition of eligibility, that an applicant or enrollee submit to a drug screening assessment and, if indicated, a drug test, as specified by the department in the waiver amendment.

2. Subject to subd. 3., if the secretary of the federal department of health and human services approves the amendment to the waiver under par. (a), in whole or in part, the department shall implement the changes to the demonstration project under this subsection specified in subd. 1. a. to e. that are approved by the secretary, consistent with the approval.

3. Prior to submitting to the secretary of the federal department of health and human services the amendment described in subd. 1., the department shall submit to the joint committee on finance a report that summarizes the provisions, and provides an estimate of the fiscal effect, of the proposed amendment to the waiver. If the secretary of the federal department of health and human services approves the amendment described in subd. 1., in whole or in part, before implementing the changes approved by the secretary, the department shall submit a report to the joint committee on finance that summarizes the provisions, and provides an estimate of the fiscal effect, of the amendment approved by the secretary.

SECTION 1798. 49.45 (24k) of the statutes is created to read:

49.45 **(24k)** DENTAL REIMBURSEMENT PILOT PROJECT. (a) 1. Subject to approval of the federal department of health and human services under par. (b), the department, as a pilot project, shall distribute moneys in each fiscal year to increase the reimbursement rate under Medical Assistance for pediatric dental care and adult emergency dental services, as defined by the department, that are provided in Brown, Marathon, Polk, and Racine counties. The reimbursement rate for these services shall equal 80 percent of the median fee for each service as reported in the most recent fee survey for the east north central region conducted by the American Dental Association or shall equal the provider's usual and customary charge, whichever is less. If a median fee is not reported for a service, the department shall establish a fee for the service that approximates 80 percent of the median usual and customary charge for that service for dentists practicing in the state but the reimbursement received by a provider may not exceed the provider's usual and customary charge for that service.

2. For dental services provided on a fee–for–service basis as of July 1, 2015, the reimbursement rate increase specified in subd. 1. shall be distributed on a fee–for–service basis. For dental services provided as of July 1, 2015, by a health maintenance organization that contracts with the department to provide Medical Assistance services at a capitated rate, the department shall distribute the reimbursement rate increase under subd. 1. to the health maintenance organization. The department shall include in a contract with a health maintenance organization that provides dental services described in subd. 1. in the counties specified in subd. 1. a requirement that the health maintenance organization reimburse providers of services in accordance with the reimbursement rate increase pilot project under

subd. 1. The department may not distribute the reimbursement rate increase under subd. 1. to federally qualified health centers that receive a grant under 42 USC 254b.

(b) The department shall request any waiver from and submit any amendments to the state Medical Assistance plan to the federal department of health and human services necessary for the reimbursement rate increase pilot project under par. (a). If any necessary waiver request or state plan amendment request is approved, the department shall implement par. (a) beginning on the effective date of the waiver or plan amendment.

(c) If the reimbursement rate increase pilot project under par. (a) is implemented, before the first day of the 4th month beginning after the effective date of the waiver or plan amendment described in par. (b) and quarterly thereafter, the department shall collaborate with the Health Policy Institute of the American Dental Association to evaluate the pilot project under par. (a) and shall submit a report to the joint committee on finance that includes data on all of the following key outcomes of interest from the pilot counties specified in par. (a) and from counties that are not pilot counties:

1. Dental care utilization among children and adults in dental clinics and in emergency rooms.

2. Participation by dentists in the Medical Assistance program.

3. The fiscal impact of the pilot project under par. (a), including costs and savings.

4. If feasible, a comparison of the pilot project as administered under a fee–for–service system and under a health maintenance organization system.

5. If feasible, the impact of the pilot project on oral health outcomes, such as Medical Assistance recipients' self–reported assessment of oral health and barriers to obtaining dental care.

(d) The department may not distribute the reimbursement rate increases under par. (a) for pediatric dental care and adult emergency dental services provided after the first day of the 37th month beginning after the effective date of the waiver or plan amendment described in par. (b).

SECTION 1799. 49.45 (30x) of the statutes is created to read:

49.45 **(30x)** LICENSED MIDWIFE SERVICES. (a) *Provider reimbursement.* Beginning January 1, 2016, services under s. 49.46 (2) (b) 12t. provided to an individual are reimbursable under the Medical Assistance program if an amendment to the state medical assistance plan approved by the federal department of health and human services permits reimbursement under s. 49.46 (2) (b) 12t.

(b) *Plan amendment.* The department shall submit to the federal department of health and human services an amendment to the state medical assistance plan to permit the application of par. (a). The department may not pay reimbursement under par. (a) unless the amendment to the state plan allowing reimbursement under s. 49.46 (2) (b) 12t. is approved and in effect.

SECTION 1800. 49.45 (39) (bm) of the statutes is created to read:

49.45 **(39)** (bm) *Excess state share.* Any portion of the state share under this subsection in excess of $42,200,000 in fiscal year 2015–16 and in excess of $41,700,000 in fiscal year 2016–17 and each fiscal year thereafter shall be deposited in the Medical Assistance trust fund.

SECTION 1801. 49.45 (39m) of the statutes is created to read:

49.45 **(39m)** STATE PLAN AMENDMENT FOR PHARMACIST REIMBURSEMENT. The department shall submit to the federal department of health and human services an amendment to the state Medical Assistance plan to permit Medical Assistance reimbursement to pharmacists who meet the training requirements specified by the department to administer vaccines, as determined by the department, to a person 6 to 18 years of age. The department shall provide Medical Assistance reimbursement under this subsection if the federal department of health and human services approves the amendment to the state Medical Assistance plan. A pharmacist or pharmacy shall enroll in the federal Vaccines for Children Program under 42 USC 1396s to be eligible for Medical Assistance reimbursement under this subsection.

SECTION 1802. 49.45 (41) (b) of the statutes is amended to read:

49.45 **(41)** (b) If a county elects to become certified as a provider of mental health crisis intervention services, the county may provide mental health crisis intervention services under this subsection in the county to medical assistance recipients through the medical assistance program. A county that elects to provide the services shall pay the amount of the allowable charges for the services under the medical assistance program that is not provided by the federal government. ~~From the appropriation account under s. 20.435 (5) (bL), the~~ The department shall reimburse the county under this subsection only for the amount of the allowable charges for those services under the medical assistance program that is provided by the federal government.

SECTION 1803. 49.452 of the statutes is created to read:

49.452 Counting promissory notes as assets for certain Medical Assistance programs. (1) In this section, "promissory note" means a written, unconditional agreement, given in return for goods, money loaned, or services

rendered, under which one party promises to pay another party a specified sum of money at a specified time or on demand.

(2) If an individual's assets are counted when determining or redetermining the individual's financial eligibility for Medical Assistance, the department shall include a promissory note as a countable asset if all of the following apply:

(a) The individual applying for or receiving benefits under Medical Assistance or his or her spouse provided the goods, money loaned, or services rendered for the promissory note.

(b) The promissory note was entered into or purchased on or after the effective date of this paragraph .... [LRB inserts date].

(c) The promissory note is negotiable, assignable, and enforceable and does not contain any terms making it unmarketable.

(3) A promissory note is presumed to be negotiable and its asset value is the outstanding principal balance at the time the individual applies for Medical Assistance or at the time the individual's eligibility for Medical Assistance is redetermined, unless the individual shows by credible evidence from a knowledgeable source that the note is nonnegotiable or has a different current market value, which will then be considered the asset value.

SECTION 1804. 49.453 (4c) (am) of the statutes is created to read:

49.453 **(4c)** (am) Notwithstanding par. (a), for purposes of sub. (2), the purchase of or entering into a promissory note by an individual or his or her spouse on or after the effective date of this paragraph .... [LRB inserts date], is a transfer of assets for less than fair market value unless all of the following apply:

1. The promissory note satisfies the requirements under par. (a) 1. to 3.

2. The promissory note is negotiable, assignable, and enforceable and does not contain any terms making it unmarketable.

SECTION 1805. 49.453 (4c) (b) of the statutes is renumbered 49.453 (4c) (b) 1. and amended to read:

49.453 **(4c)** (b) 1. The value of a promissory note~~,~~ purchased before the effective date of this subdivision .... [LRB inserts date], a loan, or a mortgage that does not satisfy the requirements under par. (a) 1. to 3. is the outstanding balance due on the date that the individual applies for medical assistance for nursing facility services or other long–term care services described in sub. (2).

SECTION 1806. 49.453 (4c) (b) 2. of the statutes is created to read:

49.453 **(4c)** (b) 2. The value of a promissory note purchased or entered into on or after the effective date of this subdivision .... [LRB inserts date], that does not satisfy the requirements under par. (am) 1. and 2. is the outstanding balance due on the date that the individual applies for Medical Assistance for nursing facility services or other long–term care services described in sub. (2) or on the date that the individual's eligibility for Medical Assistance for nursing facility services or other long–term care services described in sub. (2) is redetermined.

SECTION 1807. 49.46 (2) (b) 12t. of the statutes is created to read:

49.46 **(2)** (b) 12t. Subject to the limitations under s. 49.45 (30x), licensed midwife services provided by a certified professional midwife licensed under s. 440.982.

SECTION 1808. 49.46 (2) (b) 14m. of the statutes is created to read:

49.46 **(2)** (b) 14m. Subject to par. (bt), substance abuse treatment services provided by a medically monitored treatment service or a transitional residential treatment service.

SECTION 1809. 49.46 (2) (bt) of the statutes is created to read:

49.46 **(2)** (bt) 1. For the purposes of par. (b) 14m., a "medically monitored treatment service" is a 24–hour, community–based service providing observation, monitoring, and treatment by a multidisciplinary team under supervision of a physician, with a minimum of 12 hours of counseling provided per week for each patient.

2. For the purposes of par. (b) 14m., a "transitional residential treatment service" is a clinically supervised, peer–supported, therapeutic environment with clinical involvement providing substance abuse treatment in the form of counseling for 3 to 11 hours provided per week for each patient.

3. If approval by the federal department of health and human services of a state plan amendment or waiver request is necessary for federal reimbursement of the services under par. (b) 14m., the department is not required to pay for services described in par. (b) 14m. if the department does not receive the necessary approval.

4. The department may not provide reimbursement for services under par. (b) 14m. that are provided before July 1, 2016, or before the date of approval of the state plan amendment or waiver request described under subd. 3., whichever is later.

SECTION 1810. 49.471 (8) (d) 1. a. of the statutes is amended to read:

49.471 **(8)** (d) 1. a. A pregnant woman, except as provided in ~~pars.~~ <u>par.</u> (cr) 1. c. ~~and (fm) 4.~~

SECTION 1811. 49.471 (8) (f) of the statutes is repealed.

SECTION 1812. 49.471 (8) (fm) of the statutes is repealed.

SECTION 1813. 49.471 (8) (g) of the statutes is repealed.

SECTION 1814. 49.472 (5) of the statutes is amended to read:

49.472 **(5)** COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s. 20.435 ~~(7)~~ (4) (bd), the department may pay all or a portion of the monthly premium calculated under sub. (4) (a) for an individual who is a participant in the community options program under s. 46.27 (11).

SECTION 1817. 49.682 (title) of the statutes is amended to read:

49.682 (title) **Recovery from estates; disease aids and funeral expenses.**

SECTION 1818. 49.682 (1) (a) of the statutes is amended to read:

49.682 **(1)** (a) "Client" means a person who receives or received aid under s. 49.68, 49.683, or 49.685 or a person on whose behalf funeral, burial, or cemetery expenses aid was provided under s. 49.785.

SECTION 1819b. 49.682 (1) (d) of the statutes is renumbered 49.682 (1) (d) (intro.) and amended to read:

49.682 **(1)** (d) (intro.) "Nonclient surviving spouse" means any of the following:

1. A person who was married to a client ~~while~~ when the client was receiving or received services or aid for which the cost may be recovered under sub. (2) (a) and who survived the client.

SECTION 1819c. 49.682 (1) (d) 2. of the statutes is created to read:

49.682 **(1)** (d) 2. A person who was married to a client on whose behalf funeral, burial, or cemetery expenses aid was provided under s. 49.785, who was married to the client at the client's death or when the client was receiving or received any of the benefits described in s. 49.785 (1c) that made the client an eligible recipient under s. 49.785, or at both times, and who survived the client.

SECTION 1820. 49.682 (2) (am) of the statutes is created to read:

49.682 **(2)** (am) The department shall file a claim against the estate of a client, and against the estate of a nonclient surviving spouse, for the amount of aid under s. 49.785 paid to or on behalf of the client.

SECTION 1821. 49.682 (2) (bm) 1. of the statutes is amended to read:

49.682 **(2)** (bm) 1. Property that is subject to the department's claim under par. (a) or (am) in the estate of a client or in the estate of a nonclient surviving spouse is all property of a decedent that is included in the estate.

SECTION 1822. 49.682 (2) (bm) 2. of the statutes is amended to read:

49.682 **(2)** (bm) 2. There is a presumption, consistent with s. 766.31, which may be rebutted, that all property in the estate of the nonclient surviving spouse was marital property held with the client and that 100 percent of the property in the estate of the nonclient surviving spouse is subject to the department's claim under par. (a) or (am).

SECTION 1823. 49.682 (2) (c) (intro.) of the statutes is amended to read:

49.682 **(2)** (c) (intro.) The court shall reduce the amount of a claim under par. (a) or (am) by up to the amount specified in s. 861.33 (2) if necessary to allow the decedent's heirs or the beneficiaries of the decedent's will to retain the following personal property:

SECTION 1824. 49.682 (3) of the statutes is amended to read:

49.682 **(3)** The department shall administer the program under this section and may contract with an entity to administer all or a portion of the program, including gathering and providing the department with information needed to recover payment of aid provided under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785. All funds received under this subsection, net of any amount claimed under s. 49.849 (5), shall be remitted for deposit in the general fund.

SECTION 1825. 49.682 (4) (a) of the statutes is amended to read:

49.682 **(4)** (a) The department may recover amounts under this section for the provision of aid provided under s. 49.68, 49.683, or 49.685 paid on and after September 1, 1995, and for the provision of aid provided under s. 49.785 paid on or after the effective date of this paragraph .... [LRB inserts date].

SECTION 1826. 49.682 (4) (b) of the statutes is amended to read:

49.682 **(4)** (b) The department may file a claim under sub. (2) (a) only with respect to a client who dies after September 1, 1995. The department may file a claim under sub. (2) (am) only with respect to a client who dies after the effective date of this paragraph .... [LRB inserts date].

SECTION 1827. 49.682 (5) of the statutes is amended to read:

49.682 **(5)** The department shall promulgate rules establishing standards for determining whether the application of this section with respect to a claim under sub. (2) (a) would work an undue hardship in individual cases. If the department determines that the application of this section with respect to a claim under sub. (2) (a) would work an undue hardship in a particular case, the department shall waive application of this section in that case.

SECTION 1830. 49.78 (5) of the statutes is amended to read:

49.78 **(5)** PERSONNEL EXAMINATIONS. Statewide examinations to ascertain qualifications of applicants in any county department administering aid to families with dependent children shall be given by the ~~administrator of the division~~ director of the bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration. The ~~office of state employment relations~~ department of administration shall be reimbursed for actual expenditures incurred in the performance of its functions under this section from the appropriations

available to the department of children and families for administrative expenditures.

SECTION 1831. 49.785 (1m) (d) of the statutes is created to read:

49.785 **(1m)** (d) If the recipient, or the recipient's spouse or another person, owns a life insurance policy insuring the recipient's life and the face value of the policy is more than $3,000, any amount that the department would be obligated to pay under sub. (1) shall be reduced by one dollar for every dollar by which the face value of the policy exceeds $3,000.

SECTION 1831p. 49.785 (1r) of the statutes is created to read:

49.785 **(1r)** A funeral home, cemetery, or crematorium that receives payment under sub. (1) shall be exempt from paying any of the following fees:

(a) Fees for services rendered by a coroner.

(b) Fees assessed for the signing of a death certificate by a coroner or medical examiner.

(c) Fees assessed by a county related to transportation services.

SECTION 1832. 49.785 (2) of the statutes is created to read:

49.785 **(2)** The department shall pursue recovery of any amounts paid under sub. (1) from the estate of the recipient and from the estate of any surviving spouse or former spouse of the recipient as provided in ss. 49.682 and 49.849.

SECTION 1832p. 49.79 (1m) of the statutes is created to read:

49.79 **(1m)** WELFARE RECIPIENT. An individual who is a recipient under the food stamp program is considered to be a welfare recipient for purposes of 21 USC 862b.

SECTION 1832r. 49.79 (7c) of the statutes is created to read:

49.79 **(7c)** REDUCTION OF BENEFITS TO PAY COST OF REPLACEMENT CARDS. (a) If a recipient under the food stamp program requests replacement of a lost or stolen

electronic benefit transfer card, the department shall deduct from the recipient's benefit account the allowable costs incurred by the state, as determined by the department, to replace the lost or stolen electronic benefit transfer card. Amounts deducted under this paragraph shall be transferred to the appropriation account under s. 20.435 (4) (jd).

(b) The department shall inform the food and nutrition service of the federal department of agriculture of its plan to implement the policy under par. (a). The plan shall specify how the department intends to account for card replacement fees and shall identify the replacement threshold, frequency, and circumstances in which the fee will be applicable.

SECTION 1833. 49.79 (9) (d) of the statutes is created to read:

49.79 **(9)** (d) 1. The department shall promulgate rules to develop and implement a drug screening, testing, and treatment policy to screen and, if indicated, test and treat participants in an employment and training program under this subsection who are able–bodied adults for use of a controlled substance without a valid prescription for the controlled substance. The policy shall include at least all of the following elements:

a. Only participants for whom there is a reasonable suspicion of use of a controlled substance without a valid prescription for the controlled substance may be subjected to testing. The policy shall include mechanisms for the determination of a reasonable suspicion to require submission to a drug test.

b. If a participant tests negative for use of a controlled substance, or tests positive for the use of a controlled substance but presents evidence satisfactory to the department that the individual possesses a valid prescription for each controlled substance for which the individual tests positive, the individual will have

satisfactorily completed the substance abuse testing requirements under this paragraph.

c. If a participant tests positive for use of a controlled substance for which he or she does not have a valid prescription, then the individual must participate in state–sponsored substance abuse treatment to remain eligible for the employment and training program.

d. While participating in state–sponsored treatment, an individual who has tested positive for the use of a controlled substance without a valid prescription for the controlled substance shall submit to random testing for the use of a controlled substance, and the test results must be negative, or positive with evidence of a valid prescription, in order for the individual to remain eligible for the employment and training program under this subsection. If a test result is positive and the individual does not have a valid prescription for the controlled substance for which the individual tests positive, the individual may begin treatment again one time and will remain eligible for the employment and training program. If the individual completes treatment and tests negative for use of a controlled substance, or tests positive for the use of a controlled substance but presents evidence satisfactory to the department that the individual possesses a valid prescription for each controlled substance for which the individual tests positive, the individual will have satisfactorily completed the substance abuse screening and testing requirements under this paragraph.

2. Subject to the promulgation of rules under subd. 1., the department shall screen and, if indicated, test and treat participants in an employment and training program under this subsection who are able–bodied adults for illegal use of a controlled substance without a valid prescription for the controlled substance.

SECTION 1833t. 49.83 of the statutes is amended to read:

49.83 Limitation on giving information. Except as provided under ss. 49.25 and 49.32 (6m), (9), (10), and (10m), no person may use or disclose information concerning applicants and recipients of relief funded by a relief block grant, aid to families with dependent children, Wisconsin Works under ss. 49.141 to 49.161, social services, child and spousal support and establishment of paternity and medical support liability services under s. 49.22, or supplemental payments under s. 49.77 for any purpose not connected with the administration of the programs, except that the departments of children and families and health services may disclose, including by transmitting or granting access to electronic data, such information, including social security numbers, to the department of revenue for the sole purposes of administering state taxes, including verifying refundable individual income tax credits, and collecting debts owed to the department of revenue. Any person violating this section may be fined not less than $25 nor more than $500 or imprisoned in the county jail not less than 10 days nor more than one year or both.

SECTION 1834b. 49.849 (1) (c) of the statutes is renumbered 49.849 (1) (c) (intro.) and amended to read:

49.849 **(1)** (c) (intro.) "Nonrecipient surviving spouse" means any of the following:

1. A person who was married to a recipient ~~while~~ when the recipient was receiving or received public assistance and who survived the recipient.

SECTION 1834c. 49.849 (1) (c) 2. of the statutes is created to read:

49.849 **(1)** (c) 2. A person who was married to a recipient on whose behalf aid under s. 49.785 was provided, who was married to the recipient at the recipient's death or when the recipient was receiving or received any of the benefits described

in s. 49.785 (1c) that made the recipient an eligible recipient under s. 49.785, or at both times, and who survived the recipient.

SECTION 1835. 49.849 (1) (e) of the statutes is amended to read:

49.849 **(1)** (e) "Public assistance" means any services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785.

SECTION 1836. 49.849 (2) (a) (intro.) of the statutes is amended to read:

49.849 **(2)** (a) (intro.) Subject to par. (b), the department may collect from the property of a decedent by affidavit under sub. (3) (b) or by lien under sub. (4) (a) an amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), the long–term community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1., or the aid under s. 49.68, 49.683, ~~or,~~ 49.685, or 49.785 that is recoverable under s. 49.682 (2) (a) or (am), and that was paid on behalf of the decedent or the decedent's spouse, if all of the following conditions are satisfied:

SECTION 1837. 49.849 (2) (a) 1. of the statutes is amended to read:

49.849 **(2)** (a) 1. The decedent died after September 30, 1991, or for the recovery of aid under s. 49.785 the decedent died after the effective date of this subdivision .... [LRB inserts date].

SECTION 1838. 49.849 (2) (a) 2. of the statutes is amended to read:

49.849 **(2)** (a) 2. The decedent is not survived by a spouse, a child who is under age 21, or a child who is disabled, as defined in s. 49.468 (1) (a) 1. This subdivision does not apply for the recovery of aid under s. 49.785.

SECTION 1839. 49.849 (3) (b) of the statutes is amended to read:

49.849 **(3)** (b) A person who possesses or receives property of a decedent shall transmit the property to the department, if the conditions in sub. (2) (a) 1. and, if applicable, sub. (2) (a) 2. are satisfied, upon receipt of an affidavit by a person designated by the secretary of health services to administer this section showing that the department paid on behalf of the decedent or the decedent's spouse recoverable benefits specified in sub. (2) (a). Upon transmittal, the person is released from any obligation to other creditors or heirs of the decedent.

SECTION 1840. 49.849 (3) (c) 5. of the statutes is amended to read:

49.849 **(3)** (c) 5. That the person may request from the department a hardship waiver, if the person co–owned the property with the decedent or is a beneficiary of the property. This subdivision does not apply for the recovery of aid under s. 49.785.

SECTION 1841. 49.849 (3) (c) 6. of the statutes is amended to read:

49.849 **(3)** (c) 6. How to request a hardship waiver under subd. 5. This subdivision does not apply for the recovery of aid under s. 49.785.

SECTION 1842. 49.849 (4) (b) (intro.) of the statutes is amended to read:

49.849 **(4)** (b) (intro.) ~~The~~ Except as provided in par. (bm), the department may enforce a lien under par. (a) by foreclosure in the same manner as a mortgage on real property, unless any of the following is alive:

SECTION 1843. 49.849 (4) (bm) of the statutes is created to read:

49.849 **(4)** (bm) The department may enforce a lien under par. (a) for the recovery of aid under s. 49.785 by foreclosure in the same manner as a mortgage on real property regardless of whether the decedent's spouse or any child of the decedent is alive.

SECTION 1844. 49.849 (6) (b) of the statutes is amended to read:

49.849 **(6)** (b) From the appropriation under s. 20.435 ~~(7)~~ (4) (im), with respect to funds collected by the department under sub. (2) related to long–term community support services funded under s. 46.27 (7) paid on behalf of the decedent or the decedent's spouse, the department shall pay claims under sub. (5) and shall spend the remainder of the funds recovered under this section for long–term community support services funded under s. 46.27 (7).

SECTION 1845. 49.849 (7) of the statutes is amended to read:

49.849 **(7)** RULES FOR HARDSHIP WAIVER. The department shall promulgate rules establishing standards to determine whether the application of this section would work an undue hardship in individual cases. If the department determines that the application of this section would work an undue hardship in a particular case, the department shall waive the application of this section in that case. This subsection does not apply with respect to the recovery of aid under s. 49.785.

SECTION 1846. 49.85 (1) of the statutes is amended to read:

49.85 **(1)** DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band determines that the department of health services may recover an amount under s. 49.497, 49.793, or 49.847, or that the department of children and families may recover an amount under s. 49.138 (5), 49.161, or 49.195 (3) or collect an amount under s. 49.147 (6) (cm), the county department or governing body shall notify the affected department of the determination. If a Wisconsin Works agency determines that the department of children and families may recover an amount under s. 49.138 (5), 49.161, or 49.195 (3), or collect an amount under s. 49.147 (6) (cm), the Wisconsin Works agency shall notify the department of children and families of the determination.

SECTION 1847. 49.85 (2) (b) of the statutes is amended to read:

49.85 **(2)** (b) At least annually, the department of children and families shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of children and families, the department of children and families has determined that it may recover under ss. 49.138 (5), 49.161, and 49.195 (3) and collect under s. 49.147 (6) (cm), except that the department of children and families may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

SECTION 1848. 49.85 (3) (b) 1. of the statutes is amended to read:

49.85 **(3)** (b) 1. Inform the person that the department of children and families intends to certify to the department of revenue an amount that the department of children and families has determined to be due under s. 49.138 (5), 49.161, or 49.195 (3) or to be delinquent under a repayment agreement for a loan under s. 49.147 (6), for setoff from any state tax refund that may be due the person.

SECTION 1849. 49.854 (5) (c) of the statutes is amended to read:

49.854 **(5)** (c) 1. Notwithstanding par. (b), if a lien under par. (b) is in favor of another state, the notice sent by the department to the financial institution may consist of the request from the other state to enforce the lien, a certification by the department that any necessary due process requirements were met in the other state, a request that the financial institution honor the request from the other state by sending the amount specified in the request directly to the other state, and the address to which the financial institution shall send the funds.

3. Notice and hearing requirements under pars. (d) and (f) do not apply to a lien in favor of another state.

SECTION 1850. 49.854 (5) (c) 2. of the statutes is created to read:

49.854 **(5)** (c) 2. If a financial institution receives directly from another state, or a child support agency in another state, a notice of levy or request to enforce a lien in favor of that other state, along with a certification by the other state that any necessary due process requirements were met in the other state, the financial institution shall honor the notice of levy or request from the other state by sending the amount specified in the notice of levy or request, up to the amount contained in the account or accounts minus any financial institution fee under par. (e) and levy fee under sub. (11) (a), directly to the other state at the address to which the financial institution is directed to send the funds in the notice or request.

SECTION 1851. 49.854 (5) (e) of the statutes is amended to read:

49.854 **(5)** (e) *Financial institution fees.* A financial institution may continue to collect fees, under the terms of the account agreement, on accounts frozen or levied against under this subsection. In addition to the levy fee authorized under sub. (11) (a), a financial institution may collect any early withdrawal penalty incurred under the terms of an account as a result of the levy. Financial institution fees authorized under this paragraph may be charged to the account immediately prior to the remittance of the amount to the department or the other state and may be charged even if the amounts in the obligor's accounts are insufficient to pay the total amount of support owed and the department's levy costs under sub. (11) (b).

SECTION 1852. 49.855 (1) of the statutes is renumbered 49.855 (1) (a) and amended to read:

49.855 **(1)** (a) If a person obligated to pay child support, family support, maintenance, or the receiving and disbursing fee under s. 767.57 (1e) (a) is delinquent in making any of those payments~~,~~ or owes an outstanding amount that has been ordered by the court for past support, medical expenses, or birth expenses, ~~upon application under s. 59.53 (5)~~ for cases in which the payee is receiving services under s. 49.22 or the state is a real party in interest under s. 767.205 (2), the department of children and families shall certify the delinquent payment or outstanding amount to the department of revenue ~~and, at.~~

(b) At least annually, the department of children and families shall certify to the department of revenue delinquent payments of the receiving and disbursing fee under s. 767.57 (1e) (a) not certified under par. (a) and shall provide to the department of revenue any certifications of delinquencies or outstanding amounts that it receives from another state because the obligor resides in this state.

SECTION 1853. 49.857 (1) (d) 4. of the statutes is amended to read:

49.857 **(1)** (d) 4. A certification, license, training permit, registration, approval or certificate issued under s. 49.45 (2) (a) 11., ~~252.23 (2), 252.24 (2),~~ 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47 (1), 254.64 (1) (a) or (b), 254.71 (2), ~~255.08 (2),~~ or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

SECTION 1854. 49.857 (1) (d) 4. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

49.857 **(1)** (d) 4. A certification, license, training permit, registration, approval or certificate issued under s. 49.45 (2) (a) 11., 97.33, 97.605 (1) (a) or (b), 97.67 (1), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), ~~254.47 (1), 254.64 (1) (a) or (b), 254.71 (2),~~ or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

SECTION 1857. 50.01 (1g) (i) of the statutes is created to read:

50.01 **(1g)** (i) A group home licensed under s. 48.625 or a residential care center for children and youth licensed under s. 48.60 that provides care and maintenance for persons who are in extended out–of–home care under s. 48.366 or 938.366.

SECTION 1875d. 50.14 (1) (am) of the statutes is created to read:

50.14 **(1)** (am) "Institution for mental diseases" has the meaning given in s. 49.43 (6m).

SECTION 1875e. 50.14 (2) (intro.) of the statutes is amended to read:

50.14 **(2)** (intro.) ~~For~~ Except as provided under sub. (2d), for the privilege of doing business in this state, there is imposed on all licensed beds of a facility an assessment in the following amount per calendar month per licensed bed of the facility:

SECTION 1875f. 50.14 (2d) of the statutes is created to read:

50.14 **(2d)** To the extent approved by the federal department of health and human services, the requirements under this section do not apply to a county government–owned institution for mental diseases or a facility that is state licensed but not certified to participate in the Medicaid or Medicare programs.

SECTION 1879. 50.92 (3m) of the statutes is created to read:

50.92 **(3m)** The department may conduct plan reviews of all capital construction and remodeling of structures that are owned or leased for operation of a hospice. The department shall promulgate rules that establish a fee schedule for its services in conducting the plan reviews under this subsection.

SECTION 1881. 51.15 (2) of the statutes is amended to read:

51.15 **(2)** FACILITIES FOR DETENTION. The law enforcement officer or other person authorized to take a child into custody under ch. 48 or to take a juvenile into custody under ch. 938 shall transport the individual, or cause him or her to be transported,

for detention, if the county department of community programs in the county in which the individual was taken into custody approves the need for detention, and for evaluation, diagnosis, and treatment if permitted under sub. (8). The county department may approve the detention only if a physician who has completed a residency in psychiatry, a psychologist licensed under ch. 455, or a mental health professional, as determined by the department, has performed a crisis assessment on the individual and agrees with the need for detention and the county department reasonably believes the individual will not voluntarily consent to evaluation, diagnosis, and treatment necessary to stabilize the individual and remove the substantial probability of physical harm, impairment, or injury to himself, herself, or others. For purposes of this subsection, a crisis assessment may be conducted in person, by telephone, or by telemedicine or video conferencing technology. Detention may only be in a treatment facility approved by the department or the county department, if the facility agrees to detain the individual, or a state treatment facility.

SECTION 1883k. 51.15 (4m) (e) of the statutes is amended to read:

51.15 **(4m)** (e) *Termination of pilot program.* Paragraphs (a) to (d) do not apply after ~~May 1, 2016~~ July 1, 2017.

SECTION 1888. 51.22 (3) of the statutes is amended to read:

51.22 **(3)** Whenever an admission is made through the department, the department shall determine the need for inpatient care of the individual to be admitted. Unless a state–operated facility is used, the department may only authorize care in an inpatient facility which is operated by or under a purchase of service contract with a county department under s. 51.42 or 51.437 or an inpatient facility which is under a contractual agreement with the department. Except in the

case of state treatment facilities, the department shall reimburse the facility for the actual cost of all authorized care and services from the appropriation under s. 20.435 ~~(7)~~ (5) (da). For collections made under the authority of s. 46.10 (16), moneys shall be credited or remitted to the department no later than 60 days after the month in which collections are made. Such collections are also subject to s. 46.036 or special agreement. Collections made by the department under ss. 46.03 (18) and 46.10 shall be deposited in the general fund.

SECTION 1892. 51.42 (1) (b) of the statutes is amended to read:

51.42 **(1)** (b) *County liability.* The county board of supervisors except in Milwaukee County, has the primary responsibility for the well–being, treatment and care of the mentally ill, developmentally disabled, alcoholic and other drug dependent citizens residing within its county and for ensuring that those individuals in need of such emergency services found within its county receive immediate emergency services. In Milwaukee County, the Milwaukee County mental health board has the primary responsibility for the well–being, treatment and care of the mentally ill, alcoholic, and other drug dependent citizens residing within Milwaukee County and for ensuring that those individuals in need of such emergency services found within Milwaukee County receive immediate emergency services. The county board of supervisors of Milwaukee County has the primary responsibility for the well–being, treatment, and care of the developmentally disabled citizens residing within Milwaukee County, except where the responsibility is delegated explicitly under this section to the Milwaukee County mental health board, and for ensuring that developmentally disabled individuals in need of such emergency services found within Milwaukee County receive immediate emergency services. This primary responsibility is limited to the programs, services and resources that the county

board of supervisors, or, as applicable, the Milwaukee County mental health board, is reasonably able to provide within the limits of available state and federal funds and of county funds required to be appropriated to match state funds. County liability for care and services purchased through or provided by a county department of community programs established under this section shall be based upon the client's county of residence except for emergency services for which liability shall be placed with the county in which the individual is found. For the purpose of establishing county liability, "emergency services" includes those services provided under the authority of s. 55.05 (4), 2003 stats., or s. 55.06 (11) (a), 2003 stats., or s. 51.15, 51.45 (11) (a) or (b) or (12), 55.13, or 55.135 for not more than 72 hours. Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other statute creating liability upon the individual receiving a service or any other designated responsible party, or prevents reimbursement by the department of health services for the actual cost of all care and services from the appropriation under s. 20.435 ~~(7)~~ (5) (da), as provided in s. 51.22 (3).

SECTION 1897. 51.42 (5) (a) 13. of the statutes is repealed.

SECTION 1898. 51.42 (6m) (o) of the statutes is repealed.

SECTION 1899. 51.421 (3) (e) of the statutes is repealed.

SECTION 1900. 51.423 (3) of the statutes is repealed.

SECTION 1905. 54.15 (8) (a) 3. of the statutes is amended to read:

54.15 **(8)** (a) 3. Any license, certificate, permit, or registration of the proposed guardian that is required under chs. 89, 202, or 440 to 480 or by the laws of another state for the practice of a profession or occupation has been suspended or revoked.

SECTION 1905m. 54.25 (2) (c) 1. d. of the statutes is amended to read:

54.25 **(2)** (c) 1. d. The right to apply for an operator's license, a license issued under ch. 29, a license, certification, or permit issued under s. 89.06 or 89.072, or a credential, as defined in s. 440.01 (2) (a), if the court finds that the individual is incapable of understanding the nature and risks of the licensed or credentialed activity, to the extent that engaging in the activity would pose a substantial risk of physical harm to the individual or others. A failure to find that an individual is incapable of applying for a license or credential is not a finding that the individual qualifies for the license or credential under applicable laws and rules.

SECTION 1906b. 55.043 (4) (b) 5. of the statutes is amended to read:

55.043 **(4)** (b) 5. Refer the case to the department of safety and professional services or the department of trade, agriculture and consumer protection, as appropriate, if the financial exploitation, neglect, self–neglect, or abuse involves an individual who is required to hold a credential, as defined in s. 440.01 (2) (a), under chs. 440 to 460 or to hold a license, certification, or permit issued under s. 89.06 or 89.072.

SECTION 1907m. 59.17 (2) (b) 3. of the statutes is renumbered 59.17 (2) (b) 3. (intro.) and amended to read:

59.17 **(2)** (b) 3. (intro.) Exercise the authority under s. 59.52 (6) ~~(a)~~ that would otherwise be exercised by a county board, except that the county board may continue to exercise the authority under s. 59.52 (6) with regard to land that is zoned as a park on or after the effective date of this subdivision .... [LRB inserts date], other than land zoned as a park in the city of Milwaukee that is located within the area west of Lincoln Memorial Drive, south of E. Mason Street, east of N. Van Buren Street, and north of E. Clybourn Avenue. With regard to the sale ~~or~~, acquisition, or lease as landlord or tenant of property, other than certain park land as described in this

subdivision, the county executive's action ~~must~~ need not be consistent with established county board policy and ~~must be approved by~~ may take effect without submission to or approval by the county board ~~to take effect. The county board may only approve or reject the contract as negotiated by the county executive.~~. The proceeds of the sale of property as authorized under this subdivision shall first be applied to any debt attached to the property. Before the county executive's sale of county land may take effect, a majority of the following must sign a document, a copy of which will be attached to the bill of sale and a copy of which will be retained by the county, certifying that they believe the sale is in the best interests of the county:

SECTION 1907n. 59.17 (2) (b) 3. a. to c. of the statutes are created to read:

59.17 **(2)** (b) 3. a. The county executive or his or her designee.

b. The county comptroller or his or her designee.

c. An individual who is a resident of the city, village, or town where the property is located, who shall be appointed, at least biennially, by the executive council, as defined in s. 59.794 (1) (d). The individual appointed under this subd. 3. c. may not be an elective official, and he or she must have demonstrable experience in real estate law or real estate sales or development.

SECTION 1907p. 59.17 (2) (b) 7. of the statutes is created to read:

59.17 **(2)** (b) 7. Together with the commissioner of the opportunity schools and partnership program under subch. II of ch. 119, solicit private gifts and grants for use by the commissioner to further the purposes of the opportunity schools and partnership program under subch. II of ch. 119 and without oversight or approval of the county board.

SECTION 1907r. 59.17 (2) (d) of the statutes is created to read:

59.17 **(2)** (d) In any county with a population of 750,000 or more, the county executive shall have sole authority over the following adminstrative actions, which may take effect without any review or approval of the board:

1. Procurement, including requests for proposals or information, negotiation, approval, amendment, execution, administration, and payment.

2. Contracting, including negotiation, requests for proposals or information, approval, amendment, execution, administration, and payment.

3. Adminstrative review of appeals of the denial in whole or in part of a contract award, an initial permit, license, right, privilege, or authority, except an alcohol beverage license, for which a person applies through the county.

4. Actions taken under the administrative manual of operating procedures related to the authority and powers granted to a county executive under the statutes and under county ordinances. If an action taken by the county board conflicts with an action taken by a county executive under this subdivision, the county executive's action shall prevail over the county board's action to the extent that the county executive's action and the county board's action conflict.

SECTION 1908. 59.25 (3) (gm) of the statutes is created to read:

59.25 **(3)** (gm) Deposit all moneys received under s. 973.0455 (2) into a crime prevention fund and, on order of the crime board under s. 59.54 (28) (d), make grant payments as the crime board directs.

SECTION 1909. 59.26 (8) (a) of the statutes is amended to read:

59.26 **(8)** (a) In any county with a population of less than 500,000, the board, by ordinance, may fix the number of deputy sheriffs to be appointed in that county at not less than that number required by sub. (1) (a) and (b) and may set the salary of those deputies. Subject to sub. (10), the board may provide by ordinance that

deputy sheriff positions be filled by appointment by the sheriff from a list of all persons with the 3 highest scores for each position based on a competitive examination. Such competitive examinations may be by a county civil service commission or by the ~~division~~ bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration at the option of the board and it shall so provide by ordinance. The ~~division~~ bureau of merit recruitment and selection ~~in the office of state employment relations~~ shall, upon request of the board, conduct such examination according to the methods used in examinations for the state civil service and shall certify an eligible list of the names of all persons with the 3 highest scores on that examination for each position to the sheriff of that county who shall, subject to sub. (10), make an appointment from that list to fill the position within 10 days after he or she receives the eligible list. The county for which such examination is conducted shall pay the cost of that examination. If a civil service commission is decided upon for the selection of deputy sheriffs, then ss. 63.01 to 63.17 shall apply so far as consistent with this subsection, except ss. 63.03, 63.04 and 63.15 and except the provision governing minimum compensation of the commissioners. The ordinance or an amending ordinance may provide for employee grievance procedures and disciplinary actions, for hours of work, for tours of duty according to seniority and for other administrative regulations. Any board provision consistent with this paragraph and existing on July 25, 1951, is validated. If the sheriff fills a deputy sheriff position by promotion, the sheriff shall, subject to sub. (10), make the appointment to the position from a list of 3 deputy sheriffs who receive the highest scores in a competitive examination. Such competitive examinations may be by a county civil service commission or by the ~~division~~ bureau of merit recruitment and

selection ~~in the office of state employment relations~~ at the option of the board and it shall so provide by ordinance.

SECTION 1909s. 59.365 of the statutes is created to read:

59.365 Moratorium on fee increases. (1) From the effective date of this subsection .... [LRB inserts date], to April 17, 2017, the board may not charge a funeral home, cemetery, or crematorium an amount that exceeds the amount that was in effect on April 17, 2015, for any of the following fees:

(a) Fees for services rendered by a coroner.

(b) Fees assessed for the signing of a death certificate by a coroner or medical examiner.

(c) Fees assessed related to transportation services.

(2) If on or after April 18, 2017, the board increases the amount of any of the fees specified in sub. (1) (a) to (c), any such increase may not exceed the annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months ending on December 31 of the year before the increase.

SECTION 1910. 59.40 (2) (n) of the statutes is amended to read:

59.40 **(2)** (n) Pay monthly to the treasurer the amounts required by s. 302.46 (1) for the jail assessment surcharge <u>and the amounts required by s. 973.0455 (2)</u>. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1911d. 59.40 (4) of the statutes is amended to read:

59.40 **(4)** CLERK OF CIRCUIT COURT; DEBT COLLECTOR CONTRACT. If authorized by the board under s. 59.52 (28), the clerk of circuit court may contract with a debt collector, as defined in s. 427.103 (3), <u>or enter into an agreement with the department of revenue under s. 71.93 (8)</u> for the collection of ~~unpaid fines and forfeitures~~ <u>debt</u>.

Any contract entered into with a debt collector shall provide that the debt collector shall be paid from the proceeds recovered by the debt collector. Any contract entered into with the department shall provide that the department shall charge a collection fee, as provided under s. 71.93 (8) (b) 1. The net proceeds received by the clerk of circuit court after the payment to the debt collector shall be considered the amount of ~~fines and forfeitures~~ debt collected for purposes of distribution to the state and county under sub. (2) (m).

SECTION 1912r. 59.51 (3) of the statutes is created to read:

59.51 **(3)** POPULOUS COUNTIES, LIMITATIONS ON POWERS. The board of any county with a population of 750,000 or more may not enact an ordinance or adopt a resolution or policy that conflicts or interferes, in form or function, with the statutory authority of a county executive.

SECTION 1912t. 59.52 (6) (intro.) of the statutes is amended to read:

59.52 **(6)** PROPERTY. (intro.) ~~The~~ Except as provided in s. 59.17 (2) (b) 3., the board may:

SECTION 1912tc. 59.52 (6) (a) of the statutes is amended to read:

59.52 **(6)** (a) *How acquired; purposes.* ~~Except as provided in s. 59.17 (2) (b) 3., take~~ Take and hold land acquired under ch. 75 and acquire, lease or rent property, real and personal, for public uses or purposes of any nature, including without limitation acquisitions for county buildings, airports, parks, recreation, highways, dam sites in parks, parkways and playgrounds, flowages, sewage and waste disposal for county institutions, lime pits for operation under s. 59.70 (24), equipment for clearing and draining land and controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and transfer of real property to the state for new collegiate

institutions or research facilities, and for transfer to the state for state parks and for the uses and purposes specified in s. 23.09 (2) (d).

SECTION 1912v. 59.52 (11) (c) of the statutes is amended to read:

59.52 **(11)** (c) *Employee insurance.* Provide for individual or group hospital, surgical, and life insurance for county officers and employees and for payment of premiums for county officers and employees. A county with at least 100 employees may elect to provide health care benefits on a self–insured basis to its officers and employees. A county and one or more cities, villages, towns, other counties, ~~or~~ county housing authorities, or school districts that together have at least 100 employees may jointly provide health care benefits to their officers and employees on a self–insured basis. Counties that elect to provide health care benefits on a self–insured basis to their officers and employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e) and (g).

SECTION 1914d. 59.52 (28) of the statutes is amended to read:

59.52 **(28)** COLLECTION OF COURT IMPOSED PENALTIES. The board may adopt a resolution authorizing the clerk of circuit court, under s. 59.40 (4), to contract with a debt collector, as defined in s. 427.103 (3), or enter into an agreement with the department of revenue under s. 71.93 (8) for the collection of ~~unpaid fines and forfeitures~~ debt.

SECTION 1914e. 59.52 (31) (b) of the statutes is repealed.

SECTION 1914f. 59.52 (31) (c) of the statutes is repealed.

SECTION 1914g. 59.52 (31) (d) of the statutes is amended to read:

59.52 **(31)** (d) With regard to any contract to which a county is a party ~~and which is subject to review by the board or by a committee of the board under this subsection, the board's finance committee is the only committee which has~~

~~jurisdiction over the contract~~, the board shall have no role in the review of the contract and the contract may take effect without approval by the board.

SECTION 1915. 59.54 (28) of the statutes is created to read:

59.54 **(28)** CRIME PREVENTION FUNDING BOARD. (a) In this subsection:

1. "Chief elected official" means the mayor of a city or, if the city is organized under subch. I of ch. 64, the president of the council of that city, the village president of a village, or the town board chairperson of a town.

2. "Crime board" means a crime prevention funding board that is created under this subsection.

3. "Municipality" means a city, village, or town.

(b) A county may create a crime board. In a county that creates a crime board, the treasurer shall receive moneys and deposit them as described in s. 59.25 (3) (gm). The funds in such an account may be distributed upon the direction of the crime board under par. (d). The crime board shall meet, and its members may receive no compensation, other than reimbursement for actual and reasonable expenses incurred in the performance of their duties. Members shall serve for the terms that are determined by the crime board.

(c) A county crime board shall consist of the following members:

1. The presiding judge of the circuit court, or his or her designee

2. The district attorney, or his or her designee.

3. The sheriff, or his or her designee.

4. One of the following county officials, or his or her designee:

a. The county executive.

b. If the county does not have a county executive, the county administrator.

c. The chairperson of the county board of supervisors, or his or her designee, if the county does not have a county executive or a county administrator.

5. The chief elected official of the largest municipality in the county, as determined by population, or his or her designee.

6. A person chosen by a majority vote of the sheriff and all of the chiefs of police departments that are located wholly or partly within the county.

7. A person chosen by the county's public defender's office.

(d) 1. The crime board may solicit applications for grants in a format determined by the crime board, and may vote to direct the treasurer to distribute grants to applicants from moneys in the crime prevention fund under s. 59.25 (3) (gm). The crime board may direct the treasurer to distribute grants to any of the following entities, in amounts determined by the crime board:

a. One or more private nonprofit organizations within the county that has as its primary purpose preventing crime, providing a funding source for crime prevention programs, encouraging the public to report crime, or assisting law enforcement agencies in the apprehension of criminal offenders.

b. A law enforcement agency within the county that has a crime prevention fund, if the contribution is credited to the crime prevention fund and is used for crime prevention purposes.

2. Not less than 50 percent of the payments made under subd. 1. shall be made to one or more organizations described in subd. 1. a., except that if no organization described in subd. 1. a. exists within the county, all of the payments may be made to a law enforcement agency under subd. 1. b.

(e) Annually, the crime board shall submit a report on its activities to the clerk of court for the county that distributed the funds, to the county board, and to the

legislative bodies of each municipality that is located wholly or partly within the county. The report shall contain at least all of the following information for the year to which the report relates:

1. The name and address of each entity that received a grant, including contact information for the leadership of the entity.

2. A full accounting of all funds disbursed by the treasurer at the direction of the crime board, including the amount of the funds disbursed, the dates of disbursal, and the purposes for which the grant was made.

(f) Annually, each recipient of a grant awarded under this subsection shall submit a report on its activities to all of the entities specified in par. (e). The report shall contain at least all of the following information for the year to which the report relates:

1. The name and address of the entity.

2. The name and address, and title, of each member of the governing body of the entity.

3. The purposes for which the grant money was spent.

4. A detailed accounting of all receipts and expenditures of the entity that relate to the grant money.

5. The balance of any funds remaining.

(g) Upon the creation of a crime prevention funding board, the initial members of the board specified under par. (c) shall declare that they are serving on the board, or appoint their designees, not later than the first day of the 4th month beginning after a board is created.

SECTION 1922am. 59.69 (2) (bs) of the statutes is created to read:

59.69 **(2)** (bs) As part of its approval process for granting a conditional use permit under this section, a county may not impose on a permit applicant a requirement that is expressly preempted by federal or state law.

SECTION 1922b. 59.692 (1) (bn) of the statutes is amended to read:

59.692 **(1)** (bn) "Shoreland setback area" means an area in a shoreland that is within a certain distance of the ordinary high–water mark in which the construction or placement of ~~buildings or~~ structures has been limited or prohibited under an ordinance enacted under this section.

SECTION 1922c. 59.692 (1) (e) of the statutes is created to read:

59.692 **(1)** (e) "Structure" means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, stairway, walkway, patio, deck, retaining wall, porch, or fire pit.

SECTION 1922d. 59.692 (1d) of the statutes is created to read:

59.692 **(1d)** (a) An ordinance enacted under this section may not regulate a matter more restrictively than the matter is regulated by a shoreland zoning standard.

(b) Paragraph (a) does not prohibit a county from enacting a shoreland zoning ordinance that regulates a matter that is not regulated by a shoreland zoning standard.

SECTION 1922e. 59.692 (1f) of the statutes is created to read:

59.692 **(1f)** (a) A county shoreland zoning ordinance may not require a person to do any of the following:

1. Establish a vegetative buffer zone on previously developed land.

2. Expand an existing vegetative buffer zone.

(b) A county shoreland zoning ordinance may require a person to maintain a vegetative buffer zone that exists on the effective date of this paragraph .... [LRB inserts date], if the ordinance also does all of the following:

1. Allows the buffer zone to contain a viewing corridor that is at least 35 feet wide for every 100 feet of shoreline frontage.

2. Allows a viewing corridor to run contiguously for the entire maximum width established under subd. 1.

SECTION 1922f. 59.692 (1k) of the statutes is created to read:

59.692 **(1k)** (a) 1. The department may not impair the interest of a landowner in shoreland property by establishing a shoreland zoning standard, and a county may not impair the interest of a landowner in shoreland property by enacting or enforcing a shoreland zoning ordinance, that does any of the following:

a. Requires any approval to install or maintain outdoor lighting in shorelands, imposes any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.

b. Except as provided in subd. 2., requires any approval or imposes any fee or mitigation requirement for, or otherwise prohibits or regulates, the maintenance, repair, replacement, restoration, rebuilding, or remodeling of all or any part of a nonconforming structure if the activity does not expand the footprint of the nonconforming structure.

c. Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.

d. Requires any approval or imposes any fee or mitigation requirement for, or otherwise prohibits or regulates, the vertical expansion of a nonconforming

structure unless the vertical expansion would extend more than 35 feet above grade level.

e. Establishes standards for impervious surfaces unless the standards provide that a surface is considered pervious if the runoff from the surface is treated by a device or system, or is discharged to an internally drained pervious area, that retains the runoff on or off the parcel to allow infiltration into the soil.

2. A county shoreland zoning ordinance shall allow an activity specified under subd. 1. b. to expand the footprint of a nonconforming structure if the expansion is necessary for the structure to comply with applicable state or federal requirements.

3. a. Nothing in this section prohibits the department from establishing a shoreland zoning standard that allows the vertical or lateral expansion of a nonconforming structure.

b. Nothing in this section prohibits a county from enacting a shoreland zoning ordinance that allows the vertical or lateral expansion of a nonconforming structure if the ordinance does not conflict with shoreland zoning standards established by the department.

SECTION 1922g. 59.692 (1m) of the statutes is renumbered 59.692 (1c).

SECTION 1922h. 59.692 (1s) of the statutes is repealed.

SECTION 1922i. 59.692 (2m) (a) and (b) (intro.) and 1. of the statutes are repealed.

SECTION 1922j. 59.692 (2m) (b) 2. of the statutes is renumbered 59.692 (2m) and amended to read:

59.692 **(2m)** ~~Regulates~~ <u>A county shoreland zoning ordinance may not regulate</u> the construction of a structure ~~or building~~ on a substandard lot ~~if~~ <u>in a manner</u> that

~~provision~~ is more restrictive than the shoreland zoning standards for substandard lots ~~promulgated by the department under this section~~.

SECTION 1922k. 59.692 (4) (b) of the statutes is amended to read:

59.692 **(4)** (b) Variances and appeals regarding shorelands within a county are for the board of adjustment for that county under s. 59.694, and the procedures of that section apply. Notwithstanding s. 59.694 (4), the department may not appeal a decision of the county to grant or deny a variance under this section but may, upon the request of a county board of adjustment, issue an opinion on whether a variance should be granted or denied.

SECTION 1922L. 59.692 (5m) of the statutes is created to read:

59.692 **(5m)** If a county has in effect on or after the effective date of this subsection .... [LRB inserts date], a provision in an ordinance that is inconsistent with sub. (1d), (1f), (1k), or (2m), the provision does not apply and may not be enforced.

SECTION 1923e. 59.70 (25) of the statutes is created to read:

59.70 **(25)** INTERSTATE HAZARDOUS LIQUID PIPELINES. A county may not require an operator of an interstate hazardous liquid pipeline to obtain insurance if the pipeline operating company carries comprehensive general liability insurance coverage that includes coverage for sudden and accidental pollution liability.

SECTION 1923m. 59.796 of the statutes is created to read:

59.796 Milwaukee County; opportunity schools and partnership program. Notwithstanding s. 59.81, the board of any county with a population of 750,000 or more may not have access to or exercise oversight of any private gifts and grants received by the county executive under s. 59.17 (2) (b) 7.

SECTION 1923p. 59.88 of the statutes is created to read:

59.88 Employee retirement system of populous counties; duty disability benefits for a mental injury. (1) In this section, "county" means any county having a population of 500,000 or more.

(2) If an employee retirement system of a county offers a duty disability benefit, the employee retirement system may only provide the duty disability benefit for a mental injury if all of the following apply:

(a) The mental injury resulted from a situation of greater dimensions than the day–to–day mental stresses and tensions and post–traumatic stress that all similarly situated employees must experience as part of the employment.

(b) The employer certifies that the mental injury is a duty–related injury.

(3) If an employee retirement system of a county determines that an applicant is not eligible for duty disability benefits for a mental injury, the applicant may appeal the employee retirement system's determination to the department of workforce development. In hearing an appeal under this subsection, the department of workforce development shall follow the procedures under ss. 102.16 to 102.26.

(4) This section applies to participants in an employee retirement system of a county who first apply for duty disability benefits for a mental injury on or after the effective date of this subsection .... [LRB inserts date].

SECTION 1924. 60.05 (4) of the statutes is amended to read:

60.05 **(4)** COURT ORDER. If, after the hearing under sub. (3), the court finds that the area of the proposed town meets the requirements of sub. (1), the court shall enter an order establishing a new town under the name proposed in the petition and shall designate the location of the first town meeting of the new town. The clerk of court shall immediately file certified copies of the order with the secretary of ~~state~~ <u>administration</u> and the county clerk.

SECTION 1925. 60.065 of the statutes is amended to read:

60.065 Change of town name. The name of a town shall be changed if a petition designating the new name is signed and filed with the town clerk under the procedures in s. 9.20 (1), certified by the town clerk under the procedure in s. 9.20 (3), approved by the electors in an election held under the procedures in s. 9.20 (4) and the result of the election is published in the town's official paper, or posted in the town, and the new name is filed ~~in the office of~~ with the secretary of ~~state~~ administration.

SECTION 1936u. 60.61 (4) (g) of the statutes is created to read:

60.61 **(4)** (g) As part of its approval process for granting a conditional use permit under this section, a town may not impose on a permit applicant a requirement that is expressly preempted by federal or state law.

SECTION 1937m. 60.62 (3) (c) of the statutes is created to read:

60.62 **(3)** (c) As part of its approval process for granting a conditional use permit under this section or s. 61.35, a town may not impose on a permit applicant a requirement that is expressly preempted by federal or state law.

SECTION 1938e. 60.635 of the statutes is created to read:

60.635 Environmental protection; interstate hazardous liquid pipelines. A town may not require an operator of an interstate hazardous liquid pipeline to obtain insurance if the pipeline operating company carries comprehensive general liability insurance coverage that includes coverage for sudden and accidental pollution liability.

SECTION 1940. 61.187 (2) (d) of the statutes is amended to read:

61.187 **(2)** (d) If, in accordance with par. (a), the results of the election under sub. (1) provide for dissolution, the village clerk shall, within 10 days after the

election, record the petition and determination of the village board of canvassers in the office of the register of deeds of the county or counties in which the village is located and file with the secretary of ~~state~~ administration certified copies of the petition and the determination of inspectors of election. The village clerk shall also record in the office of the register of deeds a certificate by the village clerk showing the date on which the dissolution takes effect and file with the secretary of ~~state~~ administration 4 copies of the certificate. These documents shall be recorded and indexed by the register of deeds. The index shall include the volume or reel number and the page or image number of the original documents. The secretary of ~~state~~ administration shall forward 2 copies of the certificate to the department of transportation and one to the department of revenue.

SECTION 1941. 61.189 (2) of the statutes is amended to read:

61.189 **(2)** The election shall be noticed and conducted and the result canvassed and certified as in the case of regular village elections and the village clerk shall immediately file with the secretary of ~~state~~ administration 4 copies of a certification certifying the fact of holding such election and the result thereof and a description of the legal boundaries of such village or proposed city and 4 certified copies of a plat thereof; and thereupon a certificate of incorporation shall be issued to such city by the secretary of ~~state~~ administration. Two copies of the certification and plat shall be forwarded by the secretary of ~~state~~ administration to the department of transportation and one copy to the department of revenue. Thereafter such city shall in all things be governed by the general city charter law. All debts, obligations and liabilities existing against such village at the time of such change shall continue and become like debts, obligations and liabilities against such city, and such city may

carry out and complete all proceedings then pending for the issue of bonds for improvements therein.

SECTION 1943d. 61.353 (3) (intro.) of the statutes is amended to read:

61.353 **(3)** (intro.) A village ordinance enacted under this section shall accord and be consistent with the requirements and limitations under s. 59.692 (1d), (1f), and (1k) and shall include at least all of the following provisions:

SECTION 1943e. 61.353 (3) (c) and (d) of the statutes are repealed.

SECTION 1945. 62.02 of the statutes is amended to read:

62.02 Repeal of special charters. All special charters for cities of the 2nd, 3rd and 4th classes are hereby repealed and such cities are hereby incorporated under this subchapter. The city clerk shall forthwith certify the boundaries of such city to the secretary of ~~state~~ administration, who shall file the same and issue to such city a certificate of incorporation as of the date when this subchapter became effective, and record the same.

SECTION 1946. 62.075 (5) of the statutes is amended to read:

62.075 **(5)** NOTICE OF ENTRY OF JUDGMENT; UPON WHOM SERVED. A certified copy of every such order shall be filed with the town and city clerk and with the county clerk and 4 copies with the secretary of ~~state~~ administration. The secretary of ~~state~~ administration shall forward 2 copies to the department of transportation and one copy to the department of revenue.

SECTION 1947d. 62.233 (3) (intro.) of the statutes is amended to read:

62.233 **(3)** (intro.) A city ordinance enacted under this section shall accord and be consistent with the requirements and limitations under s. 59.692 (1d), (1f), and (1k) and shall include at least all of the following provisions:

SECTION 1947e. 62.233 (3) (c) and (d) of the statutes are repealed.

SECTION 1948d. 62.26 (7) of the statutes is amended to read:

62.26 **(7)** CHANGE OF CITY NAME. The name of any city of the fourth class shall be changed if a majority of the electors shall address a written petition therefor to the council designating the new name, and the council shall by a two–thirds vote of all the members adopt an ordinance changing to such new name. The change shall be in effect upon publication of the ordinance in the official paper, and the filing of a copy thereof ~~in the office of~~ with the secretary of ~~state~~ administration.

SECTION 1948f. 62.53 of the statutes is created to read:

62.53 Real property used for school purposes; 1st class cities. Beginning on the effective date of this section .... [LRB inserts date], the lessor of any lease entered into between a 1st class city and a school district operating under subch. I of ch. 119 and involving the use of city–owned real property for school purposes shall do the following:

(1) Provide for the superintendent of schools, on behalf of the superintendent of schools opportunity schools and partnership program under s. 119.33, to be an agent of the board of school directors in charge of the public schools under ch. 119 upon transfer under s. 119.33 (2) (c) of the school using the land, buildings, and facilities to the superintendent of schools opportunity schools and partnership program under s. 119.33.

(2) Provide for the commissioner of the opportunity schools and partnership program under subch. II of ch. 119 to be an agent of the board of school directors in charge of the public schools under ch. 119 upon transfer under s. 119.9002 (3) of the school using the land, buildings, and facilities to the opportunity schools and partnership program under subch. II of ch. 119.

SECTION 1948L. 62.624 of the statutes is created to read:

62.624 Employee retirement system of a 1st class city; duty disability benefits for a mental injury. (1) If an employee retirement system of a 1st class city offers a duty disability benefit, the employee retirement system may only provide the duty disability benefit for a mental injury if all of the following apply:

(a) The mental injury resulted from a situation of greater dimensions than the day–to–day mental stresses and tensions and post–traumatic stress that all similarly situated employees must experience as part of the employment.

(b) The employer certifies that the mental injury is a duty–related injury.

(2) If an employee retirement system of a 1st class city determines that an applicant is not eligible for duty disability benefits for a mental injury, the applicant may appeal the employee retirement system's determination to the department of workforce development. In hearing an appeal under this subsection, the department of workforce development shall follow the procedures under ss. 102.16 to 102.26.

(3) This section applies to participants in an employee retirement system of a 1st class city who first apply for duty disability benefits for a mental injury on or after the effective date of this subsection .... [LRB inserts date].

SECTION 1948p. 63.23 (1) of the statutes is amended to read:

63.23 **(1)** The city service commission shall classify all offices and positions in the city service, excepting those subject to the exemptions of s. 63.27 <u>and those subject to an exclusion under s. 119.33 (2) (e) 1. or 119.9002 (5) (a)</u>, according to the duties and responsibilities of each position. Classification shall be so arranged that all positions which in the judgment of the commission are substantially the same with respect to authority, responsibility and character of work are included in the same class. From time to time the commission may reclassify positions upon a proper showing that the position belongs to a different class.

SECTION 1949b. 66.0133 (1) (a) of the statutes is amended to read:

66.0133 **(1)** (a) "Energy conservation measure" means a facility alteration or training, service, or operations program designed to reduce energy consumption or operating costs, conserve water resources, improve metering accuracy, or ensure state or local building code compliance.

SECTION 1949c. 66.0133 (1) (bg) of the statutes is created to read:

66.0133 **(1)** (bg) "Operational savings" means savings from costs eliminated or avoided as a result of installing equipment or providing services.

SECTION 1949d. 66.0133 (1) (c) of the statutes is amended to read:

66.0133 **(1)** (c) "Performance contract" means a contract for the evaluation and recommendation of energy conservation and facility improvement measures, and for the implementation of ~~one or more of~~ these measures.

SECTION 1949e. 66.0133 (1) (d) of the statutes is amended to read:

66.0133 **(1)** (d) "Qualified provider" means a person, other than a local governmental unit, who is experienced in the design, implementation and installation of energy conservation and facility improvement measures and who has the ability to provide labor and material payment and performance bonds equal to the maximum amount of any payments due under a performance contract entered into by the person.

SECTION 1949f. 66.0133 (2) (a) of the statutes is renumbered 66.0133 (2) (a) 1. and amended to read:

66.0133 **(2)** (a) 1. ~~Any~~ Except as provided under subd. 2., any local governmental unit may, in accordance with this section, enter into a performance contract with a qualified provider to reduce energy or operating costs, realize

operational savings, conserve water resources, ensure state or local building code compliance, or enhance the protection of property of the local governmental unit.

SECTION 1949g. 66.0133 (2) (a) 2. of the statutes is created to read:

66.0133 **(2)** (a) 2. A performance contract with a qualified provider under this section may not allow a local governmental unit to increase the square footage of a facility unless the increase is necessary to make mechanical, electrical, or plumbing improvements in order to achieve reductions in energy consumption or to conserve water resources.

SECTION 1949h. 66.0133 (2) (b) of the statutes is amended to read:

66.0133 **(2)** (b) Prior to entering into a performance contract for the implementation of any energy conservation or facility improvement measure, a local governmental unit shall obtain a report from a qualified provider containing recommendations concerning the amount the local governmental unit should spend on energy conservation and facility improvement measures. The report shall contain estimates of all costs of installation, modifications, or remodeling, including costs of design, engineering, maintenance, repairs and financing. In addition, the report shall contain a guarantee specifying a minimum amount by which energy or operating costs of the local governmental unit will be reduced or energy or water metering accuracy will be improved, if the installation, modification or remodeling is performed by that qualified provider.

SECTION 1949i. 66.0133 (2) (c) of the statutes is amended to read:

66.0133 **(2)** (c) If, after review of the report under par. (b), the local governmental unit finds that the amount it would spend on the energy conservation and facility improvement measures recommended in the report is not likely to exceed the amount to be saved in energy and operation costs, or the benefits to be obtained

by improved metering accuracy, over the remaining useful life of the facility to which the measures apply, the local governmental unit may enter into the contract.

SECTION 1949j. 66.0133 (3) of the statutes is amended to read:

66.0133 **(3)** NOTICE. Notwithstanding ss. 27.065 (5) (a), 30.32, 38.18, 43.17 (9) (a), 59.52 (29) (a), 59.70 (11), 60.47 (2) to (4), 60.77 (6) (a), 61.54, 61.57, 62.15 (1), 62.155, 66.0131 (2), 66.0923 (10), 66.0925 (10), 66.0927 (11), 66.1333 (5) (a) 2., 200.11 (5) (d) and 200.47 (2), before entering into a performance contract under this section, a local governmental unit shall solicit bids or competitive sealed proposals from qualified providers. A local governmental unit may only enter into a performance contract with a qualified provider if the contract is awarded by the governing body of the local governmental unit and if the qualified provider agrees to sign the performance contract and all contracts with subcontractors, including subcontractors who provide billing services under the performance contract. The governing body shall give at least 10 days' notice of the meeting at which the body intends to award a performance contract. The notice shall include a statement of the intent of the governing body to award the performance contract, the names of all potential parties to the proposed performance contract, and a description of the energy conservation and facility improvement measures included in the performance contract and an explanation of how these measures will generate operational savings sufficient to pay for the cost of the measures. At the meeting, the governing body shall review and evaluate the bids or proposals submitted by all qualified providers and may award the performance contract to the qualified provider that best meets the needs of the local governmental unit, which need not be the lowest cost provider.

SECTION 1949k. 66.0133 (5) of the statutes is amended to read:

66.0133 **(5)** PAYMENT SCHEDULE; SAVINGS. Each performance contract shall provide that all payments to a qualified provider, except obligations on termination of the contract before its expiration, shall be made ~~over time as energy savings are achieved~~ no later than the date on which the contract expires. Energy savings shall be guaranteed by the qualified provider for the entire term of the performance contract and may not be guaranteed by a third party. Unless otherwise agreed by the parties, every performance contract shall assume an annual increase of 3 percent in the cost of relevant utility services incurred by the local governmental unit.

SECTION 1949L. 66.0133 (8) of the statutes is amended to read:

66.0133 **(8)** BONDS. Each qualified provider under a performance contract shall provide labor and material payment and performance bonds in an amount equivalent to the maximum amount of any payments due under the contract, including payments for work performed by other persons that is necessary to achieve the required guaranteed energy or operational savings.

SECTION 1949m. 66.0133 (11) (i) of the statutes is amended to read:

66.0133 **(11)** (i) ~~Lifesafety~~ Life safety improvements or systems required to comply with the federal Americans with Disabilities Act.

SECTION 1949n. 66.0133 (11) (ig) of the statutes is created to read:

66.0133 **(11)** (ig) Replacement or improvement of energy or water metering systems.

SECTION 1949p. 66.0133 (11) (im) of the statutes is created to read:

66.0133 **(11)** (im) Measures to improve indoor or outdoor water conservation, including measures related to water recycling and reuse, and systems or equipment that implement those measures.

SECTION 1949q. 66.0133 (11) (ir) of the statutes is created to read:

66.0133 **(11)** (ir) Measures to improve indoor air quality to meet applicable state and local building code requirements.

SECTION 1950. 66.0137 (4m) (title) of the statutes is amended to read:

66.0137 **(4m)** (title) JOINT SELF-INSURED PLANS AND STOP LOSS INSURANCE.

SECTION 1950p. 66.0137 (4m) (a) of the statutes is amended to read:

66.0137 **(4m)** (a) ~~In~~ Notwithstanding sub. (1) (ae), in this subsection, ~~"political subdivision"~~ "local governmental unit" means a city, village, town, ~~or~~ county, or school district.

SECTION 1950r. 66.0137 (4m) (b) of the statutes is amended to read:

66.0137 **(4m)** (b) A ~~political subdivision~~ local governmental unit and one or more other ~~political subdivisions~~ local governmental units, that together have at least 100 employees, may jointly provide health care benefits to their officers and employees on a self insured basis.

SECTION 1951. 66.0137 (4m) (bm) of the statutes is created to read:

66.0137 **(4m)** (bm) A technical college district and one or more other technical college districts, that together have at least 100 employees, may jointly do any of the following:

1. Provide health care benefits to their officers and employees on a self–insured basis.

2. Procure stop loss insurance.

3. Self–insure stop loss risk.

SECTION 1952. 66.0137 (4m) (c) of the statutes is amended to read:

66.0137 **(4m)** (c) Any plan under par. (b) or (bm) 1. shall comply with the provisions listed in sub. (4).

SECTION 1952c. 66.0137 (4t) of the statutes is created to read:

66.0137 **(4t)** HEALTH INSURANCE FOR PROTECTIVE SERVICES EMPLOYEES. If a local governmental unit offers health care insurance to employees who are police officers, fire fighters, or emergency medical technicians, the local governmental unit shall also offer to the employees who are police officers, fire fighters, or emergency medical technicians a high–deductible health plan that has identical design features to the plan under s. 40.515 (1).

SECTION 1953. 66.0203 (7) (a) of the statutes is amended to read:

66.0203 **(7)** (a) No action to contest the validity of an incorporation on any grounds, whether procedural or jurisdictional, may be commenced after 60 days from the date of issuance of the certificate of incorporation by the secretary of ~~state~~ administration.

SECTION 1954. 66.0211 (5) of the statutes is amended to read:

66.0211 **(5)** CERTIFICATION OF INCORPORATION. If a majority of the votes in an incorporation referendum are cast in favor of a village or city, the clerk of the circuit court shall certify the fact to the secretary of ~~state~~ administration and supply the secretary of ~~state~~ administration with a copy of a description of the legal boundaries of the village or city and the associated population and a copy of a plat of the village or city. Within 10 days of receipt of the description and plat, the secretary of ~~state~~ administration shall forward 2 copies to the department of transportation and one copy each to the department of administration and the department of revenue. The secretary of ~~state~~ administration shall issue a certificate of incorporation and record the certificate.

SECTION 1955. 66.0213 (4) (a) of the statutes is amended to read:

66.0213 **(4)** (a) Within 10 days after incorporation of the village or city, the county clerk of the county in which the petition was filed shall fix a time for the first

election, and where appropriate designate the polling place or places, and name 3 inspectors of election for each place. The time for the election shall be fixed no less than 40 nor more than 50 days after the date of the certificate of incorporation issued by the secretary of ~~state~~ administration, irrespective of any other provision in the statutes. Nomination papers shall conform to ch. 8 to the extent applicable. Nomination papers shall be signed by not less than 5% nor more than 10% of the total votes cast at the referendum election, and be filed no later than 15 days before the time fixed for the election. Ten days' previous notice of the election shall be given by the county clerk by publication in the newspapers selected under s. 66.0211 (2) and by posting notices in 3 public places in the village or city, but failure to give notice does not invalidate the election.

SECTION 1956. 66.0213 (6) of the statutes is amended to read:

66.0213 **(6)** REORGANIZATION OF CITY AS VILLAGE. If the population of any city falls below 1,000 as determined by the United States census, the council may upon filing of a petition conforming to the requirements of s. 8.40 containing the signatures of at least 15% of the electors submit at any general or city election the question whether the city shall reorganize as a village. If three–fifths of the votes cast on the question are for reorganization the mayor and council shall record the return in the office of the register of deeds, file a certified copy with the clerk of the circuit court, and immediately call an election, to be conducted as are village elections, for the election of village officers. Upon the qualification of the officers, the board of trustees shall declare the city reorganized as a village, and the reorganization is effective. The clerk shall certify a copy of the declaration to the secretary of ~~state~~ administration who shall file the declaration and endorse a memorandum of the declaration on the record of the certificate of incorporation of the city. Rights and

liabilities of the city continue in favor of or against the village. Ordinances, so far as within the power of the village, remain in force until changed.

SECTION 1957. 66.0215 (5) of the statutes is amended to read:

66.0215 **(5)** CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a city the clerk shall certify the fact to the secretary of ~~state~~ administration, together with the result of the census, if any, and 4 copies of a description of the legal boundaries of the town and 4 copies of a plat of the town. The secretary of ~~state~~ administration shall then issue a certificate of incorporation, and record the certificate in a book kept for that purpose. Two copies of the description and plat shall be forwarded by the secretary of ~~state~~ administration to the department of transportation and one copy to the department of revenue.

SECTION 1958. 66.0216 (5) of the statutes is amended to read:

66.0216 **(5)** CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a city or village, the town clerk shall certify that fact to the secretary of ~~state~~ administration together with 4 copies of a description of the legal boundaries of the town, and 4 copies of a plat of the town. The town clerk shall also send the secretary of ~~state~~ administration an incorporation fee of $1,000. Upon receipt of the town clerk's certification, the incorporation fee, and other required documents, the secretary of ~~state~~ administration shall issue a certificate of incorporation and record the certificate in a book kept for that purpose. The secretary of ~~state~~ administration shall provide 2 copies of the description and plat to the department of transportation and one copy to the department of revenue. The town clerk shall also transmit a copy of the certification and the resolution under sub. (1) to the county clerk.

SECTION 1959. 66.0216 (6) of the statutes is amended to read:

66.0216 **(6)** ACTION. No action to contest the validity of an incorporation under this section on any grounds, whether procedural or jurisdictional, may be commenced after 60 days from the date of issuance of the certificate of incorporation by the secretary of ~~state~~ administration. In any such action, the burden of proof as to all issues is upon the person bringing the action to show that the incorporation is not valid. An action contesting an incorporation shall be given preference in the circuit court.

SECTION 1959e. 66.02162 of the statutes is created to read:

66.02162 Incorporation of certain towns contiguous to 3rd class cities. **(1)** CONDITIONS. A town board may initiate the procedure for incorporating its town as a village under this section by adopting a resolution providing for a referendum by the electors of the town on the question of whether the town should become a village if on the date of the adoption of the resolution all of the following conditions are satisfied:

(a) The most recent federal decennial census shows that the resident population of the town exceeds 6,300.

(b) The town is contiguous to a 3rd class city.

(c) The most recent data available from the department of revenue show that the equalized value for the town exceeds $600,000,000.

(d) In one of the 5 years before the year in which the town board adopts the resolution, the town's equalized value increased more than 7 percent, compared to the town's equalized value for the prior year.

(e) The town board of the town is authorized to exercise village powers.

(f) The town has entered into, and is bound by, at least 2 separate cooperative boundary agreements under s. 66.0307 with at least 2 municipalities.

(g) The town has created at least one tax incremental financing district as authorized under s. 60.23 (32).

(h) The town has established at least one town sanitary district under subch. IX of ch. 60.

(2) REFERENDUM RESOLUTION. The resolution of the town board required under sub. (1) shall do all of the following:

(a) Certify that all of the conditions under sub. (1) are satisfied.

(b) Contain a description of the territory to be incorporated sufficiently accurate to determine its location and a statement that a scale map reasonably showing the boundaries of the territory is on file with the town clerk.

(c) Determine the numbers and boundaries of each ward of the proposed village, conforming to the requirements of s. 5.15 (1) and (2).

(d) Determine the date of the referendum, which may not be earlier than 6 weeks after the adoption of the resolution.

(3) NOTICE OF REFERENDUM. The town clerk shall publish the resolution adopted under sub. (1) in a newspaper published in the town. If no newspaper is published in the town, the town clerk shall publish the resolution in a newspaper designated in the resolution. The town clerk shall publish the resolution once a week for 4 successive weeks, the first publication to be not more than 4 weeks before the referendum.

(4) VOTING PROCEDURE. The referendum shall be conducted in the same manner as elections for town board supervisors. The question appearing on the ballot shall be: "Shall the town of .... become a village?" Below the question shall appear 2 squares. To the left of one square shall appear the words "For a village," and to the

left of the other square shall appear the words "Against a village." The inspectors shall make a return to the town clerk.

(5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a village, the town clerk shall certify that fact to the secretary of state, together with 4 copies of a description of the legal boundaries of the town, and 4 copies of a plat of the town. The town clerk shall also send the secretary of state an incorporation fee of $1,000. Upon receipt of the town clerk's certification, the incorporation fee, and other required documents, the secretary of state shall issue a certificate of incorporation and record the certificate in a book kept for that purpose. The secretary of state shall provide 2 copies of the description and plat to the department of transportation and one copy to the department of revenue. The town clerk shall also transmit a copy of the certification and the resolution under sub. (1) to the county clerk.

(6) ACTION. No action to contest the validity of an incorporation under this section on any grounds, whether procedural or jurisdictional, may be commenced after 60 days from the date of issuance of the certificate of incorporation by the secretary of state. In any such action, the burden of proof as to all issues is upon the person bringing the action to show that the incorporation is not valid. An action contesting an incorporation shall be given preference in the circuit court.

(7) VILLAGE POWERS. A village incorporated under this section is a body corporate and politic, with the powers and privileges of a municipal corporation at common law and conferred by ch. 61.

(8) EXISTING ORDINANCES. Ordinances in force in the territory or any part of the territory, to the extent not inconsistent with this section or ch. 61, continue in force until altered or repealed.

(9) EXISTING INTERGOVERNMENTAL AND COOPERATIVE BOUNDARY AGREEMENTS. Intergovernmental cooperation agreements entered into under s. 66.0301 and cooperative boundary agreements approved under s. 66.0307, to which a town incorporating under this section is a party, that are still in effect on the effective date of the incorporation, shall continue in force until altered or repealed, to the extent allowed under the agreements. When incorporated under this section, a village shall be considered the town's successor with respect to such agreements.

(10) INTERIM OFFICERS, FIRST VILLAGE ELECTION. Section 66.0215 (8) and (9), as it applies to a town that is incorporated as a city under s. 66.0215, applies to a town that is incorporated as a village under this section.

(11) SUNSET. This section does not apply after June 30, 2020.

SECTION 1960. 66.0217 (9) (a) of the statutes is amended to read:

66.0217 **(9)** (a) The clerk of a city or village which has annexed territory shall file immediately with the secretary of ~~state~~ administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (bg). The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district. Failure to file, record or send does not invalidate the annexation and the duty to file, record or send is a continuing one. The ordinance that is filed, recorded or sent shall describe the annexed territory and the associated population. The information filed with the secretary of ~~state~~ administration shall be utilized in making recommendations for adjustments to entitlements under the federal revenue sharing program and distribution of funds under ch. 79. The clerk shall certify

annually to the secretary of ~~state~~ administration and record with the register of deeds a legal description of the total boundaries of the municipality as those boundaries existed on December 1, unless there has been no change in the 12 months preceding.

SECTION 1961. 66.0217 (9) (b) of the statutes is amended to read:

66.0217 **(9)** (b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary of ~~state~~ administration shall forward 2 copies of the ordinance, certificate and plat to the department of transportation, one copy to the department of administration, one copy to the department of revenue, one copy to the department of public instruction, one copy to the department, one copy to the department of natural resources, one copy to the department of agriculture, trade and consumer protection and 2 copies to the clerk of the municipality from which the territory was annexed.

SECTION 1962. 66.0219 (7) of the statutes is amended to read:

66.0219 **(7)** APPEAL. An appeal from the order of the circuit court is limited to contested issues determined by the circuit court. An appeal shall not stay the conduct of the referendum election, if one is ordered, but the statement of the election results and the copies of the certificate and plat may not be filed with the secretary of ~~state~~ administration until the appeal has been determined.

SECTION 1963. 66.0221 (1) of the statutes is amended to read:

66.0221 **(1)** Upon its own motion and subject to sub. (3) and ss. 66.0301 (6) (d) and 66.0307 (7), a city or village, by a two–thirds vote of the entire membership of its governing body, may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town

areas except those that are exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 6 certified copies of the ordinance ~~in the office of~~ with the secretary of ~~state~~ administration, together with 6 copies of a scale map. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (bg). The secretary of ~~state~~ administration shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of administration. This subsection does not apply if the town island was created only by the annexation of a railroad right–of–way or drainage ditch. This subsection does not apply to land owned by a town government which has existing town government buildings located on the land. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies to annexations under this subsection. Except as provided in sub. (2), after December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

SECTION 1964. 66.0223 (1) of the statutes is amended to read:

66.0223 **(1)** In addition to other methods provided by law and subject to sub. (2) and ss. 66.0301 (6) (d) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The

ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance ~~in the office of~~ with the secretary of ~~state~~ administration, together with 7 copies of a plat showing the boundaries of the territory attached. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (bg). Two copies of the ordinance and plat shall be forwarded by the secretary of ~~state~~ administration to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.

SECTION 1965. 66.0227 (5) of the statutes is amended to read:

66.0227 **(5)** The ordinance, certificate and plat shall be filed and recorded in the same manner as annexations under s. 66.0217 (9) (a). The requirements for the secretary of ~~state~~ administration are the same as in s. 66.0217 (9) (b).

SECTION 1966. 66.0231 of the statutes is amended to read:

66.0231 Notice of certain litigation affecting municipal status or boundaries. If a proceeding under ss. 61.187, 61.189, 61.74, 62.075, 66.0201 to 66.0213, 66.0215, 66.0216, 66.02162, 66.0217, 66.0221, 66.0223, 66.0227, 66.0301 (6), or 66.0307 or other sections relating to an incorporation, annexation, consolidation, dissolution or detachment of territory of a city or village is contested by instigation of legal proceedings, the clerk of the city or village involved in the proceedings shall file with the secretary of ~~state~~ administration 4 copies of a notice

of the commencement of the action. The clerk shall file with the secretary of ~~state~~ administration 4 copies of any judgments rendered or appeals taken in such cases. The notices or copies of judgments that are required under this section may also be filed by an officer or attorney of any party of interest. If any judgment has the effect of changing the municipal boundaries, the city or village clerk shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (bg). The secretary of ~~state~~ administration shall forward to the department of transportation 2 copies and to the department of revenue and the department of administration one copy each of any notice of action or judgment filed with the secretary of ~~state~~ administration under this section.

SECTION 1966m. 66.0301 (1) (a) of the statutes is amended to read:

66.0301 **(1)** (a) Except as provided in pars. (b) and (c), in this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, or school district, the opportunity schools and partnership programs under subch. IX of ch. 115 and subch. II of ch. 119, the superintendent of schools opportunity schools and partnership program under s. 119.33, or any public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, local professional football stadium district created under subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229, long–term care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district, regional planning

commission, housing authority created under s. 66.1201, redevelopment authority created under s. 66.1333, community development authority created under s. 66.1335, or city–county health department.

SECTION 1969. 66.0301 (6) (e) of the statutes is amended to read:

66.0301 **(6)** (e) A boundary change included in an agreement under this subsection shall be accomplished by the enactment of an ordinance by the governing body designated to do so in the agreement. The filing and recording requirements under s. 66.0217 (9) (a), as they apply to cities and villages under s. 66.0217 (9) (a), apply to municipalities under this subsection. The requirements for the secretary of ~~state~~ administration under s. 66.0217 (9) (b), as they apply under that section, apply to the secretary of ~~state~~ administration when he or she receives an ordinance that is filed under this subsection.

SECTION 1969ab. 66.0304 (4) (a) of the statutes is amended to read:

66.0304 **(4)** (a) Adopt and amend bylaws, policies, and procedures for the regulation of its affairs and the conduct of its business.

SECTION 1969am. 66.0304 (4) (c) of the statutes is amended to read:

66.0304 **(4)** (c) Acquire, buy, own, operate, sell, lease as lessor or lessee, encumber, mortgage, hypothecate, pledge, assign, gift, or otherwise transfer any property or interest in property that is located within or outside of this state.

SECTION 1969b. 66.0304 (4) (f) of the statutes is amended to read:

66.0304 **(4)** (f) Employ or appoint agents, employees, finance professionals, counsel, and special advisers as the commission finds necessary and fix their compensation.

SECTION 1969c. 66.0304 (4) (p) of the statutes is amended to read:

66.0304 **(4)** (p) Purchase bonds issued by or on behalf of, or held by, any participant, any state or a department, authority, or agency of such a state, or any political subdivision, or a subunit of the political subdivision, or the federal government, or a subunit of the federal government. Bonds purchased under this paragraph may be held by the commission or sold, in whole or in part, separately or together with other bonds issued by the commission.

SECTION 1969e. 66.0304 (4e) of the statutes is created to read:

66.0304 **(4e)** CREATION OF NONPROFIT CORPORATION. A commission may create one or more nonprofit corporations of which the commission is the sole member or may appoint or veto appointments to the governing board, provided that the purpose of the nonprofit corporation is to carry out or assist a commission in carrying out all or part of the commission's purposes or powers. A nonprofit corporation created under this subsection may exercise any power that a commission may exercise and it may be created under ch. 181 or under the laws of any state or territory of the United States. A nonprofit corporation created under this subsection is subject to the same exemptions and immunities that apply to a commission under this section. A nonprofit corporation created under this subsection, and a commission, may make loans to, borrow money from, and acquire or assign or transfer property to or from, one another. A nonprofit corporation created under this subsection is a legal entity that is separate and distinct from the commission, and its assets and liabilities may not be consolidated or commingled with those of a commission. A commission may not be held accountable for the actions, omissions, debts, or liabilities of any nonprofit corporation created under this subsection. A nonprofit corporation created under this subsection may not be held accountable for the actions, omissions, debts,

or liabilities of the commission that creates it, or of any other nonprofit corporation created under this subsection.

SECTION 1969f. 66.0304 (5) (a) 1. of the statutes is amended to read:

66.0304 **(5)** (a) 1. The ~~face~~ form of the bond shall include the date of issuance and the date of maturity.

SECTION 1969g. 66.0304 (5) (a) 2. of the statutes is amended to read:

66.0304 **(5)** (a) 2. The ~~face~~ form of the bond shall include the statements required under subs. (9) (c) and (11) (d).

SECTION 1969h. 66.0304 (5) (ae) of the statutes is created to read:

66.0304 **(5)** (ae) A bond resolution may provide that the facsimile, electronic, or digital signature of any person authorized to execute documents, including bonds, on behalf of the commission shall be considered to be the legal equivalent of a manual signature on specified documents or all documents, and such signatures are valid and binding for all purposes.

SECTION 1969i. 66.0304 (5) (am) (intro.) of the statutes is amended to read:

66.0304 **(5)** (am) (intro.) Notwithstanding par. (a), as an alternative to specifying the matters required to be specified in the bond resolution under par. (a), the resolution may specify members of the board or officers or employees of the commission, by name or position, to whom the commission delegates authority to determine ~~which of~~ the matters under ~~specified~~ par. (a), and any other matters that the commission deems appropriate, for inclusion in the trust agreement, indenture, or other agreement providing for issuance of the bonds as finally executed. A resolution under this paragraph shall specify at least all of the following:

SECTION 1961im. 66.0304 (5) (b) 1. of the statutes is amended to read:

66.0304 **(5)** (b) 1. Early mandatory or optional redemption or purchase in lieu of redemption or tender~~, as provided in the resolution~~.

SECTION 1969j. 66.0304 (5) (b) 3. of the statutes is amended to read:

66.0304 **(5)** (b) 3. A trust agreement or indenture, or other agreement providing for issuance of the bonds, containing any terms, conditions, and covenants that the commission determines to be necessary or appropriate, but such terms, conditions, and covenants may not be in conflict with the resolution.

SECTION 1969k. 66.0304 (6) (e) of the statutes is repealed.

SECTION 1969L. 66.0304 (7) (a) of the statutes is amended to read:

66.0304 **(7)** (a) The commission may secure bonds by a trust agreement ~~or~~, indenture ~~by and between the commission and one or more corporate trustees~~, or other agreement providing for the issuance of the bonds. A bond resolution, trust agreement, ~~or~~ indenture, or other agreement providing for the issuance of the bonds may contain provisions for ~~pledging~~ the pledge or assignment by the commission of properties, revenues, and other tangible or intangible collateral, including contractual rights; holding and disbursing funds; protecting and enforcing the rights and remedies of bondholders; restricting individual rights of action by bondholders; and amendments, and any other provisions the commission determines to be reasonable and proper for the security of the bondholders or contracts entered into under this section in connection with the bonds.

SECTION 1969m. 66.0304 (8) of the statutes is amended to read:

66.0304 **(8)** NO PERSONAL LIABILITY. No ~~board member~~ director, officer, employee, or agent of the commission, of any member, or of a corporation created under sub. (4e), is liable personally on the bonds or any contract entered into by the commission or corporation, or subject to any personal liability or accountability by

reason of the contract or the issuance of the bonds, unless the personal liability or accountability is the result of the willful misconduct of such person.

SECTION 1969n. 66.0304 (9) (b) of the statutes is amended to read:

66.0304 **(9)** (b) The state ~~and the political subdivisions who are parties to the agreement creating a commission under this section~~, the members, and political subdivisions approving financing under sub. (11) (a) are not liable on bonds or any other contract entered into under this section, or for any other debt, obligation, or liability of the commission or a corporation created under sub. (4e), whether in tort, contract, or otherwise.

SECTION 1969p. 66.0304 (9) (c) of the statutes is amended to read:

66.0304 **(9)** (c) The bonds are not a debt of the state ~~or the political subdivisions contracting to create a commission under this section~~, the members, or political subdivisions approving financing under sub. (11) (a). A bond issue under this section does not obligate the state or a political subdivision to levy any tax or make any appropriation for payment of the bonds. All bonds issued by a commission are payable solely from the funds pledged for their payment in accordance with the bond resolution ~~or~~, trust agreement ~~or~~, indenture, or other agreement providing for their issuance. All bonds shall contain~~, on their face,~~ a statement regarding the obligations of the state, ~~the political subdivisions who are parties to the agreement creating the commission,~~ the members, the political subdivisions approving financing under sub. (11) (a), and the commission as set forth in this paragraph.

SECTION 1969pe. 66.0304 (9) (d) of the statutes is created to read:

66.0304 **(9)** (d) Projects not located in this state that are financed or refinanced by bonds of a commission, including any project owned, operated, leased from or to, or otherwise controlled by, a participant or by the commission, are not considered

public projects of this state, and are not subject to procurement, contracting, construction, tax, acquisition, construction, or improvements laws of this state that are applicable to public projects.

SECTION 1969q. 66.0304 (10) (b) of the statutes is amended to read:

66.0304 **(10)** (b) A commission shall maintain an accounting system in accordance with generally accepted accounting principles and shall have its financial statements ~~and debt covenants~~ audited annually by an independent certified public accountant, except that the commission by a unanimous vote may decide to have an audit performed under this paragraph every 2 years.

SECTION 1969r. 66.0304 (11) (a) of the statutes is renumbered 66.0304 (11) (a) 1. and amended to read:

66.0304 **(11)** (a) 1. ~~A~~ Except as provided in subd. 2., the commission may not issue bonds to finance a capital improvement project in this state or in any state or territory of the United States unless a political subdivision within whose boundaries the project is to be located has approved the financing of the project. ~~A commission may not issue bonds to finance a capital improvement project in this state unless all of the political subdivisions within whose boundaries the project is to be located has approved the financing of the project.~~ An approval under this ~~paragraph~~ subdivision may be made by the governing body of the political subdivision or by its designee or, except for a 1st class city in this state or a county in which such a ~~1st class~~ city is located, by the highest ranking ~~executive or administrator~~ elected official of the political subdivision or by his or her designee.

SECTION 1969s. 66.0304 (11) (a) 2. of the statutes is created to read:

66.0304 **(11)** (a) 2. Except for financing a capital improvement project in a 1st class city in this state or in a county in which such a city is located, the commission

may issue bonds to finance a capital improvement project without receiving the approval under subd. 1. if the financing is approved in accordance with section 147 (f) of the Internal Revenue Code.

SECTION 1969t. 66.0304 (11) (a) 3. of the statutes is created to read:

66.0304 **(11)** (a) 3. Bonds issued under this section are not considered issued for the purpose of financing a capital improvement project if the bond proceeds are used for any of the following purposes:

a. To finance a project that is placed in service for federal tax purposes prior to the commission issuing the bonds.

b. To finance the acquisition of a project if no more than 10 percent of the bond proceeds are used to finance the construction of capital improvements.

c. To finance acquiring bonds from a different issuer and those bonds are used or were used to finance a capital improvement project.

d. To acquire leases or contracts from a 3rd party provider of capital improvement projects.

SECTION 1969u. 66.0304 (11) (bm) of the statutes is amended to read:

66.0304 **(11)** (bm) A project may be located outside of the United States or outside a territory of the United States if <u>any participant or</u> the borrower, including a co–borrower, of proceeds of bonds issued to finance or refinance the project in whole or in part is ~~incorporated~~ <u>organized under the laws of</u> and has its principal place of business in <u>any state or territory of</u> the United States ~~or a territory of the United States. To the extent that this paragraph applies to a borrower, it also applies to a participant if the participant is a nongovernmental entity~~.

SECTION 1969v. 66.0304 (11) (c) of the statutes is amended to read:

66.0304 **(11)** (c) Any action brought to challenge the validity of the issuance of a bond under this section, or the enforceability of a contract entered into under this section, must be commenced in circuit court within 30 days of the commission adopting a resolution authorizing the issuance of the bond or the execution of the contract or be barred. Section 893.77 does not apply to bonds issued under this section.

SECTION 1970. 66.0307 (10) of the statutes is amended to read:

66.0307 **(10)** BOUNDARY CHANGE ORDINANCE; FILING AND RECORDING REQUIREMENTS. A boundary change under a cooperative plan shall be accomplished by the enactment of an ordinance by the governing body designated to do so in the plan. The filing and recording requirements under s. 66.0217 (9) (a), as they apply to cities and villages under s. 66.0217 (9) (a), apply to municipalities under this subsection. The requirements for the secretary of ~~state~~ administration are the same as those required in s. 66.0217 (9) (b).

SECTION 1974. 66.0417 (1) of the statutes is amended to read:

66.0417 **(1)** An employee or agent of a local health department designated by ~~the department of health services under s. 254.69 (2) or~~ the department of agriculture, trade and consumer protection under s. 97.41 or 97.615 (2) may enter, at reasonable hours, any premises for which the local health department issues a ~~permit~~ license under s. 97.41 or ~~254.69 (2)~~ 97.615 (2) to inspect the premises, secure samples or specimens, examine and copy relevant documents and records, or obtain photographic or other evidence needed to enforce ~~subch. VII of ch. 254,~~ ch. 97 ~~or s. 254.47~~, relating to those premises. If samples of food are taken, the local health department shall pay or offer to pay the market value of those samples. The local health department~~, department of health services~~ or department of agriculture,

trade and consumer protection shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether there is a violation of ~~subch. VII of ch. 254,~~ ch. 97 ~~or s. 254.47~~, rules adopted by the ~~departments~~ department under those statutes, ordinances adopted by the village, city or county or regulations adopted by the local board of health under s. 97.41 (7) or ~~254.69~~ 97.615.

SECTION 1975. 66.0417 (2) of the statutes is amended to read:

66.0417 **(2)** (a) Whenever, as a result of an examination, a village, city or county has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to health, the administrator of the village, city or county agency responsible for the village's, city's or county's agent functions under s. 97.41 or ~~254.69 (2)~~ 97.615 (2) may issue a temporary order and cause it to be delivered to the ~~permittee~~ licensee, or to the owner or custodian of the food, or to both. The order may prohibit the sale or movement of the food for any purpose, prohibit the continued operation or method of operation of specific equipment, require the premises to cease any other operation or method of operation which creates the immediate danger to health, or set forth any combination of these requirements. The administrator may order the cessation of all operations authorized by the ~~permit~~ license only if a more limited order does not remove the immediate danger to health. Except as provided in par. (c), no temporary order is effective for longer than 14 days from the time of its delivery, but a temporary order may be reissued for one additional 14–day period, if necessary to complete the analysis or examination of samples, specimens or other evidence.

(b) No food described in a temporary order issued and delivered under par. (a) may be sold or moved and no operation or method of operation prohibited by the temporary order may be resumed without the approval of the village, city or county, until the order has terminated or the time period specified in par. (a) has run out, whichever occurs first. If the village, city or county, upon completed analysis and examination, determines that the food, construction, sanitary condition, operation or method of operation of the premises or equipment does not constitute an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian of the food or premises shall be promptly notified in writing and the temporary order shall terminate upon his or her receipt of the written notice.

(c) If the analysis or examination shows that the food, construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian shall be notified within the effective period of the temporary order issued under par. (a). Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under sub. (3), and no food described in the temporary order may be sold or moved and no operation or method of operation prohibited by the order may be resumed without the approval of the village, city or county.

SECTION 1976. 66.0417 (3) of the statutes is amended to read:

66.0417 **(3)** A notice issued under sub. (2) (c) shall be accompanied by notice of a hearing as provided in s. 68.11 (1). The village, city or county shall hold a hearing no later than 15 days after the service of the notice, unless both parties agree to a later date. Notwithstanding s. 68.12, a final decision shall be issued under s. 68.12 within 10 days of the hearing. The decision may order the destruction of food, the diversion of food to uses which do not pose a danger to health, the modification of food

so that it does not create a danger to health, changes to or replacement of equipment or construction, other changes in or cessations of any operation or method of operation of the equipment or premises, or any combination of these actions necessary to remove the danger to health. The decision may order the cessation of all operations authorized by the ~~permit~~ license only if a more limited order will not remove the immediate danger to health.

SECTION 1977. 66.0417 (4) of the statutes is amended to read:

66.0417 **(4)** A proceeding under this section, or the issuance of a ~~permit~~ license for the premises after notification of procedures under this section, does not constitute a waiver by the village, city or county of its authority to rely on a violation of ch. 97~~, s. 254.47 or subch. VII of ch. 254~~ or any rule adopted under those statutes as the basis for any subsequent suspension or revocation of the ~~permit~~ license or any other enforcement action arising out of the violation.

SECTION 1978. 66.0435 (9) of the statutes is amended to read:

66.0435 **(9)** MUNICIPALITIES; MONTHLY MUNICIPAL PERMIT FEES ON RECREATIONAL MOBILE HOMES AND RECREATIONAL VEHICLES. A licensing authority may assess monthly municipal permit fees at the rates under this section on recreational mobile homes and recreational vehicles, as defined in s. 340.01 (48r), except recreational mobile homes and recreational vehicles that are located in campgrounds licensed under s. ~~254.47~~ 97.67, recreational mobile homes that constitute improvements to real property under s. 70.043 (1), and recreational mobile homes or recreational vehicles that are located on land where the principal residence of the owner of the recreational mobile home or recreational vehicle is located, regardless of whether the recreational mobile home or recreational vehicle is occupied during all or part of any calendar year.

SECTION 1979. 66.0436 (1) of the statutes is amended to read:

66.0436 **(1)** In this section, "restaurant" has the meaning given in s. ~~254.61 (5)~~ 97.01 (14g).

SECTION 1980. 66.0436 (2) of the statutes is amended to read:

66.0436 **(2)** No city, village, town, or county may enact an ordinance requiring a restaurant, a person who holds a ~~permit~~ license for a restaurant, or a person who conducts, maintains, manages, or operates a restaurant to satisfy a requirement related to the issuance or possession of a certificate of food protection practices that is not found under s. ~~254.71~~ 97.33.

SECTION 1986f. 66.0602 (2m) (b) 1. of the statutes is amended to read:

66.0602 **(2m)** (b) 1. In this paragraph, "covered service" means garbage collection, fire protection, snow plowing, street sweeping, or storm water management, except that garbage collection may not be a covered service for any political subdivision that owned and operated a landfill on January 1, 2013.

SECTION 1986j. 66.0602 (3) (bm) of the statutes is created to read:

66.0602 **(3)** (bm) Beginning with taxes levied in 2015, if a political subdivision transfers to another political subdivision any service that the transferor political subdivision provided in the preceding year, the amount of the decrease under par. (a) exceeds the amount of the increase under par. (b), and the transferor political subdivision and the transferee political subdivision agree on a division of a levy adjustment under this paragraph, one–half of the difference between the decrease under par. (a) and the increase under par. (b) may be used to increase the allowable levy of the transferor and transferee political subdivisions as provided in the levy adjustment agreement.

SECTION 1986m. 66.0602 (3) (f) 1. of the statutes is amended to read:

66.0602 **(3)** (f) 1. Subject to subd. 3., and unless a political subdivision makes an adjustment under par. (fm), if a political subdivision's allowable levy under this section in the prior year was greater than its actual levy in that year, the levy increase limit otherwise applicable under this section to the political subdivision in the next succeeding year is increased by the difference between the prior year's allowable levy and the prior year's actual levy, as determined by the department of revenue, up to a maximum increase of 1.5 percent of the actual levy in that prior year.

SECTION 1986me. 66.0602 (3) (fm) of the statutes is created to read:

66.0602 **(3)** (fm) 1. Subject to subds. 3. and 4., a political subdivision's levy increase limit otherwise applicable under this section may be increased by any amount up to the maximum adjustment specified under subd. 2.

2. The maximum adjustment allowed under subd. 1. shall be calculated by adding the difference between the political subdivision's valuation factor in the previous year and the actual percent increase in a political subdivision's levy attributable to the political subdivision's valuation factor in the previous year, for the 5 years before the current year, less any amount claimed under subd. 1. in one of the 5 preceding years, except that the calculation may not include any year before 2014, and the maximum adjustment as calculated under this subdivision may not exceed 5 percent.

3. The adjustment described in subd. 1. may occur only if the political subdivision's governing body approves of the adjustment by a two–thirds majority vote of the governing body and if the political subdivision's level of outstanding general obligation debt in the current year is less than or equal to the political subdivision's level of outstanding general obligation debt in the previous year.

4. This paragraph first applies to a levy that is imposed in 2015, and no political subdivision may make an adjustment under this paragraph if it makes an adjustment under par. (f) for the same year.

SECTION 1990e. 66.0615 (1) (a) of the statutes is amended to read:

66.0615 **(1)** (a) "Commission" means an entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone.

SECTION 1990ec. 66.0615 (1) (f) of the statutes is amended to read:

66.0615 **(1)** (f) "Tourism entity" means a nonprofit organization that came into existence before January 1, ~~1992, and provides staff, development or promotional~~ 2015, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists in a municipality on January 1, 2015, a municipality may contract with such an organization if one is created in the municipality.

SECTION 1990ed. 66.0615 (1) (fm) (intro.) of the statutes is amended to read:

66.0615 **(1)** (fm) (intro.) "Tourism promotion and tourism development" means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

SECTION 1990ee. 66.0615 (1m) (a) of the statutes is amended to read:

66.0615 **(1m)** (a) The governing body of a municipality may enact an ordinance, and a district, under par. (e), may adopt a resolution, imposing a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. A tax imposed under this paragraph may be collected from the consumer or user, but may not be imposed on sales to the federal government and persons listed under s. 77.54 (9a). A tax imposed under this paragraph by a municipality shall be paid to the municipality and ~~may~~, with regard to any tax revenue that may not be retained by the municipality, shall be forwarded to a tourism entity or a commission if one is created under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed under this paragraph by a municipality may not exceed 8%. Except as provided in par. (am), if a tax greater than 8% under this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8%, effective on June 1, 1994.

SECTION 1990ef. 66.0615 (1m) (d) 1. of the statutes is amended to read:

66.0615 **(1m)** (d) 1. A municipality that first imposes a room tax under par. (a) after May 13, 1994, shall spend at least 70% of the amount collected on tourism promotion and tourism development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be ~~spent directly by the municipality on tourism promotion and development or shall be~~ forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

SECTION 1990eg. 66.0615 (1m) (d) 2. of the statutes is amended to read:

66.0615 **(1m)** (d) 2. ~~If~~ Subject to par. (dm), if a municipality collects a room tax on May 13, 1994, it may retain not more than the same percentage of the room tax that it retains on May 13, 1994. If a municipality that collects a room tax on May 1, 1994, increases its room tax after May 1, 1994, the municipality may retain not more than the same percentage of the room tax that it retains on May 1, 1994, except that if the municipality is not exempt under par. (am) from the maximum tax that may be imposed under par. (a), the municipality shall spend at least 70% of the increased amount of room tax that it begins collecting after May 1, 1994, on tourism promotion and development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be ~~spent directly by the municipality on tourism promotion and development or shall be~~ forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

SECTION 1990eh. 66.0615 (1m) (d) 3. of the statutes is amended to read:

66.0615 **(1m)** (d) 3. A commission shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development in the zone or in the municipality.

SECTION 1990ei. 66.0615 (1m) (d) 7. of the statutes is amended to read:

66.0615 **(1m)** (d) 7. Notwithstanding the provisions of subds. 1. and 2., any amount of room tax revenue that a municipality described under s. 77.994 (3) is required to spend on tourism promotion and tourism development shall be forwarded to, and spent by, the municipality's tourism entity, unless the municipality creates a commission and forwards the revenue to the commission.

SECTION 1990ej. 66.0615 (1m) (d) 8. of the statutes is created to read:

66.0615 **(1m)** (d) 8. The governing body of a tourism entity shall include at least one owner or operator of a lodging facility that collects the room tax described in this section and that is located in the municipality for which the room tax is collected. Subdivision 4., as it applies to a commission, applies to a tourism entity.

SECTION 1990ek. 66.0615 (1m) (dm) of the statutes is created to read:

66.0615 **(1m)** (dm) Subject to par. (dq), beginning with the room tax collected on January 1, 2016, by a municipality that collected a room tax on May 13, 1994, as described in par. (d) 2., and retained more than 30 percent of the room tax collected for purposes other than tourism promotion and tourism development, such a municipality may continue to retain, each year, the greater of either 30 percent of its current year revenues or one of the following amounts:

1. For fiscal year 2016, the same dollar amount of the room tax retained as the municipality retained in its 2013 fiscal year.

2. For fiscal year 2017, the same dollar amount of the room tax retained as the municipality retained in its 2012 fiscal year.

3. For fiscal year 2018, the same dollar amount of the room tax retained as the municipality retained in its 2011 fiscal year.

4. For fiscal year 2019, the same dollar amount of the room tax retained as the municipality retained in its 2010 fiscal year.

5. For fiscal year 2020 and thereafter, the same dollar amount of the room tax retained as the municipality retained in its 2009 fiscal year.

SECTION 1990ekf. 66.0615 (1m) (dq) of the statutes is created to read:

66.0615 **(1m)** (dq) 1. Subject to subd. 2., with regard to a municipality to which par. (dm) applies, if that municipality is subject to a contract that it entered into before January 1, 2015, and the contract is in effect on the effective date of this

subdivision .... [LRB inserts date], the provisions of par. (dm) do not apply to any room tax revenues to the extent those revenues are needed to satisfy the terms of the contract.

2. Upon the satisfaction of the terms of the contract which, under subd. 1., limit the application of par. (dm) to such a municipality, par. (dm) shall then apply to the municipality.

SECTION 1990eL. 66.0615 (4) of the statutes is created to read:

66.0615 **(4)** (a) Annually, on or before May 1, on a form created and provided by the department of revenue, every municipality that imposes a tax under sub. (1m) shall certify and report to the department, beginning in 2016, all of the following:

1. The amount of room tax revenue collected, and the room tax rate imposed, by the municipality in the previous year.

2. A detailed accounting of the amounts of such revenue that were forwarded in the previous year for tourism promotion and tourism development, specifying the commission or tourism entity that received the revenue. The detailed accounting shall include expenditures of at least $1,000 made by a commission or a tourism entity.

3. A list of each member of the commission and each member of the governing body of a tourism entity to which the municipality forwarded room tax revenue in the previous year, and the name of the business entity the member owns, operates, or is employed by, if any.

(b) The department of revenue shall collect the reports described in par. (a) and shall make them available to the public.

(c) The department of revenue may impose a penalty of not more than $3,000 on a municipality that does not submit to the department the reports described in

par. (a). A municipality may not use room tax revenue to pay a penalty imposed under this paragraph. The penalty shall be paid to the department of revenue.

SECTION 1990h. 66.0703 (13) of the statutes is amended to read:

66.0703 **(13)** Every special assessment levied under this section is a lien on the property against which it is levied on behalf of the municipality levying the assessment or the owner of any certificate, bond or other document issued by public authority, evidencing ownership of or any interest in the special assessment, from the date of the determination of the assessment by the governing body. The governing body shall provide for the collection of the assessments and may establish penalties for payment after the due date. The governing body shall provide that all assessments or installments that are not paid by the date specified shall be extended upon the tax roll as a delinquent ~~tax~~ special assessment, as defined under s. 74.01 (3), against the property and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes apply to the special assessment, except as otherwise provided by statute.

SECTION 1991. 66.0705 (1) (a) of the statutes is amended to read:

66.0705 **(1)** (a) The property of this state, except that held for highway right–of–way purposes or acquired and held for purposes under s. 85.08 or 85.09, and the property of every county, city, village, town, school district, sewerage district or commission, sanitary or water district or commission, or any public board or commission within this state, and of every corporation, company, or individual operating any railroad, telegraph, telecommunications, electric light, or power system, or doing any of the business mentioned in ch. 76, and of every other corporation or company is in all respects subject to all special assessments for local improvements.

SECTION 1991d. 66.0809 (3) (a) of the statutes is amended to read:

66.0809 **(3)** (a) Except as provided in subs. (4) and (5), on October 15 in each year notice shall be given to the owner or occupant of the lots or parcels of real estate to which utility service has been furnished prior to October 1 by a public utility operated by a town, city, or village and payment for which is owing and in arrears at the time of giving the notice. The department in charge of the utility shall furnish the treasurer with a list of the lots or parcels of real estate for which utility service charges are in arrears, and the notice shall be given by the treasurer, unless the governing body of the city, village, or town authorizes notice to be given directly by the department. The notice shall be in writing and shall state the amount of arrears, including any penalty assessed pursuant to the rules of the utility; that unless the amount is paid by November 1 a penalty of 10 percent of the amount of arrears will be added; and that unless the arrears, with any added penalty, are paid by November 15, the arrears and penalty will be levied as a ~~tax~~ special charge, as defined under s. 74.01 (4), against the lot or parcel of real estate to which utility service was furnished and for which payment is delinquent. The notice may be served by delivery to either the owner or occupant personally, or by letter addressed to the owner or occupant at the post–office address of the lot or parcel of real estate.

SECTION 1991e. 66.0809 (3) (b) of the statutes is amended to read:

66.0809 **(3)** (b) On November 16, the officer or department issuing the notice shall certify and file with the clerk a list of all lots or parcels of real estate, giving the legal description, for which notice of arrears was given under par. (a) and for which arrears remain unpaid, stating the amount of arrears and penalty. Each delinquent amount, including the penalty, becomes a lien upon the lot or parcel of real estate to which the utility service was furnished and payment for which is delinquent, and the

clerk shall insert the delinquent amount and penalty as a ~~tax~~ special charge, as defined under s. 74.01 (4), against the lot or parcel of real estate.

SECTION 1991f. 66.0809 (3) (c) of the statutes is amended to read:

66.0809 **(3)** (c) All proceedings in relation to the collection of general property taxes and to the return and sale of property for delinquent taxes apply to the ~~tax~~ special charge under par. (b) if it is not paid within the time required by law for payment of taxes upon real estate.

SECTION 1991m. 66.0813 (5m) of the statutes is created to read:

66.0813 **(5m)** (a) In this subsection:

1. "Municipality" means a city, village, or town.

2. "Public utility" has the meaning given in s. 196.01 (5).

(b) Notwithstanding subs. (3) and (4), a municipality may request the extension of water or sewer service from another municipality that owns and operates a water or sewer utility if the request for service is for an area that, on the date of the request, does not receive water or sewer service from any public utility or municipality and the municipality requesting the service contains an area that, on the date of the request, receives water or sewer service from the water or sewer utility owned and operated by the other municipality. The municipality requesting the service extension may specify the point on the water or sewer utility's system from which service is to be extended to the area that is the subject of the request. The municipality that owns and operates the water or sewer utility shall approve or disapprove the request in writing within 45 days of the date on which the request was made. The municipality that owns and operates the water or sewer utility may disapprove the request only if the utility does not have sufficient capacity to serve the area that is the subject of the request or if the request would have a significant

adverse effect on the utility. A municipality making a request under this paragraph may appeal to the circuit court of the county in which the requesting municipality is located or predominantly located any decision of the municipality that owns and operates the water or sewer utility to deny the service extension.

(c) Paragraph (b) applies even if the municipality that owns and operates the water or sewer utility has, before the effective date of this paragraph .... [LRB inserts date], enacted an ordinance or entered into an agreement specifying that the municipality is not obligated to provide utility service beyond an area covered by the ordinance or agreement.

SECTION 1991r. 66.0821 (4) (d) of the statutes is amended to read:

66.0821 **(4)** (d) Sewerage service charges shall be collected and ~~taxed~~ charged and shall be a lien upon the property served in the same manner as water rates are ~~taxed~~ charged and collected under s. 62.69 (2) (f) or 66.0809 to the extent applicable, except that charges of a metropolitan sewerage district created under ss. 200.21 to 200.65 shall be assessed and collected as provided in s. 200.55 (5).

SECTION 1991v. 66.0907 (3) (f) of the statutes is amended to read:

66.0907 **(3)** (f) *Expense.* The board of public works shall keep an accurate account of the expenses of laying, removing and repairing sidewalks in front of each lot or parcel of land, whether the work is done by contract or otherwise, and report the expenses to the comptroller. The comptroller shall annually prepare a statement of the expense incurred in front of each lot or parcel of land and report the amount to the city clerk. The amount charged to each lot or parcel of land shall be entered by the clerk in the tax roll as a special ~~tax~~ charge, as defined under s. 74.01 (4), against the lot or parcel of land and collected like other taxes upon real estate. The council by resolution or ordinance may provide that the expense incurred may be

paid in up to 10 annual installments and the comptroller shall prepare the expense statement to reflect the installment payment schedule. If annual installments for sidewalk expenses are authorized, the city clerk shall charge the amount to each lot or parcel of land and enter it on the tax roll as a special ~~tax~~ charge, as defined under s. 74.01 (4), against the lot or parcel each year until all installments have been entered, and the amount shall be collected like other taxes upon real estate. The council may provide that the street commissioner or city engineer perform the duties imposed by this section on the board of public works.

SECTION 1993m. 66.1035 of the statutes is amended to read:

66.1035 Rights of abutting owners. The owners of land abutting on any highway, street, or alley shall have a common right in the free and unobstructed use of the full width of the highway, street, or alley. No town, village, city, county, company, or corporation shall close up, use, or obstruct any part of the highway, street, or alley so as to materially interfere with its usefulness as a highway or so as to damage abutting property, or permit the same to be done, without just compensation being made for any resulting damage. This section does not impose liability for damages arising from the use, maintenance, and operation of tracks or other public improvement legally laid down, built, or established in any street, highway, or alley prior to April 7, 1889. All rights in property that could entitle an owner to damages under this section may be condemned by any ~~corporation~~ business entity that is listed in s. 32.02 in the same manner that other property may be condemned by the ~~corporation~~ business entity.

SECTION 2003p. 66.1113 (2) (a) of the statutes is amended to read:

66.1113 **(2)** (a) The governing body of a political subdivision, by a two–thirds vote of the members of the governing body who are present when the vote is taken,

may enact an ordinance or adopt a resolution declaring itself to be a premier resort area if, except as provided in pars. (e), (f), (g), (h), ~~and~~ (i), and (j), at least 40% of the equalized assessed value of the taxable property within such political subdivision is used by tourism–related retailers.

SECTION 2003pd. 66.1113 (2) (b) of the statutes is amended to read:

66.1113 **(2)** (b) Subject to pars. (g), (h), ~~and~~ (i), and (j). a political subdivision that is a premier resort area may impose the tax under s. 77.994.

SECTION 2003pg. 66.1113 (2) (j) of the statutes is created to read:

66.1113 **(2)** (j) The city of Rhinelander may enact an ordinance or adopt a resolution declaring itself to be a premier resort area under par. (a) even if less than 40 percent of the equalized assessed value of the taxable property within Rhinelander is used by tourism–related retailers. The city may not impose the tax authorized under par. (b) unless the common council adopts a resolution proclaiming its intent to impose the tax and the resolution is approved by a majority of the electors in the city voting on the resolution at a referendum, to be held at the first spring primary or election or partisan primary or general election following by at least 70 days the date of adoption of the resolution. Notwithstanding par. (d), the city may use the proceeds from a tax that is imposed under s. 77.994 and this subsection only to pay for transportation–related infrastructure expenses within the jurisdiction, and the city must expend at least the same amount of other funds on transportation–related infrastructure each year that it spent during the calendar year prior to the year in which the premier resort area tax is first imposed.

SECTION 2009. 67.03 (7) of the statutes is renumbered 67.03 (7) (a).

SECTION 2010. 67.03 (7) (b) of the statutes is created to read:

67.03 **(7)** (b) For the purposes of indebtedness, a school district that does not operate one or more grades as a result of entering into a whole grade sharing agreement under s. 118.50 is considered to be operating those grades.

SECTION 2010e. 67.05 (6a) (bm) 4. of the statutes is amended to read:

67.05 **(6a)** (bm) 4. Bonds that are not subject to a referendum as a result of sub. (7) (cc), (h) or (i) or promissory notes issued for the purposes of sub. (7) (cc), (er), (h), or (i).

SECTION 2010m. 67.05 (7) (d) 2. of the statutes is amended to read:

67.05 **(7)** (d) 2. If a school board adopts an initial resolution to raise an amount of money by a bond issue, and either sub. (6a) (a) 2. does not apply as a result of sub. (6a) (b) or the initial resolution is not subject to a referendum as a result of par. (cc), (er), (h), or (i), the school board has the power to borrow and spend the amount for the purpose stated without the approval of the electors of the school district.

SECTION 2010s. 67.05 (7) (er) of the statutes is created to read:

67.05 **(7)** (er) An initial resolution adopted by the school board of a school district for the purpose of issuing up to $2,000,000 in debt for the costs associated with an environmental remediation project on district–owned property and under an environmental remediation plan approved by the department of natural resources and the federal environmental protection agency shall not be submitted to a referendum vote.

SECTION 2012m. 67.12 (12) (e) 2. of the statutes is amended to read:

67.12 **(12)** (e) 2. Unless the purpose and amount of the borrowing have been approved by the electors under s. 67.05 (6a) or deemed approved by the electors under s. 67.05 (7) (d) 3., the purpose is to refund any outstanding municipal obligation, the purpose is to pay unfunded prior service liability contributions under the Wisconsin

retirement system if all of the proceeds of the note will be used for that purpose, the borrowing would not be subject to a referendum as a bond issue under s. 67.05 (7) (cc), (er), (h), or (i), or subd. 2g. or par. (f) or (h) applies, the school district clerk shall, within 10 days after a school board adopts a resolution under subd. 1. to issue a promissory note in excess of $5,000, publish notice of such adoption as a class 1 notice, under ch. 985. Alternatively, the notice may be posted as provided under s. 10.05. The notice need not set forth the full contents of the resolution, but shall state the maximum amount proposed to be borrowed, the purpose thereof, that the resolution was adopted under this subsection, and the place where, and the hours during which, the resolution may be inspected. If, within 30 days after publication or posting, a petition conforming to the requirements of s. 8.40 is filed with the school district clerk for a referendum on the resolution signed by at least 7,500 electors of the district or at least 20% of the number of district electors voting for governor at the last general election, as determined under s. 115.01 (13), whichever is the lesser, then the resolution shall not be effective unless adopted by a majority of the district electors voting at the referendum. The referendum shall be called in the manner provided under s. 67.05 (6a), except that the question which appears on the ballot shall be "Shall .... (name of district) borrow the sum of $.... for (state purpose) by issuing its general obligation promissory note (or notes) under section 67.12 (12) of the Wisconsin Statutes?"

SECTION 2012q. 68.14 (1) of the statutes is amended to read:

68.14 **(1)** The seeking of a review pursuant to s. 68.10 or 68.13 does not preclude a person aggrieved from seeking relief from the governing body of the municipality or any of its boards, commissions, committees, or agencies which may have

jurisdiction, except that the authority under this section of a county board of a county with a population of 750,000 or more is subject to the limitations in s. 59.17 (2) (d).

SECTION 2012t. 69.20 (3) (h) of the statutes is created to read:

69.20 **(3)** (h) 1. In this paragraph, "qualified independent researcher" means a faculty member of a university who satisfies all of the following:

a. The faculty member has an approved protocol from an institutional review board for human subjects research to work with data containing personal information for the purposes of evaluating the program under s. 119.23.

b. The faculty member has received from the state and properly managed data containing personal information for the purposes of evaluating the program under s. 119.23 before the effective date of this subd. 1. b. .... [LRB inserts date].

2. The state registrar shall effect a disclosure of information prohibited under sub. (2) to a qualified independent researcher for the purpose of cross–matching the information disclosed by the registrar with information in a database that both is in the possession of the qualified independent researcher and contains information regarding pupils participating in the program under s. 119.23. The state registrar may charge a fee to the qualified independent researcher for the information that does not exceed the cost incurred by the state registrar to provide the information.

SECTION 2033b. 70.11 (2) of the statutes is amended to read:

70.11 **(2)** MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION. Property owned by any county, city, village, town, school district, technical college district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22, commission created under s. 66.0304 (3), joint local water authority created under s. 66.0823, long–term care district under s. 46.2895 or town sanitary district; lands belonging

to cities of any other state used for public parks; land tax–deeded to any county or city before January 2; but any residence located upon property owned by the county for park purposes that is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable.

SECTION 2037d. 70.11 (47) of the statutes is created to read:

70.11 **(47)** NONPROFIT CORPORATION CREATED BY A COMMISSION. All property owned or leased by a nonprofit corporation created under s. 66.0304 (4e).

SECTION 2048. 70.119 (3) (e) of the statutes is amended to read:

70.119 **(3)** (e) "State facilities" means all property owned and operated by the state for the purpose of carrying out usual state functions, including the branch campuses of the university of Wisconsin system but not including land held for highway right–of–way purposes <u>or acquired and held for purposes under s. 85.08 or 85.09</u>.

SECTION 2056d. 70.375 (6) of the statutes is amended to read:

70.375 **(6)** INDEXING. For calendar year 1983 and corresponding fiscal years and thereafter, the dollar amounts in sub. (5) and s. 70.395 (1) and (2) (d) 1m. and 5. a. ~~and (dg)~~ shall be changed to reflect the percentage change between the gross national product deflator for June of the current year and the gross national product deflator for June of the previous year, as determined by the U.S. department of commerce as of December 30 of the year for which the taxes are due, except that no annual increase

may be more than 10%. For calendar year 1983 and corresponding fiscal years and thereafter until calendar year 1997 and corresponding fiscal years, the dollar amounts in s. 70.395 (1m), 1995 stats., shall be changed to reflect the percentage change between the gross national product deflator for June of the current year and the gross national product deflator for June of the previous year, as determined by the U.S. department of commerce as of December 30 of the year for which the taxes are due, except that no annual increase may be more than 10%. The revised amounts shall be rounded to the nearest whole number divisible by 100 and shall not be reduced below the amounts under sub. (5) on November 28, 1981. Annually, the department shall adopt any changes in dollar amounts required under this subsection and incorporate them into the appropriate tax forms.

SECTION 2103. 70.99 (3) (a) of the statutes is amended to read:

70.99 **(3)** (a) The ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration shall recommend a reasonable salary range for the county assessor for each county based upon pay for comparable work or qualifications in that county. If, by contractual agreement under s. 66.0301, 2 or more counties join to employ one county assessor with the approval of the secretary of revenue, the ~~office~~ division of ~~state employment relations~~ personnel management shall recommend a reasonable salary range for the county assessor under the agreement. The department of revenue shall assist the county in establishing the budget for the county assessor's offices, including the number of personnel and their qualifications, based on the anticipated workload.

SECTION 2107. 71.01 (6) (a) of the statutes is repealed.

SECTION 2108. 71.01 (6) (g) of the statutes is amended to read:

71.01 **(6)** (g) For taxable years that begin after December 31, 2008, and before January 1, 2011, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.

102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325,

and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, and before January 1, 2011, except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2109. 71.01 (6) (h) of the statutes is amended to read:

71.01 **(6)** (h) For taxable years that begin after December 31, 2010, and before January 1, 2013, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,

1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.

105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.

111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240 and by P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2110. 71.01 (6) (i) of the statutes is amended to read:

71.01 **(6)** (i) For taxable years that begin after December 31, 2012, <u>and before January 1, 2014,</u> for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,

9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding

section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the

federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2111. 71.01 (6) (j) of the statutes is created to read:

71.01 **(6)** (j) 1. For taxable years beginning after December 31, 2013, for individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in subds. 2. and 3. and subject to subd. 4.

2. For purposes of this paragraph, "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013: section 13113 of P.L 103–66; sections 1, 3, 4, and 5 of P.L. 106–519; sections 101, 102, and 422 of P.L 108–357; sections 1310 and 1351 of P.L. 109–58; section 11146 of P.L. 109–59; section 403 (q) of P.L. 109–135; section 513 of P.L. 109–222; sections 104 and 307 of P.L. 109–432; sections 8233 and 8235 of P.L. 110–28; section 11 (e) and (g) of P.L. 110–172; section 301 of P.L. 110–245; sections

15303 and 15351 of P.L. 110–246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110–343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111–5; sections 211, 212, 213, 214, and 216 of P.L. 111–226; sections 2011 and 2122 of P.L. 111–240; sections 753, 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112–240.

3. For purposes of this paragraph, "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of the following federal public laws:

a. P.L. 113–97.

b. P.L. 113–159.

c. P.L. 113–168.

d. Section 302901 of P.L. 113–287.

e. Sections 171, 172, and 201 to 221 of P.L. 113–295.

f. Sections 102, 105, and 207 of division B of P.L. 113–295.

4. For purposes of this paragraph, the provisions of federal public laws that directly or indirectly affect the Internal Revenue Code, as defined in this paragraph, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2117e. 71.05 (2) of the statutes is amended to read:

71.05 **(2)** NONRESIDENT RECIPROCITY. All payments received by natural persons domiciled outside Wisconsin who derive income from the performance of personal services in Wisconsin shall be excluded from Wisconsin gross income to the extent that it is subjected to an income tax imposed by the state of domicile; provided that the law of the state of domicile allows a similar exclusion of income from personal

services earned in such state by natural persons domiciled in Wisconsin, or a credit against the tax imposed by such state on such income equal to the Wisconsin tax on such income. With regard to any agreement that is entered into under this subsection on or after the effective date of this subsection .... [LRB inserts date], such an agreement may not take effect unless it is approved by the joint committee on finance using the procedures authorized under s. 13.101.

SECTION 2118. 71.05 (6) (a) 15. of the statutes is amended to read:

71.05 **(6)** (a) 15. Except as provided under s. 71.07 (3p) (c) 5., the amount of the credits computed under s. 71.07 ~~(2dd), (2de), (2di), (2dj), (2dL),~~ (2dm), ~~(2dr), (2ds),~~ (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (3y), (4k), (4n), (5e), (5f), (5h), (5i), (5j), (5k), (5r), (5rm), (6n), and (8r) and not passed through by a partnership, limited liability company, or tax–option corporation that has added that amount to the partnership's, company's, or tax–option corporation's income under s. 71.21 (4) or 71.34 (1k) (g).

SECTION 2118d. 71.05 (6) (a) 26. a. of the statutes is amended to read:

71.05 **(6)** (a) 26. a. To the extent that the receipt of such amounts by the owner or beneficiary of the account results in a penalty as provided in 26 USC 529 (c) (6), any amount that was not used for qualified higher education expenses, as that term is defined in 26 USC 529 (e) (3), and was contributed to the account after December 31, 2013~~.~~, except that this subd. 26. a. applies only to amounts for which a subtraction was made under par. (b) 32.

SECTION 2118dd. 71.05 (6) (a) 26. c. of the statutes is created to read:

71.05 **(6)** (a) 26. c. To the extent that an amount is not otherwise added back under this subdivision, any amount withdrawn from a college savings account, as described in s. 16.641, for any purpose if the withdrawn amount was contributed to

the account within 365 days of the day on which the amount was withdrawn from such an account and if the withdrawn amount was previously subtracted under par. (b) 32.

SECTION 2118e. 71.05 (6) (a) 27. of the statutes is created to read:

71.05 **(6)** (a) 27. Except as provided in subd. 28., any accumulated interest, dividends, or other gain that accrues from an account described under s. 16.643 during the taxable year in which a withdrawal occurs from such an account if any amount of the money or other assets in the account is withdrawn by, or at the direction of, an account owner for any reason other than the payment of qualified expenses, as defined in s. 16.643 (1) (e), for the account beneficiary.

SECTION 2118f. 71.05 (6) (a) 28. of the statutes is created to read:

71.05 **(6)** (a) 28. Upon the termination of an account under s. 16.643 (3) (d), any amount in the account that is returned to an account owner, or an account owner's estate.

SECTION 2119. 71.05 (6) (b) 11. of the statutes is repealed.

SECTION 2123g. 71.05 (6) (b) 32. (intro.) of the statutes is amended to read:

71.05 **(6)** (b) 32. (intro.) An amount paid into a college savings account, as described in s. 16.641, in the taxable year in which the contribution is made or on or before the 15th day of the 4th month beginning after the close of a taxpayer's taxable year to which this subtraction relates, by the owner of the account or by any other individual, for the benefit of any beneficiary of an account, calculated as follows, <u>except that each amount that is subtracted under this subdivision may be subtracted only once</u>:

SECTION 2123gc. 71.05 (6) (b) 32. ae. of the statutes is created to read:

71.05 **(6)** (b) 32. ae. No carryover that would otherwise be authorized under this subdivision may be allowed if the carryover amount was withdrawn from an account for any purpose and the withdrawal occurred within 365 days of the day on which the amount was contributed to the account.

SECTION 2123gd. 71.05 (6) (b) 32. am. of the statutes is created to read:

71.05 **(6)** (b) 32. am. Any carryover amount that is otherwise eligible for a subtraction under this subdivision shall be reduced by an amount equal to the amount of a withdrawal from an account that was not used for qualified higher education expenses, as that term is defined in 26 USC 529 (e) (3), to the extent that the withdrawn amount exceeds the amount that is added to income under par. (a) 26.

SECTION 2123gg. 71.05 (6) (b) 32m. of the statutes is created to read:

71.05 **(6)** (b) 32m. Consistent with the limitations specified in subd. 32., for rollovers occurring after April 15, 2015, any principal amount rolled over to a college savings account, as described in s. 16.641, from another state's qualified tuition program, as described in 26 USC 529 (c) (3) (C) (i). Amounts eligible for the subtraction under this subdivision that are in excess of the annual limits specified under subd. 32. may be carried forward to future taxable years of the taxpayer without limitation, other than the limits specified in subd. 32. ae. and am.

SECTION 2123m. 71.05 (6) (b) 44. of the statutes is amended to read:

71.05 **(6)** (b) 44. For taxable years beginning after December 31, 2006<u>, and ending before January 1, 2015</u>, the amount of any incentive payment received by an individual under s. 23.33 (5r)<u>, 2013 stats.,</u> in the taxable year to which the claim relates.

SECTION 2124. 71.05 (6) (b) 47. b. of the statutes is amended to read:

71.05 **(6)** (b) 47. b. With respect to partners and members of limited liability companies, for taxable years beginning after December 31, 2010, and before January 1, 2014, for 2 consecutive taxable years beginning with the taxable year in which the partnership's or limited liability company's business locates to this state from another state or another country and begins doing business in this state, as defined in s. 71.22 (1r), and subject to the limitations provided under subd. 47. d., dm., and e., the partner's or member's distributive share of taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 ~~(2dd), (2de), (2di), (2dj), (2dL),~~ (2dm), ~~(2dr), (2ds),~~ (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5r), (5rm), and (8r); and plus or minus, as appropriate, transitional adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15), (16), (17), and (19), multiplied by the apportionment fraction determined in s. 71.04 (4) and subject to s. 71.04 (7) or by separate accounting. No amounts subtracted under this subd. 47. b. may be included in the modification under par. (b) 9. or 9m.

SECTION 2124d. 71.05 (6) (b) 47m. of the statutes is amended to read:

71.05 **(6)** (b) 47m. An amount equal to the increase in the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year, multiplied by $4,000 for a business with gross receipts of no greater than $5,000,000

in the taxable year or $2,000 for a business with gross receipts greater than $5,000,000 in the taxable year. For purposes of this subdivision, the increase in the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year is determined by subtracting from the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year, as determined by computing the average employee count from the taxpayer's quarterly unemployment insurance reports or other information as required by the department for the taxable year, the number of full–time equivalent employees employed by the taxpayer in this state during the immediately preceding taxable year, as determined by computing the average employee count from the taxpayer's quarterly unemployment insurance reports or other information as required by the department for the immediately preceding taxable year. No person may claim a deduction under this subdivision if the person may claim a deduction under this subchapter based on the person relocating the person's business from another state to this state and in an amount equal to the person's tax liability. <u>No person may claim a deduction under this subdivision for taxable years beginning after December 31, 2014.</u> The department shall promulgate rules to administer this subdivision.

SECTION 2124e. 71.05 (6) (b) 52. of the statutes is created to read:

71.05 **(6)** (b) 52. Subject to the limits under s. 16.643 (3) (c) 1. and 2., any amount that is deposited by an account owner or any other person into an account described under s. 16.643, and any interest, dividends, or other gain that accrues in the account if the interest, dividends, or other gain is redeposited into the account.

SECTION 2124s. 71.05 (22) (dp) of the statutes is renumbered 71.05 (22) (dp) 1. and amended to read:

71.05 **(22)** (dp) 1. *Deduction limits, 2000 and thereafter.* Except as provided in par. (f), and subject to subd. 2., for taxable years beginning after December 31, 1999, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than $10,380, the standard deduction is $7,200. For a single individual who has a Wisconsin adjusted gross income of at least $10,380, the standard deduction is the amount obtained by subtracting from $7,200 12% of Wisconsin adjusted gross income in excess of $10,380 but not less than $0. For a head of household who has a Wisconsin adjusted gross income of less than $10,380, the standard deduction is $9,300. For a head of household who has a Wisconsin adjusted gross income of at least $10,380, the standard deduction is the amount obtained by subtracting from $9,300 22.515% of Wisconsin adjusted gross income in excess of $10,380, but not less than $0, until the adjusted gross income amount at which the standard deduction is equal to the standard deduction for a single individual at the same adjusted gross income amount. For a head of household who has a Wisconsin adjusted gross income of more than this amount, the standard deduction shall be calculated as if the head of household were a single individual. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than $14,570, the standard deduction is $12,970. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least $14,570, the standard deduction is the amount obtained by subtracting from $12,970 19.778% of aggregate Wisconsin adjusted gross income in excess of $14,570 but not less than $0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than $6,920, the standard deduction is $6,160. For a married individual filing separately who has a Wisconsin adjusted gross income of at least $6,920, the standard deduction

is the amount obtained by subtracting from $6,160 19.778% of Wisconsin adjusted gross income in excess of $6,920 but not less than $0. The secretary of revenue shall prepare a table under which deductions under this ~~paragraph~~ subdivision shall be determined. That table shall be published in the department's instructional booklets.

SECTION 2124sc. 71.05 (22) (dp) 2. of the statutes is created to read:

71.05 **(22)** (dp) 2. Except as provided in par. (f), for taxable years beginning after December 31, 2015, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than $21,360, the standard deduction is $19,010. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least $21,360, the standard deduction is the amount obtained by subtracting from $19,010 19.778 percent of aggregate Wisconsin adjusted gross income in excess of $21,360 but not less than $0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than $10,140, the standard deduction is $9,030. For a married individual filing separately who has a Wisconsin adjusted gross income of at least $10,140, the standard deduction is the amount obtained by subtracting from $9,030 19.778 percent of Wisconsin adjusted gross income in excess of $10,140 but not less than $0. The secretary of revenue shall prepare a table under which deductions under this subdivision shall be determined. That table shall be published in the department's instructional booklets.

SECTION 2124se. 71.05 (22) (dt) of the statutes is amended to read:

71.05 **(22)** (dt) *Standard deduction indexing, 2001 and thereafter.* For taxable years beginning after December 31, 2000, the dollar amounts of the standard

deduction that is allowable under par. (dp) and all of the dollar amounts of Wisconsin adjusted gross income under par. (dp) shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 1999, as determined by the federal department of labor, except that for taxable years beginning after December 31, 2011, the adjustment may occur only if the resulting amount is greater than the corresponding amount that was calculated for the previous year, and except that the base year for the adjustments to the dollar amounts of the standard deduction and all of the dollar amounts of Wisconsin adjusted gross income under par. (dp) 2. shall be 2015. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this paragraph and incorporate the changes into the income tax forms and instructions.

SECTION 2125. 71.07 (2dd) of the statutes is repealed.

SECTION 2126. 71.07 (2de) of the statutes is repealed.

SECTION 2127. 71.07 (2di) of the statutes is repealed.

SECTION 2128. 71.07 (2dj) of the statutes is repealed.

SECTION 2129. 71.07 (2dL) of the statutes is repealed.

SECTION 2138. 71.07 (2dr) of the statutes is repealed.

SECTION 2139. 71.07 (2ds) of the statutes is repealed.

SECTION 2141. 71.07 (2dx) (a) 3. of the statutes is amended to read:

71.07 **(2dx)** (a) 3. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield if that removal, containment or restoration fulfills the requirement under sub. (2de) (a) 1., 2013 stats., and investigation unless the investigation determines that remediation is required and that remediation is not undertaken.

SECTION 2143. 71.07 (2dx) (a) 5. of the statutes is amended to read:

71.07 **(2dx)** (a) 5. "Member of a targeted group" means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex–convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under sub. (2dj) (am) 3., 2013 stats, by a designated local agency, as defined in sub. (2dj) (am) 2., 2013 stats.

SECTION 2144b. 71.07 (2dx) (b) 4. of the statutes is amended to read:

71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the

number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under sub. (2dj),~~ in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2144c. 71.07 (2dx) (b) 5. of the statutes is amended to read:

71.07 **(2dx)** (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under sub. (2dj),~~ in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2149. 71.07 (2dx) (e) of the statutes is renumbered 71.07 (2dx) (e) 1. and amended to read:

71.07 **(2dx)** (e) 1. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. ~~Subsection (2dj) (c), as it applies to the credit under sub. (2dj), applies to the credit under this subsection.~~ Claimants shall include with their returns a copy of their certification for tax benefits and a copy of the department of commerce's verification of their expenses.

SECTION 2150. 71.07 (2dx) (e) 2. of the statutes is created to read:

71.07 **(2dx)** (e) 2. The credit under this subsection may not be claimed by partnerships, limited liability companies and tax–option corporations but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of

credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. That credit may be claimed by partners, members of limited liability companies and shareholders of tax–option corporations in proportion to their ownership interests.

SECTION 2183. 71.07 (3y) of the statutes is created to read:

71.07 **(3y)** BUSINESS DEVELOPMENT CREDIT. (a) *Definitions.* In this subsection:

1. "Claimant" means a person certified to receive tax benefits under s. 238.308.

2. "Eligible employee" has the meaning given in s. 238.308 (1) (a).

(b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.308, for taxable years beginning after December 31, 2015, a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08 all of the following:

1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation under s. 238.308.

2. In addition to any amount claimed for an eligible employee under subd. 1., the amount of wages that the claimant paid to the eligible employee in the taxable year, not to exceed 5 percent of such wages, if the eligible employee is employed in an economically distressed area, as determined by the Wisconsin Economic Development Corporation.

3. The amount of training costs that the claimant incurred under s. 238.308 (4) (a) 3., not to exceed 50 percent of such costs, as determined by the Wisconsin Economic Development Corporation.

4. The amount of the personal property investment, not to exceed 3 percent of such investment, and the amount of the real property investment, not to exceed 5

percent of such investment, in a capital investment project that satisfies s. 238.308 (4) (a) 4., as determined by the Wisconsin Economic Development Corporation.

5. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant's location or retention of the claimant's corporate headquarters in Wisconsin and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions.

(c) *Limitations.* 1. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

2. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.308.

(d) *Administration.* 1. Section 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under ss. 71.02 and 71.08, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration

for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bg).

SECTION 2184. 71.07 (4k) (b) 1. of the statutes is amended to read:

71.07 **(4k)** (b) 1. Subject to the limitations provided in this subsection, and except as provided in subds. 2. and 3., for taxable years beginning after December 31, 2012, <u>and before January 1, 2015,</u> an individual, a partner of a partnership, a shareholder of a tax–option corporation, or a member of a limited liability company may claim a credit against the tax imposed under s. 71.02 or 71.08, as allocated under par. (d), an amount equal to 5 percent of the amount obtained by subtracting from the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the individual, partnership, tax–option corporation, or the limited liability company, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (c), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (2dj) and~~ <u>sub.</u> (2dx), the entity's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under ss. 71.04 (7) (b) 1. and 2., (df), (dh), (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2185. 71.07 (4k) (b) 2. of the statutes is amended to read:

71.07 **(4k)** (b) 2. For taxable years beginning after December 31, 2012, and before January 1, 2015, an individual, a partner of a partnership, a shareholder of a tax–option corporation, or a member of a limited liability company may claim a credit against the tax imposed under s. 71.02 or 71.08, as allocated under par. (d), an amount equal to 10 percent of the amount obtained by subtracting from the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the individual, partnership, tax–option corporation, or limited liability company for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (c), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (2dj) and~~ sub. (2dx), the entity's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under ss. 71.04 (7) (b) 1. and 2., (df), (dh), (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2186. 71.07 (4k) (b) 3. of the statutes is amended to read:

71.07 **(4k)** (b) 3. For taxable years beginning after December 31, 2012, and before January 1, 2015, an individual, a partner of a partnership, a shareholder of

a tax–option corporation, or a member of a limited liability company may claim a credit against the tax imposed under s. 71.02 or 71.08, as allocated under par. (d), an amount equal to 10 percent of the amount obtained by subtracting from the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the individual, partnership, tax–option corporation, or limited liability company for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (c), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (2dj) and~~ sub. (2dx), the entity's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under ss. 71.04 (7) (b) 1. and 2., (df), (dh), (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2186d. 71.07 (4k) (b) 4. of the statutes is created to read:

71.07 **(4k)** (b) 4. a. Except as provided in subds. 5. and 6., for taxable years beginning after December 31, 2014, an individual, a partner of a partnership, a shareholder of a tax–option corporation, or a member of a limited liability company may claim a credit against the tax imposed under s. 71.02 or 71.08, as allocated under

par. (d), an amount equal to 5.75 percent of the amount by which the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the individual, partnership, tax–option corporation, or limited liability company had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 2.875 percent of the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 4. a. "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the individual, partnership, tax–option corporation, or the limited liability company, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (2dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2186e. 71.07 (4k) (b) 5. of the statutes is created to read:

71.07 **(4k)** (b) 5. a. For taxable years beginning after December 31, 2014, an individual, a partner of a partnership, a shareholder of a tax–option corporation, or a member of a limited liability company may claim a credit against the tax imposed under s. 71.02 or 71.08, as allocated under par. (d), an amount equal to 11.5 percent of the amount by which the individual's, partnership's, tax–option corporation's, or

limited liability company's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the individual, partnership, tax–option corporation, or limited liability company had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 5.75 percent of the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 5. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the individual, partnership, tax–option corporation, or limited liability company for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (2dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2186f. 71.07 (4k) (b) 6. of the statutes is created to read:

71.07 **(4k)** (b) 6. a. For taxable years beginning after December 31, 2014, an individual, a partner of a partnership, a shareholder of a tax–option corporation, or a member of a limited liability company may claim a credit against the tax imposed under s. 71.02 or 71.08, as allocated under par. (d), an amount equal to 11.5 percent of the amount by which the individual's, partnership's, tax–option corporation's, or

limited liability company's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the individual, partnership, tax–option corporation, or limited liability company had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 5.75 percent of the individual's, partnership's, tax–option corporation's, or limited liability company's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 6. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the individual, partnership, tax–option corporation, or limited liability company for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (2dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2186g. 71.07 (4k) (c) of the statutes is amended to read:

71.07 **(4k)** (c) *Computation.* ~~If~~ <u>For taxable years beginning before January 1, 2015, if</u> in any taxable year a person claims a credit under par. (b) 1., 2., or 3., or any combination of those credits, the person may use a different computation method to

calculate each of the credits and may choose to change the computation method once for each credit without the department's approval.

SECTION 2186s. 71.07 (5) (a) 9. of the statutes is created to read:

71.07 **(5)** (a) 9. The amount claimed as a deduction for unreimbursed medical expenses under section 213 (a) of the Internal Revenue Code to the extent that the funds used to pay for the unreimbursed expenses for which the deduction was claimed were withdrawn from an account described under s. 16.643.

SECTION 2191. 71.07 (5d) (a) 1. (intro.) of the statutes is amended to read:

71.07 **(5d)** (a) 1. (intro.) "Bona fide angel investment" means a purchase of an equity interest, a purchase of a note or bond that is convertible to an equity interest, or any other expenditure, as determined by ~~rule~~ the Wisconsin Economic Development Corporation in its policies and procedures under s. 238.15 ~~or s. 560.205, 2009 stats.~~ (3) (d), that is made by any of the following:

SECTION 2200b. 71.07 (5j) (a) 2d. of the statutes is amended to read:

71.07 **(5j)** (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce or the department of safety and professional services~~ agriculture, trade and consumer protection designates by rule as a diesel replacement renewable fuel.

SECTION 2201b. 71.07 (5j) (a) 2m. of the statutes is amended to read:

71.07 **(5j)** (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce or the department of safety and professional services~~

agriculture, trade and consumer protection designates by rule as a gasoline replacement renewable fuel.

SECTION 2202b. 71.07 (5j) (c) 3. of the statutes is amended to read:

71.07 **(5j)** (c) 3. The department of ~~commerce or the department of safety and professional services~~ agriculture, trade and consumer protection shall establish standards to adequately prevent, in the distribution of conventional fuel to an end user, the inadvertent distribution of fuel containing a higher percentage of renewable fuel than the maximum percentage established by the federal environmental protection agency for use in conventionally–fueled engines.

SECTION 2204. 71.07 (5n) (a) 3. of the statutes is amended to read:

71.07 **(5n)** (a) 3. "Direct costs" includes all of the claimant's ordinary and necessary expenses paid or incurred during the taxable year in carrying on the trade or business that are deductible as business expenses under ~~section 162 of~~ the Internal Revenue Code and identified as direct costs in the claimant's managerial or cost accounting records.

SECTION 2205. 71.07 (5n) (a) 4. of the statutes is amended to read:

71.07 **(5n)** (a) 4. "Indirect costs" includes all of the claimant's ordinary and necessary expenses paid or incurred during the taxable year in carrying on the trade or business that are deductible as business expenses under ~~section 162 of~~ the Internal Revenue Code, other than cost of goods sold and direct costs, and identified as indirect costs in the claimant's managerial or cost accounting records.

SECTION 2206. 71.07 (5n) (a) 5. d. of the statutes is created to read:

71.07 **(5n)** (a) 5. d. For purposes of subd. 5. a., a claimant who the department approves to be classified as a manufacturer for purposes of s. 70.995, but who is not eligible to be listed on the department's manufacturing roll until January 1 of the

following year, may claim the credit in the year in which the manufacturing classification is approved.

SECTION 2206d. 71.07 (5n) (b) 3. of the statutes is amended to read:

71.07 **(5n)** (b) 3. For taxable years beginning after December 31, 2014, and before January 1, 2016, ~~5.526~~ 5.025 percent.

SECTION 2210d. 71.07 (9m) (cn) of the statutes is created to read:

71.07 **(9m)** (cn) For taxable years beginning after December 31, 2014, the Wisconsin Economic Development Corporation shall certify a person to claim a credit under par. (a) 3. if all of the following applies:

1. The corporation previously certified the person to claim a credit under par. (a) 3. for any taxable year beginning before January 1, 2015.

2. The proposed project for which the person wishes to claim a credit under this paragraph for any taxable year beginning after December 31, 2014, is located in the city of Green Bay.

3. The proposed project described under subd. 2. is located on the same parcel as the project for which the person received certification under subd. 1. or on a parcel that is contiguous to the project for which the person received certification under subd. 1.

4. The corporation determines that the person is eligible to claim the credit under section 47 of the Internal Revenue Code for the qualified rehabilitation expenses incurred for the project for which the person received certification under subd. 1.

SECTION 2213. 71.08 (1) (intro.) of the statutes is amended to read:

71.08 **(1)** IMPOSITION. (intro.) If the tax imposed on a natural person, married couple filing jointly, trust, or estate under s. 71.02, not considering the credits under

ss. 71.07 (1), ~~(2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds),~~ (2dx), (2dy), (3m), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (3y), (4k), (5b), (5d), (5e), (5f), (5h), (5i), (5j), (5n), (6), (6e), (8r), (9e), (9m), and (9r), 71.28 ~~(1dd), (1de), (1di), (1dj), (1dL), (1ds),~~ (1dx), (1dy), (2m), (3), (3n), (3t), ~~and~~ (3w), and (3y), 71.47 ~~(1dd), (1de), (1di), (1dj), (1dL), (1ds),~~ (1dx), (1dy), (2m), (3), (3n), (3t), ~~and~~ (3w), and (3y), 71.57 to 71.61, and 71.613 and subch. VIII and payments to other states under s. 71.07 (7), is less than the tax under this section, there is imposed on that natural person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax computed as follows:

SECTION 2213d. 71.08 (1) (d) of the statutes is amended to read:

71.08 **(1)** (d) Subtract from the amount under par. (c) the appropriate amount under section 55 (d) (1) ~~and~~, (3), and (4) of the ~~internal revenue code~~ federal Internal Revenue Code in effect for the taxable year; except that surviving spouses shall be treated as single individuals; except that the amount under par. (c), not the federal alternative minimum taxable income, shall be used in calculating the phase–out and except that for nonresidents and part–year residents the amount under section 55 (d) (1) ~~and~~, (3), and (4) of the ~~internal revenue code~~ federal Internal Revenue Code in effect for the taxable year shall be prorated on the basis of the ratio of Wisconsin adjusted gross income to federal adjusted gross income.

SECTION 2213f. 71.09 (11) (g) of the statutes is created to read:

71.09 **(11)** (g) The taxpayer has underpaid the taxpayer's estimated taxes due to the change in the percentage under s. 71.07 (5n) (b) 3. This paragraph applies only to taxable years beginning after December 31, 2014, and before January 1, 2016.

SECTION 2214. 71.10 (4) (gd) of the statutes is repealed.

SECTION 2215. 71.10 (4) (ge) of the statutes is repealed.

SECTION 2216. 71.10 (4) (gg) of the statutes is repealed.

SECTION 2217. 71.10 (4) (gm) of the statutes is repealed.

SECTION 2219. 71.10 (4) (gr) of the statutes is repealed.

SECTION 2220. 71.10 (4) (gs) of the statutes is repealed.

SECTION 2221. 71.10 (4) (gt) of the statutes is repealed.

SECTION 2222. 71.10 (4) (i) of the statutes is amended to read:

71.10 **(4)** (i) The total of claim of right credit under s. 71.07 (1), farmland preservation credit under ss. 71.57 to 71.61, farmland preservation credit, 2010 and beyond under s. 71.613, homestead credit under subch. VIII, farmland tax relief credit under s. 71.07 (3m), dairy manufacturing facility investment credit under s. 71.07 (3p), jobs tax credit under s. 71.07 (3q), meat processing facility investment credit under s. 71.07 (3r), woody biomass harvesting and processing credit under s. 71.07 (3rm), food processing plant and food warehouse investment credit under s. 71.07 (3rn), <u>business development credit under s. 71.07 (3y),</u> film production services credit under s. 71.07 (5f), film production company investment credit under s. 71.07 (5h), veterans and surviving spouses property tax credit under s. 71.07 (6e), enterprise zone jobs credit under s. 71.07 (3w), beginning farmer and farm asset owner tax credit under s. 71.07 (8r), earned income tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09, and taxes withheld under subch. X.

SECTION 2226b. 71.10 (5s) (e) of the statutes is amended to read:

71.10 **(5s)** (e) For any taxable year that begins after December 31, 2014, individuals may not make a designation for any checkoff which~~, in the previous tax year,~~ did not generate at least ~~$75,000~~ <u>an average of $50,000</u> of designations <u>per year over the most recent 3-year period</u> as certified by the secretary of revenue under subs. (5) (h) 3., (5e) (h) 2., (5f) (h) 2., (5fm) (h) 2., (5g) (h) 2., (5i) (h) 2., (5j) (h) 2., (5k)

(h) 2., (5km) (h) 2., and (5m) (h) 2. Once a checkoff is affected by this paragraph, no further checkoffs may be designated to that checkoff in any taxable year.

SECTION 2226e. 71.10 (7) (a) of the statutes is amended to read:

71.10 **(7)** (a) For purposes of income tax reciprocity reached with the state of Minnesota under s. 71.05 (2), whenever the income taxes on residents of one state which would have been paid to the 2nd state without reciprocity exceed the income taxes on residents of the 2nd state which would have been paid to the first state without reciprocity, the state with the net revenue loss shall receive from the other state the amount of the loss. Interest shall be payable on all delinquent balances relating to taxable years beginning after December 31, 1977. The secretary of revenue may enter into agreements with the state of Minnesota specifying the reciprocity payment due date, conditions constituting delinquency, interest rates and the method of computing interest due on any delinquent amounts<u>, except that no such agreement that is entered into on or after the effective date of this paragraph .... [LRB inserts date], may take effect unless it is approved by the joint committee on finance using the procedures authorized under s. 13.101</u>.

SECTION 2226em. 71.10 (7e) (a) of the statutes is amended to read:

71.10 **(7e)** (a) For purposes of income tax reciprocity reached with the state of Illinois under s. 71.05 (2), whenever the income taxes on residents of one state which would have been paid to the 2nd state without reciprocity exceed the income taxes on residents of the 2nd state which would have been paid to the first state without reciprocity, the state with the net revenue loss shall receive from the other state the amount of the loss. Interest shall be payable on all delinquent balances relating to taxable years beginning after December 31, 1999. The secretary of revenue may enter into agreements with the state of Illinois specifying the reciprocity payment

due date, conditions constituting delinquency, interest rates and the method of computing interest due on any delinquent amounts, except that no such agreement that is entered into on or after the effective date of this paragraph .... [LRB inserts date], may take effect unless it is approved by the joint committee on finance using the procedures authorized under s. 13.101.

SECTION 2227. 71.21 (4) (a) of the statutes is amended to read:

71.21 **(4)** (a) The amount of the credits computed by a partnership under s. 71.07 ~~(2dd), (2de), (2di), (2dj), (2dL),~~ (2dm), ~~(2ds),~~ (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (3y), (4k), (4n), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5r), (5rm), (6n), and (8r) and passed through to partners shall be added to the partnership's income.

SECTION 2228. 71.22 (4) (a) of the statutes is repealed.

SECTION 2229. 71.22 (4) (g) of the statutes is amended to read:

71.22 **(4)** (g) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after December 31, 2008, and before January 1, 2011, means the federal Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section

301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.

108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325<u>, and P.L. 113–168</u>. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, and before January 1, 2011, except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and changes that indirectly affect the provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section

215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2230. 71.22 (4) (h) of the statutes is amended to read:

71.22 **(4)** (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after December 31, 2010, and before January 1, 2013, means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of

division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,

P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)

and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2231. 71.22 (4) (i) of the statutes is amended to read:

71.22 **(4)** (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after December 31, 2012, <u>and before January 1, 2014,</u> means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.

108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168, and as</u> indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.

102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,

15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of

P.L. 112–240 and by P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2232. 71.22 (4) (j) of the statutes is created to read:

71.22 **(4)** (j) 1. For taxable years beginning after December 31, 2013, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in subds. 2. and 3. and subject to subd. 4., and except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2).

2. For purposes of this paragraph, "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013: section 13113 of P.L 103–66; sections 1, 3, 4, and 5 of P.L. 106–519; sections 101, 102, and 422 of P.L 108–357; sections 1310 and 1351 of P.L. 109–58; section 11146 of P.L. 109–59; section 403 (q) of P.L. 109–135; section 513 of P.L. 109–222; sections 104 and 307 of P.L. 109–432; sections 8233 and 8235 of P.L. 110–28; section 11 (e) and (g) of P.L. 110–172; section 301 of P.L. 110–245; sections 15303 and 15351 of P.L. 110–246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110–343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111–5; sections 211, 212, 213, 214, and 216 of P.L. 111–226; sections 2011 and 2122 of P.L. 111–240; sections 753, 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112–240.

3. For purposes of this paragraph, "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of the following federal public laws:

a. P.L. 113–97.

b. P.L. 113–159.

c. P.L. 113–168.

d. Section 302901 of P.L. 113–287.

e. Sections 171, 172, and 201 to 221 of P.L. 113–295.

f. Sections 102, 105, and 207 of division B of P.L. 113–295.

4. For purposes of this paragraph, the provisions of federal public laws that directly or indirectly affect the Internal Revenue Code, as defined in this paragraph, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2233. 71.22 (4m) (a) of the statutes is repealed.

SECTION 2234. 71.22 (4m) (g) of the statutes is amended to read:

71.22 **(4m)** (g) For taxable years that begin after December 31, 2008, and before January 1, 2011, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,

207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections

1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, and P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, and before January 1, 2011, except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2235. 71.22 (4m) (h) of the statutes is amended to read:

71.22 **(4m)** (h) For taxable years that begin after December 31, 2010, and before January 1, 2013, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,

and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.

109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section

14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2236. 71.22 (4m) (i) of the statutes is amended to read:

71.22 **(4m)** (i) For taxable years that begin after December 31, 2012, <u>and before January 1, 2014,</u> "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425

of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573,

P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.

111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, and P.L. 113–168. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2237. 71.22 (4m) (j) of the statutes is created to read:

71.22 **(4m)** (j) 1. For taxable years beginning after December 31, 2013, "Internal Revenue Code", for corporations that are subject to a tax on unrelated

business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in subds. 2. and 3. and subject to subd. 4.

2. For purposes of this paragraph, "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013: section 13113 of P.L 103–66; sections 1, 3, 4, and 5 of P.L. 106–519; sections 101, 102, and 422 of P.L 108–357; sections 1310 and 1351 of P.L. 109–58; section 11146 of P.L. 109–59; section 403 (q) of P.L. 109–135; section 513 of P.L. 109–222; sections 104 and 307 of P.L. 109–432; sections 8233 and 8235 of P.L. 110–28; section 11 (e) and (g) of P.L. 110–172; section 301 of P.L. 110–245; sections 15303 and 15351 of P.L. 110–246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110–343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111–5; sections 211, 212, 213, 214, and 216 of P.L. 111–226; sections 2011 and 2122 of P.L. 111–240 sections 753, 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112–240.

3. For purposes of this paragraph, "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of the following federal public laws:

a. P.L. 113–97.

b. P.L. 113–159.

c. P.L. 113–168.

d. Section 302901 of P.L. 113–287.

e. Sections 171, 172, and 201 to 221 of P.L. 113–295.

f. Sections 102, 105, and 207 of division B of P.L. 113–295.

4. For purposes of this paragraph, the provisions of federal public laws that directly or indirectly affect the Internal Revenue Code, as defined in this paragraph, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2237d. 71.26 (1) (ad) of the statutes is created to read:

71.26 **(1)** (ad) *Nonprofit corporation created by a commission.* Income of a nonprofit corporation created under s. 66.0304 (4e).

SECTION 2238b. 71.26 (1) (b) of the statutes is amended to read:

71.26 **(1)** (b) *Political units.* Income received by the United States, the state and all counties, cities, villages, towns, school districts, technical college districts, joint local water authorities created under s. 66.0823, long–term care districts under s. 46.2895<u>, commissions created under s. 66.0304 (3),</u> or other political units of this state.

SECTION 2241m. 71.26 (1) (g) of the statutes is amended to read:

71.26 **(1)** (g) For taxable years beginning after December 31, 2006 <u>and ending before January 1, 2016</u>, the amount of any incentive payment received by an individual under s. 23.33 (5r)<u>, 2013 stats.,</u> in the taxable year to which the claim relates.

SECTION 2246d. 71.26 (1) (h) of the statutes is amended to read:

71.26 **(1)** (h) An amount equal to the increase in the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year, multiplied by $4,000 for a business with gross receipts of no greater than $5,000,000 in the taxable year or $2,000 for a business with gross receipts greater than $5,000,000 in the taxable year. For purposes of this paragraph, the increase in the number of full–time equivalent employees employed by the taxpayer in this state

during the taxable year is determined by subtracting from the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year, as determined by computing the average employee count from the taxpayer's quarterly unemployment insurance reports or other information as required by the department for the taxable year, the number of full–time equivalent employees employed by the taxpayer in this state during the immediately preceding taxable year, as determined by computing the average employee count from the taxpayer's quarterly unemployment insurance reports or other information as required by the department for the immediately preceding taxable year. No person may claim a deduction under this paragraph if the person may claim a credit under this subchapter based on the person relocating the person's business from another state to this state and in an amount equal to the person's tax liability. <u>No person may claim a deduction under this paragraph for taxable years beginning after December 31, 2014.</u> The department shall promulgate rules to administer this paragraph.

SECTION 2247. 71.26 (2) (a) 1. of the statutes is repealed.

SECTION 2248. 71.26 (2) (a) 4. of the statutes is amended to read:

71.26 **(2)** (a) 4. Plus the amount of the credit computed under s. 71.28 ~~(1dd), (1de), (1di), (1dj), (1dL),~~ (1dm), ~~(1ds),~~ (1dx), (1dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5r), (5rm), (6n), (8r), and (9s) and not passed through by a partnership, limited liability company, or tax–option corporation that has added that amount to the partnership's, limited liability company's, or tax–option corporation's income under s. 71.21 (4) or 71.34 (1k) (g).

SECTION 2249. 71.26 (2) (b) 1. of the statutes is repealed.

SECTION 2250. 71.26 (2) (b) 7. of the statutes is amended to read:

71.26 **(2)** (b) 7. For taxable years that begin after December 31, 2008, and before January 1, 2011, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,

P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L.

111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, and as indirectly affected in the

provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521,

1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section

301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.

109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2008, do not apply to this subdivision with respect to taxable years that begin after December 31, 2008, and before January 1, 2011, except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2251. 71.26 (2) (b) 8. of the statutes is amended to read:

71.26 **(2)** (b) 8. For taxable years that begin after December 31, 2010, and before January 1, 2013, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment

trust under the Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and

2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 and by P.L. 113–168, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,

8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, <u>and P.L. 113–168,</u> "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,

section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.

106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021,

9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, and P.L. 113–168, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5

of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.

108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, <u>and P.L. 113–168,</u> applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A

and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the Internal Revenue Code enacted after December 31, 2010, do not apply to this subdivision with respect to taxable years that begin after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2252. 71.26 (2) (b) 9. of the statutes is amended to read:

71.26 **(2)** (b) 9. For taxable years that begin after December 31, 2012, <u>and before January 1, 2014,</u> for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165

of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions

applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)

and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,

and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.

104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.

110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates

to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168</u>, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.

104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.

111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, and P.L. 113–168, applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, and sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2253. 71.26 (2) (b) 10. of the statutes is created to read:

71.26 **(2)** (b) 10. a. For taxable years beginning after December 31, 2013, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code.

b. For purposes of subd. 10. a., "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in subds. 10. c. and 10. d. and subject to subd. 10. e.

c. For purposes of subd. 10. a., "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013: section 13113 of P.L 103–66; sections 1, 3, 4, and 5 of P.L. 106–519; sections 101, 102, and 422 of P.L 108–357; sections 1310 and 1351 of P.L. 109–58; section 11146 of P.L. 109–59; section 403 (q) of P.L. 109–135; section 513 of P.L. 109–222; sections 104 and 307 of P.L. 109–432; sections 8233 and 8235 of P.L. 110–28; section 11 (e) and (g) of P.L. 110–172; section 301 of P.L. 110–245; sections 15303 and 15351 of P.L. 110–246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110–343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111–5; sections 211, 212, 213, 214, and 216 of P.L. 111–226; sections 2011 and 2122 of P.L. 111–240; sections 753, 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112–240.

d. For purposes of subd. 10. a., "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of P.L. 113–97, P.L. 113–159, P.L. 113–168, section 302901 of P.L. 113–287, sections 171, 172, and 201 to 221 of P.L. 113–295, and sections 102, 105, and 207 of division B of P.L. 113–295.

e. For purposes of subd. 10. a., the provisions of federal public laws that directly or indirectly affect the Internal Revenue Code, as defined in this subdivision, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2254. 71.26 (3) (n) of the statutes is amended to read:

71.26 **(3)** (n) Sections 381, 382 and 383 (relating to carry–overs in certain corporate acquisitions) are modified so that they apply to losses under sub. (4) and credits under s. 71.28 ~~(1di), (1dL),~~ (1dm), (1dx), (3), (4), (4m), and (5) instead of to federal credits and federal net operating losses.

SECTION 2256. 71.28 (1dd) of the statutes is repealed.

SECTION 2257. 71.28 (1de) of the statutes is repealed.

SECTION 2258. 71.28 (1di) of the statutes is repealed.

SECTION 2259. 71.28 (1dj) of the statutes is repealed.

SECTION 2260. 71.28 (1dL) of the statutes is repealed.

SECTION 2270. 71.28 (1ds) of the statutes is repealed.

SECTION 2272. 71.28 (1dx) (a) 3. of the statutes is amended to read:

71.28 **(1dx)** (a) 3. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield if that removal, containment or restoration fulfills the requirement under sub. (1de) (a) 1., 2013 stats., and investigation unless the

investigation determines that remediation is required and that remediation is not undertaken.

SECTION 2274. 71.28 (1dx) (a) 5. of the statutes is amended to read:

71.28 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex–convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3., 2013 stats., by a designated local agency, as defined in sub. (1dj) (am) 2., 2013 stats.

SECTION 2278b. 71.28 (1dx) (b) 4. of the statutes is amended to read:

71.28 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under sub. (1dj),~~ in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2279b. 71.28 (1dx) (b) 5. of the statutes is amended to read:

71.28 **(1dx)** (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under sub. (1dj),~~ in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2284. 71.28 (1dx) (e) of the statutes is renumbered 71.28 (1dx) (e) 1. and amended to read:

71.28 **(1dx)** (e) 1. Subsection (4) (e) to (h), as it applies to the credit under sub. (4), applies to the credit under this subsection. ~~Subsection (1dj) (c), as it applies to the credit under sub. (1dj), applies to the credit under this subsection.~~ Claimants shall include with their returns a copy of their certification for tax benefits and a copy of the department of commerce's verification of their expenses.

SECTION 2285. 71.28 (1dx) (e) 2. of the statutes is created to read:

71.28 **(1dx)** (e) 2. The credit under this subsection may not be claimed by partnerships, limited liability companies and tax–option corporations but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. That credit may be claimed by partners, members of limited liability companies and shareholders of tax–option corporations in proportion to their ownership interests.

SECTION 2316. 71.28 (3y) of the statutes is created to read:

71.28 **(3y)** BUSINESS DEVELOPMENT CREDIT. (a) *Definitions*. In this subsection:

1. "Claimant" means a person certified to receive tax benefits under s. 238.308.

2. "Eligible employee" has the meaning given in s. 238.308 (1) (a).

(b) *Filing claims*. Subject to the limitations provided in this subsection and s. 238.308, for taxable years beginning after December 31, 2015, a claimant may claim as a credit against the tax imposed under s. 71.23 all of the following:

1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation under s. 238.308.

2. In addition to any amount claimed for an eligible employee under subd. 1., the amount of wages that the claimant paid to the eligible employee in the taxable year, not to exceed 5 percent of such wages, if the eligible employee is employed in an economically distressed area, as determined by the Wisconsin Economic Development Corporation.

3. The amount of training costs that the claimant incurred under s. 238.308 (4) (a) 3., not to exceed 50 percent of such costs, as determined by the Wisconsin Economic Development Corporation.

4. The amount of the personal property investment, not to exceed 3 percent of such investment, and the amount of the real property investment, not to exceed 5 percent of such investment, in a capital investment project that satisfies s. 238.308 (4) (a) 4., as determined by the Wisconsin Economic Development Corporation.

5. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with

the claimant's location or retention of the claimant's corporate headquarters in Wisconsin and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions.

(c) *Limitations.* 1. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

2. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.308.

(d) *Administration.* 1. Subsection (4) (e), (g), and (h), as it applies to the credit under sub. (4), applies to the credit under this subsection.

2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.23, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bg).

SECTION 2317. 71.28 (4) (ad) 1. of the statutes is amended to read:

71.28 **(4)** (ad) 1. Except as provided in subds. 2. and 3., <u>for taxable years beginning before January 1, 2015,</u> any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount

obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (1dj) and~~ sub. (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 2318. 71.28 (4) (ad) 2. of the statutes is amended to read:

71.28 **(4)** (ad) 2. For taxable years beginning after June 30, 2007, and before January 1, 2015, any corporation may credit against taxes otherwise due under this chapter an amount equal to 10 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its

revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (1dj) and~~ sub. (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 2319. 71.28 (4) (ad) 3. of the statutes is amended to read:

71.28 **(4)** (ad) 3. For taxable years beginning after June 30, 2007, and before January 1, 2015, any corporation may credit against taxes otherwise due under this chapter an amount equal to 10 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (1dj) and~~ sub. (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df), 1. and 2., (dh)

1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 2319d. 71.28 (4) (ad) 4. of the statutes is created to read:

71.28 **(4)** (ad) 4. a. Except as provided in subds. 5. and 6., for taxable years beginning after December 31, 2014, a corporation may claim a credit against the tax imposed under s. 71.23, as allocated under par. (d), an amount equal to 5.75 percent of the amount by which the corporation's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the corporation had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 2.875 percent of the corporation's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 4. a. "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (1dx), the corporation's base amount. Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2319e. 71.28 (4) (ad) 5. of the statutes is created to read:

71.28 **(4)** (ad) 5. a. For taxable years beginning after December 31, 2014, a corporation may claim a credit against the tax imposed under s. 71.23, as allocated under par. (d), an amount equal to 11.5 percent of the amount by which the

corporation's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the corporation had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 5.75 percent of the corporation's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 5. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (1dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2319f. 71.28 (4) (ad) 6. of the statutes is created to read:

71.28 **(4)** (ad) 6. a. For taxable years beginning after December 31, 2014, a corporation may claim a credit against the tax imposed under s. 71.23, as allocated under par. (d), an amount equal to 11.5 percent of the amount by which the corporation's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the corporation had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the

claimant may claim an amount equal to 5.75 percent of the corporation's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 6. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (1dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2319g. 71.28 (4) (af) of the statutes is amended to read:

71.28 **(4)** (af) *Computation.* ~~If~~ <u>For taxable years beginning before January 1, 2015, if</u> in any taxable year a corporation claims a credit under par. (ad) 1., 2., or 3., or any combination of those credits, the corporation may use a different computation method to calculate each of the credits and may choose to change the computation method once for each credit without the department's approval.

SECTION 2320b. 71.28 (4) (am) 1. of the statutes is amended to read:

71.28 **(4)** (am) 1. In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. II of ch. 238 or subch. VI of ch. 560, 2009 stats., except

that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" ~~do~~ does not include ~~compensation used in computing the credit under sub. (1dj) nor~~ research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., or the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., and a statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this subdivision. ~~The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision.~~ Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2322. 71.28 (4m) (a) of the statutes is amended to read:

71.28 **(4m)** (a) *Definition.* In this subsection, "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research conducted in this state for the taxable year and except that

"qualified research expenses" ~~do~~ does not include compensation used in computing the ~~credits~~ credit under ~~subs. (1dj) and~~ sub. (1dx).

SECTION 2327b. 71.28 (5j) (a) 2d. of the statutes is amended to read:

71.28 **(5j)** (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce or the department of safety and professional services~~ agriculture, trade and consumer protection designates by rule as a diesel replacement renewable fuel.

SECTION 2328b. 71.28 (5j) (a) 2m. of the statutes is amended to read:

71.28 **(5j)** (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce or the department of safety and professional services~~ agriculture, trade and consumer protection designates by rule as a gasoline replacement renewable fuel.

SECTION 2329b. 71.28 (5j) (c) 3. of the statutes is amended to read:

71.28 **(5j)** (c) 3. The department of ~~commerce or the department of safety and professional services~~ agriculture, trade and consumer protection shall establish standards to adequately prevent, in the distribution of conventional fuel to an end user, the inadvertent distribution of fuel containing a higher percentage of renewable fuel than the maximum percentage established by the federal environmental protection agency for use in conventionally–fueled engines.

SECTION 2331. 71.28 (5n) (a) 3. of the statutes is amended to read:

71.28 **(5n)** (a) 3. "Direct costs" includes all of the claimant's ordinary and necessary expenses paid or incurred during the taxable year in carrying on the trade or business that are deductible as business expenses under ~~section 162 of~~ the Internal Revenue Code and identified as direct costs in the claimant's managerial or cost accounting records.

SECTION 2332. 71.28 (5n) (a) 4. of the statutes is amended to read:

71.28 **(5n)** (a) 4. "Indirect costs" includes all of the claimant's ordinary and necessary expenses paid or incurred during the taxable year in carrying on the trade or business that are deductible as business expenses under ~~section 162 of~~ the Internal Revenue Code, other than cost of goods sold and direct costs, and identified as indirect costs in the claimant's managerial or cost accounting records.

SECTION 2333. 71.28 (5n) (a) 5. d. of the statutes is created to read:

71.28 **(5n)** (a) 5. d. For purposes of subd. 5. a., a claimant who the department approves to be classified as a manufacturer for purposes of s. 70.995, but who is not eligible to be listed on the department's manufacturing roll until January 1 of the following year, may claim the credit in the year in which the manufacturing classification is approved.

SECTION 2333d. 71.28 (5n) (b) 3. of the statutes is amended to read:

71.28 **(5n)** (b) 3. For taxable years beginning after December 31, 2014, and before January 1, 2016, ~~5.526~~ 5.025 percent.

SECTION 2337d. 71.28 (6) (cn) of the statutes is created to read:

71.28 **(6)** (cn) For taxable years beginning after December 31, 2014, the Wisconsin Economic Development Corporation shall certify a person to claim a credit under par. (a) 3. if all of the following applies:

1. The corporation previously certified the person to claim a credit under par. (a) 3. for any taxable year beginning before January 1, 2015.

2. The proposed project for which the person wishes to claim a credit under this paragraph for any taxable year beginning after December 31, 2014, is located in the city of Green Bay.

3. The proposed project described under subd. 2. is located on the same parcel as the project for which the person received certification under subd. 1. or on a parcel that is contiguous to the project for which the person received certification under subd. 1.

4. The corporation determines that the person is eligible to claim the credit under section 47 of the Internal Revenue Code for the qualified rehabilitation expenses incurred for the project for which the person received certification under subd. 1.

SECTION 2339d. 71.29 (7) (d) of the statutes is created to read:

71.29 **(7)** (d) The taxpayer has underpaid the taxpayer's estimated taxes due to the change in the percentage under s. 71.28 (5n) (b) 3. This paragraph applies only to taxable years beginning after December 31, 2014, and before January 1, 2016.

SECTION 2340. 71.30 (3) (eb) of the statutes is repealed.

SECTION 2341. 71.30 (3) (ec) of the statutes is repealed.

SECTION 2342. 71.30 (3) (eg) of the statutes is repealed.

SECTION 2343. 71.30 (3) (eh) of the statutes is repealed.

SECTION 2344. 71.30 (3) (ej) of the statutes is repealed.

SECTION 2345. 71.30 (3) (ek) of the statutes is repealed.

SECTION 2346. 71.30 (3) (f) of the statutes is amended to read:

71.30 **(3)** (f) The total of farmland preservation credit under subch. IX, farmland tax relief credit under s. 71.28 (2m), dairy manufacturing facility investment credit under s. 71.28 (3p), jobs credit under s. 71.28 (3q), meat processing facility investment credit under s. 71.28 (3r), woody biomass harvesting and processing credit under s. 71.28 (3rm), food processing plant and food warehouse investment credit under s. 71.28 (3rn), enterprise zone jobs credit under s. 71.28 (3w), business development credit under s. 71.28 (3y), film production services credit under s. 71.28 (5f), film production company investment credit under s. 71.28 (5h), beginning farmer and farm asset owner tax credit under s. 71.28 (8r), and estimated tax payments under s. 71.29.

SECTION 2347. 71.34 (1g) (a) of the statutes is repealed.

SECTION 2348. 71.34 (1g) (g) of the statutes is amended to read:

71.34 **(1g)** (g) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 2008, and before January 1, 2011, means the federal Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,

207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211,

242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, and before January 1, 2011, except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and changes that indirectly affect the provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192,

section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, and P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2349. 71.34 (1g) (h) of the statutes is amended to read:

71.34 **(1g)** (h) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 2010, and before January 1, 2013, means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313

and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,

P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, <u>and P.L. 113–168,</u> except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403

of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2350. 71.34 (1g) (i) of the statutes is amended to read:

71.34 **(1g)** (i) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 2012, <u>and before January 1, 2014,</u> means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and

403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding section 1008 (g) (5)

of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,

P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section

1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2351. 71.34 (1g) (j) of the statutes is created to read:

71.34 **(1g)** (j) 1. For taxable years beginning after December 31, 2013, for tax option corporations, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in subds. 2., 3., and 5. and subject to subd. 4.

2. For purposes of this paragraph, "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013: section 13113 of P.L 103–66; sections 1, 3, 4, and 5 of P.L. 106–519; sections 101, 102, and 422 of P.L 108–357; sections 1310 and 1351 of P.L. 109–58; section 11146 of P.L. 109–59; section 403 (q) of P.L. 109–135; section 513 of P.L. 109–222; sections 104 and 307 of P.L. 109–432; sections 8233 and 8235 of P.L. 110–28; section 11 (e) and (g) of P.L. 110–172; section 301 of P.L. 110–245; sections 15303 and 15351 of P.L. 110–246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110–343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111–5; sections 211, 212, 213, 214, and 216 of P.L. 111–226; sections 2011 and 2122 of P.L. 111–240' sections 753, 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112–240.

3. For purposes of this paragraph, "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of the following federal public laws:

a. P.L. 113–97.

b. P.L. 113–159.

c. P.L. 113–168.

d. Section 302901 of P.L. 113–287.

e. Sections 171, 172, and 201 to 221 of P.L. 113–295.

f. Sections 102, 105, and 207 of division B of P.L. 113–295.

4. For purposes of this paragraph, the provisions of federal public laws that directly or indirectly affect the Internal Revenue Code, as defined in this paragraph, apply for Wisconsin purposes at the same time as for federal purposes.

5. For purposes of this paragraph, section 1366 (f) of the Internal Revenue Code (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375 of the Internal Revenue Code.

SECTION 2352. 71.34 (1k) (g) of the statutes is amended to read:

71.34 **(1k)** (g) An addition shall be made for credits computed by a tax–option corporation under s. 71.28 ~~(1dd), (1de), (1di), (1dj), (1dL),~~ (1dm), ~~(1ds),~~ (1dx), (1dy), (3), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3t), (3w), (3y), (4), (5), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5r), (5rm), (6n), and (8r) and passed through to shareholders.

SECTION 2357. 71.42 (2) (a) of the statutes is repealed.

SECTION 2358. 71.42 (2) (g) of the statutes is amended to read:

71.42 **(2)** (g) For taxable years that begin after December 31, 2008, and before January 1, 2011, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343, and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,

P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code

applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, and before January 1, 2011, except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> and changes that indirectly affect the provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, ~~and~~ P.L. 111–325, <u>and P.L. 113–168,</u> apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2359. 71.42 (2) (h) of the statutes is amended to read:

71.42 **(2)** (h) For taxable years that begin after December 31, 2010, and before January 1, 2013, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section

301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections

162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407

of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, ~~and~~ section 902 of P.L. 112–240, and P.L. 113–168, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240 and by P.L. 113–168, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2360. 71.42 (2) (i) of the statutes is amended to read:

71.42 **(2)** (i) For taxable years that begin after December 31, 2012, <u>and before January 1, 2014,</u> "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L.

111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and

(q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, ~~and~~ sections 101 and 902 of P.L. 112–240, <u>and P.L. 113–168,</u> except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue

Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240 <u>and by P.L. 113–168</u>, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2361. 71.42 (2) (j) of the statutes is created to read:

71.42 **(2)** (j) 1. For taxable years beginning after December 31, 2013, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in subds. 2. to 4. and subject to subd. 5.

2. For purposes of this paragraph, "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013: section 13113 of P.L 103–66; sections 1, 3, 4, and 5 of P.L. 106–519; sections 101, 102, and 422 of P.L 108–357; sections 1310 and 1351 of P.L. 109–58; section 11146 of P.L. 109–59; section 403 (q) of P.L. 109–135; section 513 of P.L. 109–222; sections 104 and 307 of P.L. 109–432; sections 8233 and 8235 of P.L. 110–28; section 11 (e) and (g) of P.L. 110–172; section 301 of P.L. 110–245; sections 15303 and 15351 of P.L. 110–246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110–343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111–5; sections 211, 212, 213,

214, and 216 of P.L. 111–226; sections 2011 and 2122 of P.L. 111–240; sections 753, 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112–240.

3. For purposes of this paragraph, "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of the following federal public laws:

a. P.L. 113–97.

b. P.L. 113–159.

c. P.L. 113–168.

d. Section 302901 of P.L. 113–287.

e. Sections 171, 172, and 201 to 221 of P.L. 113–295.

f. Sections 102, 105, and 207 of division B of P.L. 113–295.

4. For purposes of this paragraph, "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code.

5. For purposes of this paragraph, the provisions of federal public laws that directly or indirectly affect the Internal Revenue Code, as defined in this paragraph, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2361m. 71.45 (1) (b) of the statutes is amended to read:

71.45 **(1)** (b) For taxable years beginning after December 31, 2006 <u>and ending before January 1, 2016</u>, the amount of any incentive payment received by an individual under s. 23.33 (5r)<u>, 2013 stats.,</u> in the taxable year to which the claim relates.

SECTION 2366d. 71.45 (1) (c) of the statutes is amended to read:

71.45 **(1)** (c) An amount equal to the increase in the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year, multiplied by $4,000 for a business with gross receipts of no greater than $5,000,000 in the taxable year or $2,000 for a business with gross receipts greater than $5,000,000 in the taxable year. For purposes of this paragraph, the increase in the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year is determined by subtracting from the number of full–time equivalent employees employed by the taxpayer in this state during the taxable year, as determined by computing the average employee count from the taxpayer's quarterly unemployment insurance reports or other information as required by the department for the taxable year, the number of full–time equivalent employees employed by the taxpayer in this state during the immediately preceding taxable year, as determined by computing the average employee count from the taxpayer's quarterly unemployment insurance reports or other information as required by the department for the immediately preceding taxable year. No person may claim a deduction under this paragraph if the person may claim a credit under this subchapter based on the person relocating the person's business from another state to this state and in an amount equal to the person's tax liability. <u>No person may claim a deduction under this paragraph for taxable years beginning after December 31, 2014.</u> The department shall promulgate rules to administer this paragraph.

SECTION 2367. 71.45 (2) (a) 10. of the statutes is amended to read:

71.45 **(2)** (a) 10. By adding to federal taxable income the amount of credit computed under s. 71.47 ~~(1dd)~~ <u>(1dm)</u> to (1dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3w), <u>(3y),</u> (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5r), (5rm), (6n), (8r), and (9s) and not passed through by a partnership, limited liability company, or tax–option

corporation that has added that amount to the partnership's, limited liability company's, or tax–option corporation's income under s. 71.21 (4) or 71.34 (1k) (g) and the amount of credit computed under s. 71.47 (1), (3), (3t), (4), (4m), and (5).

SECTION 2368. 71.45 (2) (a) 11. of the statutes is repealed.

SECTION 2370. 71.47 (1dd) of the statutes is repealed.

SECTION 2371. 71.47 (1de) of the statutes is repealed.

SECTION 2372. 71.47 (1di) of the statutes is repealed.

SECTION 2373. 71.47 (1dj) of the statutes is repealed.

SECTION 2374. 71.47 (1dL) of the statutes is repealed.

SECTION 2384. 71.47 (1ds) of the statutes is repealed.

SECTION 2386. 71.47 (1dx) (a) 3. of the statutes is amended to read:

71.47 **(1dx)** (a) 3. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield if that removal, containment or restoration fulfills the requirement under sub. (1de) (a) 1., 2013 stats., and investigation unless the investigation determines that remediation is required and that remediation is not undertaken.

SECTION 2388. 71.47 (1dx) (a) 5. of the statutes is amended to read:

71.47 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who

is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex–convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3., 2013 stats., by a designated local agency, as defined in sub. (1dj) (am) 2., 2013 stats.

SECTION 2392b. 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under sub. (1dj),~~ in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2393b. 71.47 (1dx) (b) 5. of the statutes is amended to read:

71.47 **(1dx)** (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under sub. (1dj),~~ in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2398. 71.47 (1dx) (e) of the statutes is renumbered 71.47 (1dx) (e) 1. and amended to read:

71.47 **(1dx)** (e) 1. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. ~~Subsection (1dj) (c), as it applies to the credit under sub. (1dj), applies to the credit under this subsection.~~ Claimants shall include with their returns a copy of their certification for tax benefits and a copy of the department of commerce's verification of their expenses.

SECTION 2399. 71.47 (1dx) (e) 2. of the statutes is created to read:

71.47 **(1dx)** (e) 2. The credit under this subsection may not be claimed by partnerships, limited liability companies and tax–option corporations but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. That credit may be claimed by partners, members of limited liability companies and shareholders of tax–option corporations in proportion to their ownership interests.

SECTION 2432. 71.47 (3y) of the statutes is created to read:

71.47 **(3y)** BUSINESS DEVELOPMENT CREDIT. (a) *Definitions.* In this subsection:

1. "Claimant" means a person certified to receive tax benefits under s. 238.308.

2. "Eligible employee" has the meaning given in s. 238.308 (1) (a).

(b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.308, for taxable years beginning after December 31, 2015, a claimant may claim as a credit against the tax imposed under s. 71.43 all of the following:

1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation under s. 238.308.

2. In addition to any amount claimed for an eligible employee under subd. 1., the amount of wages that the claimant paid to the eligible employee in the taxable year, not to exceed 5 percent of such wages, if the eligible employee is employed in an economically distressed area, as determined by the Wisconsin Economic Development Corporation.

3. The amount of training costs that the claimant incurred under s. 238.308 (4) (a) 3., not to exceed 50 percent of such costs, as determined by the Wisconsin Economic Development Corporation.

4. The amount of the personal property investment, not to exceed 3 percent of such investment, and the amount of the real property investment, not to exceed 5 percent of such investment, in a capital investment project that satisfies s. 238.308 (4) (a) 4., as determined by the Wisconsin Economic Development Corporation.

5. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant's location or retention of the claimant's corporate headquarters in Wisconsin and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions.

(c) *Limitations.* 1. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited

liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

2. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.308.

(d) *Administration.* 1. Section 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.43, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bg).

SECTION 2433. 71.47 (4) (ad) 1. of the statutes is amended to read:

71.47 **(4)** (ad) 1. Except as provided in subds. 2. and 3., <u>for taxable years beginning before January 1, 2015,</u> any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (1dj) and~~ <u>sub.</u> (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code,

except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 2434. 71.47 (4) (ad) 2. of the statutes is amended to read:

71.47 **(4)** (ad) 2. For taxable years beginning after June 30, 2007, <u>and before January 1, 2015,</u> any corporation may credit against taxes otherwise due under this chapter an amount equal to 10 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (1dj) and~~ <u>sub.</u> (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 2435. 71.47 (4) (ad) 3. of the statutes is amended to read:

71.47 **(4)** (ad) 3. For taxable years beginning after June 30, 2007, and before January 1, 2015, any corporation may credit against taxes otherwise due under this chapter an amount equal to 10 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under ~~subs. (1dj) and~~ sub. (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 2435d. 71.47 (4) (ad) 4. of the statutes is created to read:

71.47 **(4)** (ad) 4. a. Except as provided in subds. 5. and 6., for taxable years beginning after December 31, 2014, a corporation may claim a credit against the tax imposed under s. 71.43, as allocated under par. (d), an amount equal to 5.75 percent of the amount by which the corporation's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable

years immediately preceding the taxable year for which the claimant claims the credit. If the corporation had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 2.875 percent of the corporation's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 4. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (1dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2435e. 71.47 (4) (ad) 5. of the statutes is created to read:

71.47 **(4)** (ad) 5. a. For taxable years beginning after December 31, 2014, a corporation may claim a credit against the tax imposed under s. 71.43, as allocated under par. (d), an amount equal to 11.5 percent of the amount by which the corporation's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the corporation had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 5.75 percent of the corporation's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 5. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (1dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2435f. 71.47 (4) (ad) 6. of the statutes is created to read:

71.47 **(4)** (ad) 6. a. For taxable years beginning after December 31, 2014, a corporation may claim a credit against the tax imposed under s. 71.43, as allocated under par. (d), an amount equal to 11.5 percent of the amount by which the corporation's qualified research expenses for the taxable year exceed 50 percent of the average qualified research expenses for the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit. If the corporation had no qualified research expenses in any of the 3 taxable years immediately preceding the taxable year for which the claimant claims the credit, the claimant may claim an amount equal to 5.75 percent of the corporation's qualified research expenses for the taxable year for which the claimant claims the credit.

b. For purposes of subd. 6. a., "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use

in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use, incurred for research conducted in this state for the taxable year and does not include compensation used in computing the credit under sub. (1dx). Section 41 (f) (1), (2), (5), and (6) and (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 2435g. 71.47 (4) (af) of the statutes is amended to read:

71.47 **(4)** (af) *Computation.* ~~If~~ For taxable years beginning before January 1, 2015, if in any taxable year a corporation claims a credit under par. (ad) 1., 2., or 3., or any combination of those credits, the corporation may use a different computation method to calculate each of the credits and may choose to change the computation method once for each credit without the department's approval.

SECTION 2436b. 71.47 (4) (am) of the statutes is amended to read:

71.47 **(4)** (am) *Development zone additional research credit.* In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. II of ch. 238 or subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" ~~do~~ does not include ~~compensation used in computing the credit under sub. (1dj) nor~~ research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., or the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a

development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., and a statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. ~~The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph.~~ Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

SECTION 2437. 71.47 (4m) (a) of the statutes is amended to read:

71.47 **(4m)** (a) *Definition.* In this subsection, "qualified research expenses" means qualified research expenses as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant for research conducted in this state for the taxable year and except that "qualified research expenses" ~~do~~ <u>does</u> not include compensation used in computing the ~~credits~~ <u>credit</u> under ~~subs. (1dj) and~~ <u>sub.</u> (1dx).

SECTION 2445d. 71.47 (6) (cn) of the statutes is created to read:

71.47 **(6)** (cn) For taxable years beginning after December 31, 2014, the Wisconsin Economic Development Corporation shall certify a person to claim a credit under par. (a) 3. if all of the following applies:

1. The corporation previously certified the person to claim a credit under par. (a) 3. for any taxable year beginning before January 1, 2015.

2. The proposed project for which the person wishes to claim a credit under this paragraph for any taxable year beginning after December 31, 2014, is located in the city of Green Bay.

3. The proposed project described under subd. 2. is located on the same parcel as the project for which the person received certification under subd. 1. or on a parcel that is contiguous to the project for which the person received certification under subd. 1.

4. The corporation determines that the person is eligible to claim the credit under section 47 of the Internal Revenue Code for the qualified rehabilitation expenses incurred for the project for which the person received certification under subd. 1.

SECTION 2448. 71.49 (1) (eb) of the statutes is repealed.

SECTION 2449. 71.49 (1) (ec) of the statutes is repealed.

SECTION 2450. 71.49 (1) (eg) of the statutes is repealed.

SECTION 2451. 71.49 (1) (eh) of the statutes is repealed.

SECTION 2452. 71.49 (1) (ej) of the statutes is repealed.

SECTION 2453. 71.49 (1) (ek) of the statutes is repealed.

SECTION 2454. 71.49 (1) (f) of the statutes is amended to read:

71.49 **(1)** (f) The total of farmland preservation credit under subch. IX, farmland tax relief credit under s. 71.47 (2m), dairy manufacturing facility

investment credit under s. 71.47 (3p), jobs credit under s. 71.47 (3q), meat processing facility investment credit under s. 71.47 (3r), woody biomass harvesting and processing credit under s. 71.47 (3rm), food processing plant and food warehouse investment credit under s. 71.47 (3rn), enterprise zone jobs credit under s. 71.47 (3w), business development credit under s. 71.47 (3y), film production services credit under s. 71.47 (5f), film production company investment credit under s. 71.47 (5h), beginning farmer and farm asset owner tax credit under s. 71.47 (8r), and estimated tax payments under s. 71.48.

SECTION 2455. 71.75 (9) of the statutes is amended to read:

71.75 **(9)** All refunds, overpayments, or refundable credits under this chapter are subject to attachment under ss. 49.855, 71.93 and 71.935, and no taxpayer has any right to, or interest in, any refund, overpayment, or refundable credit under this chapter until setoff under ss. 49.855, 71.93, and 71.935 has been completed.

SECTION 2457. 71.80 (3) of the statutes is amended to read:

71.80 **(3)** CREDITING OF OVERPAYMENTS ON INDIVIDUAL OR SEPARATE RETURNS. In the case of any overpayment, refundable credit, or refund on an individual or separate return, the department, within the applicable period of limitations, may credit the amount of overpayment, refundable credit, or refund, including any interest allowed, against any liability in respect to any tax collected by the department, a debt under s. 71.93 or 71.935 or a certification under s. 49.855 on the part of the person who made the overpayment or received the refundable credit or the refund and shall refund any balance to the person. No person has any right to, or interest in, any overpayment, refundable credit, or refund, including any interest allowed, under this chapter until setoff under ss. 49.855, 71.93, and 71.935 has been completed. The department shall presume that the overpayment, refundable credit

or refund is nonmarital property of the filer. Within 2 years after the crediting, the spouse or former spouse of the person filing the return may file a claim for a refund of amounts credited by the department if the spouse or former spouse shows by clear and convincing evidence that all or part of the state tax overpayment, refundable credit or refund was nonmarital property of the nonobligated spouse.

SECTION 2458. 71.80 (3m) (intro.) of the statutes is amended to read:

71.80 **(3m)** CREDITING OF OVERPAYMENTS ON JOINT RETURNS. (intro.) For married persons, unless within 20 days after the date of the notice under par. (c) the nonobligated spouse shows by clear and convincing evidence that the overpayment, refundable credit or refund is the nonmarital property of the nonobligated spouse, notwithstanding s. 766.55 (2) (d), the department may credit overpayments, refundable credits and refunds, including any interest allowed, resulting from joint returns under this chapter as follows, except that no person has any right to, or interest in, any overpayment, refundable credit, or refund, including any interest allowed, under this chapter until setoff under ss. 49.855, 71.93, and 71.935 has been completed:

SECTION 2459. 71.91 (5) (c) of the statutes is renumbered 71.91 (5) (c) 1. and amended to read:

71.91 **(5)** (c) 1. A like warrant may be issued to any agent of the department authorized to collect income or franchise taxes, and in the execution ~~thereof~~ of the warrant and collection of ~~said~~ the taxes ~~such~~ the agent shall have the powers of a sheriff, but shall not be entitled to collect from the taxpayer any fee or charge for the execution of ~~such~~ the warrant in excess of actual expenses paid in the performance of his or her duty. When a warrant is issued to ~~such~~ the agent he or she may ~~proceed upon the same~~ act as provided in subd. 2. or may execute the warrant in any county

of the state designated in the warrant, in the same manner as provided in this subchapter with respect to sheriffs of such counties.

SECTION 2460. 71.91 (5) (c) 2. of the statutes is created to read:

71.91 **(5)** (c) 2. In executing a warrant as described in subd. 1., the agent may conduct, or may engage a 3rd–party entity to conduct, an execution sale of personal property in any county of the state and may sell, or may engage a 3rd–party entity to sell, the personal property in any manner the department believes will bring the highest net bid or price, including Internet–based auctions or sales. The cost of conducting each auction or sale shall be reimbursed to the department out of the proceeds of the auction or sale.

SECTION 2461. 71.93 (1) (a) 4. of the statutes is amended to read:

71.93 **(1)** (a) 4. An amount that the department of children and families may recover under s. 49.138 (5), 49.161, or 49.195 (3) or collect under s. 49.147 (6) (cm), if the department of children and families has certified the amount under s. 49.85.

SECTION 2462. 71.93 (3) (c) of the statutes is created to read:

71.93 **(3)** (c) No person has any right to, or interest in, any overpayment, refundable credit, or refund, including any interest allowed, under this chapter until setoff under this section and ss. 49.855 and 71.935 has been completed.

SECTION 2463. 71.93 (8) (b) 1. of the statutes is amended to read:

71.93 **(8)** (b) 1. Except as provided in subd. 2., a state agency and the department of revenue shall enter into a written agreement to have the department collect any amount owed to the state agency that is more than 90 days past due, unless negotiations between the agency and debtor are actively ongoing, the debt is the subject of legal action or administrative proceedings, or the agency determines that the debtor is adhering to an acceptable payment arrangement. At least 30 days

before the department pursues the collection of any debt referred by a state agency, either the department or the agency shall provide the debtor with a written notice that the debt will be referred to the department for collection. The department may collect amounts owed, pursuant to the written agreement, from the debtor in addition to offsetting the amounts as provided under sub. (3). The department shall charge each debtor whose debt is subject to collection under this paragraph ~~an amount for administrative expenses~~ a collection fee and that amount shall be credited to the appropriation under s. 20.566 (1) (h).

SECTION 2464. 71.935 (6) of the statutes is created to read:

71.935 **(6)** No person has any right to, or interest in, any overpayment, refundable credit, or refund, including any interest allowed, under this chapter until setoff under this section and ss. 49.855 and 71.93 has been completed.

SECTION 2464e. 71.98 (6) of the statutes is created to read:

71.98 **(6)** CERTAIN EXPENSES OF TEACHERS. For taxable years beginning after December 31, 2014, section 62 (a) (2) (D) of the Internal Revenue Code, relating to certain expenses of elementary and secondary school teachers.

SECTION 2467b. 73.03 (35) of the statutes is amended to read:

73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 ~~(2dd), (2de), (2di), (2dj), (2dL),~~ (2dm)~~, (2dr), (2ds),~~ or (2dx), 71.28 ~~(1dd), (1de), (1di), (1dj), (1dL),~~ (1dm), ~~(1ds),~~ (1dx), or (4) (am), 71.47 ~~(1dd), (1de), (1di), (1dj), (1dL),~~ (1dm), ~~(1ds),~~ (1dx), or (4) (am), or 76.636 if granting the full amount claimed would violate a requirement under s. 238.385 or s. 560.785, 2009 stats., or would bring the total of the credits granted to that claimant under all of those subsections over the limit for that claimant under s. 238.368, 238.395 (2) (b), or 238.397 (5) (b) or s. 560.768, 2009 stats., s. 560.795 (2) (b), 2009 stats., or s. 560.797 (5) (b), 2009 stats.

SECTION 2470c. 73.03 (63) of the statutes is repealed.

SECTION 2471. 73.0301 (1) (d) 3. of the statutes is amended to read:

73.0301 **(1)** (d) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), ~~252.23 (2), 252.24 (2),~~ 254.176, 254.20 (3), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

SECTION 2472. 73.0301 (1) (d) 3. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

73.0301 **(1)** (d) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), 254.176, 254.20 (3), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a ~~permit~~ license for operation of a campground specified in s. ~~254.47 (1)~~ 97.67 (1).

SECTION 2481. 73.09 (2) of the statutes is amended to read:

73.09 **(2)** DEPARTMENT OF REVENUE ASSESSMENT PERSONNEL. The requirements established for local assessment personnel under sub. (1) shall also apply to department of revenue assessment personnel ~~commencing on January 1, 1981~~. The ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration with the assistance of the department of revenue shall determine the position classifications for which certification shall apply within the department of revenue. The first level of certification shall be obtained within 100 days of the employee's appointment. The department of revenue in consultation with

the ~~office~~ division of ~~state employment relations~~ personnel management shall establish requirements for obtaining higher levels of assessor certification.

SECTION 2484. 73.09 (5) of the statutes is amended to read:

73.09 **(5)** EXAMINATIONS. As provided in subs. (1) and (2), the department of revenue, assisted by the ~~division~~ bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration, shall prepare and administer examinations for each level of certification. Persons applying for an examination under this subsection shall submit a $20 examination fee with their application. Certification shall be granted to each person who passes the examination for that level.

SECTION 2486d. 74.09 (3) (db) of the statutes is created to read:

74.09 **(3)** (db) 1. Indicate, in a section of the bill that is separate from the billing information, the total amount of tax levied by a taxing jurisdiction on all property of the taxing jurisdiction and on the property for which the bill is prepared that is the result of a referendum to exceed, on a nonpermanent basis, a school district revenue limit, a technical college district revenue limit, or a county or municipal levy limit and indicate the year in which the authorization to exceed the limit no longer applies. A separate listing is required for each such authorization.

2. Indicate, in a section of the bill that is separate from the billing information, the total amount of the tax levied by a town on all property of the town and on the property for which the bill is prepared that is the result of the town voting at a town meeting to exceed its levy limit, on a nonpermanent basis, and indicate the year in which the authorization to exceed the limit no longer applies. A separate listing is required for each such authorization.

3. This paragraph applies to increases in revenue and tax levy limits approved after December 31, 2014, and to property tax bills sent in December 2015, and in each December thereafter.

SECTION 2497. 76.636 (1) (c) of the statutes is amended to read:

76.636 **(1)** (c) "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield if that removal, containment, or restoration fulfills the requirement under s. 71.47 (1de) (a) 1., 2013 stats., unless an investigation of the property determines that remediation is required and that remediation is not undertaken.

SECTION 2499. 76.636 (1) (e) (intro.) of the statutes is amended to read:

76.636 **(1)** (e) (intro.) "Member of a targeted group" means any of the following, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3., 2013 stats., by a designated local agency, as defined in s. 71.47 (1dj) (am) 2., 2013 stats.:

SECTION 2503b. 76.636 (2) (d) of the statutes is amended to read:

76.636 **(2)** (d) The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under s. 71.47 (1dj),~~ in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2504b. 76.636 (2) (e) of the statutes is amended to read:

76.636 **(2)** (e) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time

jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., ~~excluding jobs for which a credit has been claimed under s. 71.47 (1dj),~~ in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 2515. 76.80 (3) of the statutes is amended to read:

76.80 **(3)** "Telecommunications services" means the transmission of voice, video, facsimile or data messages, including telegraph messages, except that "telecommunications services" does not include video service, as defined in s. 66.0420 (2) (y), radio, one–way radio paging or transmitting messages incidental to transient occupancy in hotels, as defined in s. ~~254.61 (3)~~ 97.01 (7).

SECTION 2515c. 77.06 (1) of the statutes is renumbered 77.06 (1) (a) and amended to read:

77.06 **(1)** (a) No person shall cut any merchantable wood products on any forest croplands where the forest crop taxes are delinquent nor until 30 days after the owner has filed with the department of natural resources a notice of intention to cut, specifying by descriptions and the estimated amount of wood products to be removed and the proportion of present volume to be left as growing stock in the area to be cut. The department of natural resources may require a bond executed by some surety company licensed in this state or other surety for such amount as may reasonably be required for the payment to the department of natural resources of the severance tax hereinafter provided. ~~The department, after examination of the lands specified, may prescribe the amount of forest products to be removed. Cutting in excess of the amount prescribed shall render the owner liable to double the severance tax prescribed in s. 77.06 (5) and subject to cancellation under s. 77.10.~~ Merchantable wood products include all wood products except wood used for fuel by the owner.

SECTION 2515d. 77.06 (1) (b) of the statutes is created to read:

77.06 **(1)** (b) 1. The department of natural resources, after examination of the lands specified in the notice of intention to cut, may prescribe the amount of forest products to be removed, except as provided under subd. 2.

2. If the notice of intention to cut was provided to the department of natural resources by a cooperating forester authorized under s. 28.05 to assist the state in the harvesting and sale of timber, or by a forester accredited by the Society of American Foresters, Association of Consulting Foresters, or Wisconsin Consulting Foresters, the department may not prescribe the amount of forest products to be removed.

SECTION 2515e. 77.06 (1) (c) of the statutes is created to read:

77.06 **(1)** (c) Cutting in excess of the amount prescribed by the department of natural resources, or cutting that the department finds is inconsistent with sound forestry practices, shall render the owner liable to double the severance tax prescribed in s. 77.06 (5) and subject to cancellation under s. 77.10.

SECTION 2515f. 77.07 (2) of the statutes is amended to read:

77.07 **(2)** PENALTY, COLLECTIONS. If any severance tax remain unpaid for 30 days after it becomes due, there shall then be added a penalty of 10 percent, and such tax and penalty shall thereafter draw interest at the rate of one percent per month until paid. At the expiration of said 30 days the department of natural resources shall report to the attorney general any unpaid severance tax, adding said penalty, and the attorney general shall thereupon proceed to collect the same with penalty and interest by suit against the owner and by attachment or other legal means to enforce the lien and by action on the bond mentioned in s. 77.06 (1) (a), or by any or all such means.

SECTION 2515j. 77.25 (18m) of the statutes is created to read:

77.25 **(18m)** From a commission created under s. 66.0304 (3) or a nonprofit corporation created under s. 66.0304 (4e) or between such commission and such nonprofit corporation.

SECTION 2515m. 77.51 (1ba) of the statutes is renumbered 77.51 (1bg).

SECTION 2515n. 77.51 (1bd) of the statutes is created to read:

77.51 **(1bd)** "Amusement device" includes any of the following:

(a) A pool table.

(b) A video game machine.

(c) A video gambling machine.

(d) A dart board.

(e) A pinball machine.

(f) A foosball table.

(g) An air hockey table.

(h) A shuffleboard table.

(i) A jukebox.

SECTION 2516. 77.51 (13) (intro.) of the statutes is amended to read:

77.51 **(13)** (intro.) ~~"Retailer"~~ Except as provided in sub. (13b), "retailer" includes:

SECTION 2517. 77.51 (13b) of the statutes is created to read:

77.51 **(13b)** (a) In this subsection:

1. "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls or is controlled by, or is under common control with, another person. For purposes of this subdivision, a person controls another person if that person holds at least 50 percent ownership interest in the other person.

2. "Distribution facility" means an establishment where tangible personal property is stored and processed for delivery to customers and where no retail sales of the property are made.

3. "Third–party seller" means a person who owns tangible personal property or items under s. 77.52 (1) (b), who enters into a contract with a person described in par. (b) for the sale of the tangible personal property or items and who is not an affiliate of the person described in par. (b).

(b) Except as provided in par. (c), "retailer" does not include a person, or the person's affiliates, making sales of tangible personal property or items under s. 77.52 (1) (b), if all of the following apply:

1. The person or any of the person's affiliates operates a distribution facility.

2. The person or any of the person's affiliates sells the tangible personal property or items under s. 77.52 (1) (b), on behalf of a 3rd–party seller.

3. The 3rd–party seller owns the tangible personal property or items under s. 77.52 (1) (b), and is disclosed to the customer as the seller.

4. Neither the person nor any affiliate of the person makes any sales for which the customer takes possession of the tangible personal property or items under s. 77.52 (1) (b), at a location operated by the person or any of the person's affiliates.

(c) Paragraph (b) does not apply to sales at auction; sales of tangible personal property or items under s. 77.52 (1) (b), owned or previously owned by the person operating the distribution facility or by any of the person's affiliates; or the sales of any of the following that are registered or titled, or required to be registered or titled, under the laws of this state, or of the United States:

1. Motor vehicles.

2. Aircraft.

3. Snowmobiles.

4. Recreational vehicles, as defined in s. 340.01 (48r).

5. Trailers.

6. Semitrailers.

7. All–terrain vehicles.

8. Utility terrain vehicles.

9. Boats.

SECTION 2518. 77.51 (13g) (intro.) of the statutes is amended to read:

77.51 **(13g)** (intro.) Except as provided in sub. (13h), "retailer engaged in business in this state", for purposes of the use tax, ~~means~~ includes any of the following:

SECTION 2519. 77.51 (13g) (a) of the statutes is amended to read:

77.51 **(13g)** (a) Any retailer owning any real property in this state ~~or~~.

(ab) Any retailer leasing or renting out any tangible personal property, or items or property under s. 77.52 (1) (b) or (c), if such property or items are located in this state ~~or~~.

(ac) Any retailer maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, ~~or~~ an agent, ~~by whatever name called~~ or some other person, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business in this state.

SECTION 2520. 77.51 (13g) (b) of the statutes is amended to read:

77.51 **(13g)** (b) Any retailer having any representative, including a manufacturer's representative, agent, salesperson, canvasser, or solicitor operating in this state under ~~the~~ authority of the retailer or its subsidiary for the purpose of selling, delivering, or the taking ~~of~~ orders for any tangible personal property, or

items, property, or goods under s. 77.52 (1) (b), (c), or (d), or ~~taxable~~ services or for the purpose of performing any of the other activities described in this subsection.

SECTION 2521. 77.51 (13g) (e) of the statutes is created to read:

77.51 **(13g)** (e) Any person servicing, repairing, or installing equipment or other tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d) in this state.

SECTION 2522. 77.51 (13g) (f) of the statutes is created to read:

77.51 **(13g)** (f) Any person delivering tangible personal property or items under s. 77.52 (1) (b) into this state in a vehicle operated by the person that sells the property or items that are delivered.

SECTION 2523. 77.51 (13g) (g) of the statutes is created to read:

77.51 **(13g)** (g) Any person performing construction activities in this state.

SECTION 2524m. 77.52 (2) (a) 2. a. of the statutes is amended to read:

77.52 **(2)** (a) 2. a. Except as provided in subd. 2. b. ~~and~~, c., and d., the sale of admissions to amusement, athletic, entertainment, or recreational events or places, except county fairs~~,~~; the sale, rental, or use of regular bingo cards, extra regular cards, and special bingo cards and the sale of bingo supplies to players; and the furnishing, for dues, fees, or other considerations, the privilege of access to clubs or the privilege of having access to or the use of amusement, entertainment, athletic, or recreational devices or facilities, including the sale or furnishing of use of recreational facilities on a periodic basis or other recreational rights, including but not limited to membership rights, vacation services, and club memberships.

SECTION 2524n. 77.52 (2) (a) 2. d. of the statutes is created to read:

77.52 **(2)** (a) 2. d. Taxable sales on the privilege of having access to or the use of an amusement device include only the sales of playing time on the device. To the

extent that playing time on an amusement device derives from playing specified digital goods or additional digital goods on the amusement device, the tax imposed under sub. (1) (d) does not apply to specified digital goods or additional digital goods used on or as part of the device.

SECTION 2524p. 77.54 (9a) (j) of the statutes is created to read:

77.54 **(9a)** (j) A nonprofit corporation created under s. 66.0304 (4e).

SECTION 2524r. 77.54 (9a) (k) of the statutes is created to read:

77.54 **(9a)** (k) A construction contractor who, in fulfillment of a real property construction activity, transfers the tangible personal property, or item, or property under s. 77.52 (1) (b) or (c), to an entity described under par. (b) or (f), if such tangible personal property, item, or property becomes a component of a facility in this state that is owned by the entity. In this subsection, "facility" means any building, shelter, parking lot, parking garage, athletic field, athletic park, storm sewer, or water supply system, but does not include a highway, street, or road.

SECTION 2524t. 77.54 (62) of the statutes is created to read:

77.54 **(62)** The sales price from the sale of and the storage, use, or other consumption of farm–raised deer, as defined in s. 95.001 (1) (ag), sold to a person who is operating a hunting preserve or game farm in this state.

SECTION 2525. 77.59 (5) of the statutes is amended to read:

77.59 **(5)** The department may offset the amount of any refund for a period, together with interest on the refund, against deficiencies for another period, and against penalties and interest on the deficiencies, or against any amount of whatever kind, due and owing on the books of the department from the person who is entitled to the refund. If the refund is to be paid to a buyer, the department may also set off amounts in the manner in which it sets off income tax and franchise tax refunds

under s. 71.93 and may set off amounts for child support or maintenance or both in the manner in which it sets off income taxes under ss. 49.855 and 71.93 (3), (6) and (7). No person has any right to, or interest in, any refund under this chapter until setoff under ss. 49.855, 71.93, and 71.935 has been completed.

SECTION 2527. 77.86 (1) (b) of the statutes is renumbered 77.86 (1) (b) 1. and amended to read:

77.86 **(1)** (b) 1. Except as provided under sub. (6), an owner who intends to cut merchantable timber on managed forest land shall, at least 30 days before the cutting is to take place, on a form provided by the department, file a notice of intent to cut and, except as provided under subd. 2., request approval of the proposed cutting from the department.

SECTION 2528. 77.86 (1) (b) 2. of the statutes is created to read:

77.86 **(1)** (b) 2. An owner who is required under the terms of an approved management plan to cut merchantable timber on managed forest land is not required to obtain approval of the cutting of that timber before the cutting takes place if a cooperating forester authorized under s. 28.05 to assist the state in the harvesting and sale of timber, or a forester accredited by the Society of American Foresters, Association of Consulting Foresters, or Wisconsin Consulting Foresters, provided the required notice of intent to cut to the department under subd. 1.

SECTION 2529. 77.86 (3) of the statutes is amended to read:

77.86 **(3)** TIME LIMIT. All cutting specified in the notice under sub. (1) (b) shall be commenced within one year after the date the proposed cutting is approved or, if approval is not required under sub. (1) (b) 2., within one year after the date on which the notice under sub. (1) (b) 1. is filed. The owner shall report to the department the date on which the cutting is commenced.

SECTION 2530. 77.86 (4) of the statutes is amended to read:

77.86 **(4)** REPORTING. Within 30 days after completion of any cutting ~~approved~~ under this section, the owner shall report to the department, on a form provided by the department, a description of the species of wood, kind of product and the quantity of each species cut as shown by the scale or measurement made on the ground as cut, skidded, loaded or delivered, or by tree scale certified by a forester acceptable to the department if the wood is sold by tree measurement.

SECTION 2530m. 77.89 (1) of the statutes is renumbered 77.89 (1) (a).

SECTION 2530p. 77.89 (1) (b) of the statutes is created to read:

77.89 **(1)** (b) The department shall distribute from the appropriation under s. 20.370 (1) (mv) of the statutes $1,000,000 in fiscal year 2015–16 and $1,000,000 in fiscal year 2016–17 among treasurers of each municipality in which is located land subject to a managed forest land order that is designated as closed to public access under s. 77.83 (1). The department shall distribute to each municipal treasurer an amount in proportion to the number of acres of closed land in that municipality. The department shall make the payments for fiscal year 2015–16 before July 1, 2016. The department shall make the payments for fiscal year 2016–17 before July 1, 2017.

SECTION 2530q. 77.89 (2) (a) of the statutes is amended to read:

77.89 **(2)** (a) Each municipal treasurer shall pay 20% of each payment received under sub. (1) <u>(a) and (b)</u> and under ss. 77.84 (2) (a), (am), and (bp), 77.85, and 77.876 to the county treasurer and shall deposit the remainder in the municipal treasury. The payment to the county treasurer for money received before November 1 of any year shall be made on or before the November 15 after its receipt. For money received on or after November 1 of any year, the payment to the county treasurer shall be made on or before November 15 of the following year.

SECTION 2530v. 77.895 (1) (a) of the statutes is repealed.

SECTION 2531c. 77.895 (2) of the statutes is amended to read:

77.895 **(2)** PROGRAM. The department shall establish and administer a program to award grants to nonprofit conservation organizations, to local governmental units, and to itself to acquire land to be used for hunting, fishing, hiking, sightseeing, and cross–country skiing. ~~The board shall administer the program and award the grants under the program.~~

SECTION 2531g. 77.895 (3) (intro.) of the statutes is amended to read:

77.895 **(3)** REQUIREMENTS. (intro.) The department~~, in consultation with the board,~~ shall promulgate rules establishing requirements for awarding grants under this section. The rules promulgated under this subsection shall include all of the following:

SECTION 2531n. 77.895 (3) (a) of the statutes is amended to read:

77.895 **(3)** (a) A requirement that the ~~board~~ department give higher priority to counties over other grant applicants in awarding grants under this section.

SECTION 2531r. 77.895 (3) (b) of the statutes is amended to read:

77.895 **(3)** (b) A requirement that, in awarding grants to counties under this section, the ~~board~~ department give higher priority to counties that have higher numbers of acres that are designated as closed under s. 77.83.

SECTION 2531w. 77.895 (3) (c) of the statutes is amended to read:

77.895 **(3)** (c) A requirement that, in awarding grants to towns under this section, the ~~board~~ department give higher priority to towns that have higher numbers of acres that are designated as closed under s. 77.83.

SECTION 2531x. 77.91 (7) of the statutes is created to read:

77.91 **(7)** CERTIFICATION GROUP OPT-IN. If the department establishes a group certification program under which land designated as managed forest land may be certified as meeting certain forest management standards, the department may enroll managed forest land in the program only if the owner of the managed forest land affirmatively elects to have the land enrolled.

SECTION 2532d. 79.05 (6) (c) of the statutes is amended to read:

79.05 **(6)** (c) If a municipality receives payments from another governmental unit for providing a service to that other governmental unit, pursuant to a contract with the municipality, the municipality receiving the payments shall not include the amounts of the payments nor the costs for providing the service in its budget for the year in which it receives the payments, for the purpose of determining eligibility under sub. (2) (c).

SECTION 2539d. 79.14 of the statutes is amended to read:

79.14 School levy tax credit. The appropriation under s. 20.835 (3) (b), for the payments under s. 79.10 (4), is $319,305,000 in 1994, 1995, and 1996; $469,305,000 beginning in 1997 and ending in 2006; $593,050,000 in 2007; $672,400,000 in 2008; $747,400,000 in 2009; $732,550,000 in 2010, 2011, and 2012; ~~and~~ $747,400,000 in 2013, 2014, and 2015; and $853,000,000 in 2016 and in each year thereafter.

SECTION 2545o. 84.01 (35) (b) of the statutes is amended to read:

84.01 **(35)** (b) Except as provided in par. ~~(c)~~ (d), and notwithstanding any other provision of this chapter or ch. 82, 83, or 85, the department shall ~~ensure that~~ give due consideration to establishing bikeways and pedestrian ways ~~are established~~ in all new highway construction and reconstruction projects funded in whole or in part from state funds or federal funds appropriated under s. 20.395 or 20.866.

SECTION 2545q. 84.01 (35) (c) (intro.) and 2. to 5. of the statutes are repealed.

SECTION 2545r. 84.01 (35) (c) 1. of the statutes is renumbered 84.01 (35) (d) 1.

SECTION 2545s. 84.01 (35) (d) of the statutes is created to read:

84.01 **(35)** (d) The department may not establish a bikeway or pedestrian way as a part of a new highway construction or reconstruction project if any of the following apply:

2. The project is funded in whole or in part from state funds unless the governing body of each municipality in which a portion of the project will occur has adopted a resolution authorizing the department to establish the bikeway or pedestrian way. This subdivision does not apply if the federal government provides written notice to the department that establishment of a bikeway or pedestrian way as a part of a project is a condition of the use of federal funds for that project.

SECTION 2546. 84.01 (36) (d) of the statutes is renumbered 84.01 (36) (d) 1. and amended to read:

84.01 **(36)** (d) 1. ~~All~~ Except as provided in subd. 2., all fees received under this subsection shall be deposited in the general fund and credited to the appropriation account under s. 20.395 (3) (eg).

SECTION 2547. 84.01 (36) (d) 2. of the statutes is created to read:

84.01 **(36)** (d) 2. All fees received under this subsection from sponsorship agreements under which the department displays information associated with the sponsor at a passenger railroad station shall be deposited in the transportation fund.

SECTION 2547d. 84.01 (37) of the statutes is created to read:

84.01 **(37)** FREIGHT OPTIMIZATION MODELING. Using funds from the appropriation under s. 20.395 (4) (bk), the department may contract with a consultant to procure freight optimization modeling services. To procure services under this subsection,

the department may issue a request for proposal or amend an existing contract with a consultant without issuing a request for proposal.

SECTION 2547g. 84.013 (2) (a) of the statutes is amended to read:

84.013 **(2)** (a) Subject to ss. 84.014 (6) (b), 84.555, and 86.255, major highway projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (ct) and (4) (jq) and 20.866 (2) (ur) to (uum) ~~and~~, (uus), and (uuu).

SECTION 2547t. 84.013 (2) (b) of the statutes is amended to read:

84.013 **(2)** (b) Except as provided in ss. 84.017 and 84.555, and subject to ss. 84.014 (6) (c) and 86.255, reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under ss. 20.395 (3) (cq) to (cx) and 20.866 (2) (uur) ~~and~~, (uut), and (uuu).

SECTION 2548. 84.013 (3) (ai) of the statutes is repealed.

SECTION 2548m. 84.013 (3) (bh) of the statutes is repealed.

SECTION 2549. 84.013 (3) (kg) of the statutes is repealed.

SECTION 2549m. 84.013 (3) (rb) of the statutes is amended to read:

84.013 **(3)** (rb) The Rock County transportation plan, consisting of STH 11 extending southeasterly approximately 6.1 miles between STH 11 west of Janesville and the intersection of USH 51 and STH 351, designated as the Janesville bypass, ~~and STH 81 and STH 213 extending southerly approximately 2.5 miles between STH 213 west of Beloit and the state line, designated as the Beloit bypass,~~ in Rock County.

SECTION 2550. 84.013 (3) (rm) of the statutes is repealed.

SECTION 2551. 84.013 (3) (tr) of the statutes is repealed.

SECTION 2551m. 84.013 (3) (zd) of the statutes is repealed.

SECTION 2551u. 84.013 (3m) (j) of the statutes is created to read:

84.013 **(3m)** (j) Notwithstanding s. 13.489 (1m) (e), the department shall, in the 2015–17 fiscal biennium, commence the preparation of an environmental impact statement, as defined in s. 13.489 (1c) (b), for a major highway project involving a proposed east arterial highway that begins at the intersection of STH 54 and STH 73 in the village of Port Edwards and extends to the intersection of STH 54 and CTH "W" in the city of Wisconsin Rapids and that includes a new crossing of the Wisconsin River.

SECTION 2564m. 84.10255 of the statutes is created to read:

84.10255 Frank Lloyd Wright Heritage Trail. (1) The department shall designate and, subject to subs. (2) and (3), mark the following route, through Kenosha, Racine, Milwaukee, Waukesha, Jefferson, Dane, Iowa, Sauk, and Richland counties, as the "Frank Lloyd Wright Heritage Trail":

(a) Commencing in Kenosha County, where I 94 enters Wisconsin and proceeding on I 94 to Dane County.

(b) In Dane County, proceeding on I 94; exiting to and proceeding on STH 30; exiting to USH 151 and then proceeding on USH 151 south; exiting to USH 14 west and then proceeding on USH 14 west to Richland County.

(c) In Richland County, proceeding on USH 14 west, ending at the junction of USH 14 and CTH "Q."

(d) In Sauk County, in addition to the route described in par. (b), turning from USH 14 onto STH 23 south and proceeding on STH 23 south to Iowa County.

(e) In Iowa County, proceeding on STH 23 south, ending at the junction of STH 23 and CTH "C" nearest to the Frank Lloyd Wright Visitor Center.

(2) The department shall erect and maintain all of the following markers along the route specified in sub. (1):

(a) At the end of the route in Kenosha County, one marker facing each direction of travel to identify to motorists the designation of the route as the "Frank Lloyd Wright Heritage Trail."

(b) In Racine County, at the interchange of I 94 and STH 20, one marker facing each direction of travel to identify to motorists the location of the Frank Lloyd Wright Research Tower at the headquarters of S.C. Johnson and Son, Inc., in the city of Racine and Wingspread in the village of Wind Point.

(c) In Dane County, on USH 151, one marker facing each direction of travel to identify to motorists the location of Monona Terrace in the city of Madison and the First Unitarian Society Meeting House in the village of Shorewood Hills.

(d) In Sauk County, at the junction of USH 14 and STH 23, one marker facing each direction of travel to identify to motorists the continuation of the route and Taliesin in Iowa County.

(e) In Iowa County, on STH 23, one marker facing each direction of travel to identify to motorists the designation of the route as the "Frank Lloyd Wright Heritage Trail" and the location of the Frank Lloyd Wright Visitor Center and Taliesin in the town of Wyoming.

(f) In Richland County, at the junction of USH 14 and CTH "Q," a marker facing each direction of travel to identify to motorists the designation of the route as the "Frank Lloyd Wright Heritage Trail" and the location of the Richland Museum and Visitors Center in the city of Richland Center.

(3) The department may erect and maintain markers along the route specified in sub. (1) to identify to motorists the location of buildings designed or constructed by Frank Lloyd Wright that are open to the public and that are within 15 miles of the route specified in sub. (1).

SECTION 2569m. 84.28 (1) of the statutes is amended to read:

84.28 **(1)** Moneys from the ~~appropriation~~ appropriations under s. 20.370 (7) (mc) and (mr) may be expended for the renovation, marking, and maintenance of a town or county highway located within the boundaries of any state park, state forest, or other property under the jurisdiction of the department of natural resources. Moneys from the ~~appropriation~~ appropriations under s. 20.370 (7) (mc) and (mr) may be expended for the renovation, marking, and maintenance of a town or county highway located in the lower Wisconsin state riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as defined in s. 30.40 (15), or outside the boundaries of these parks, forests, or property, moneys from the ~~appropriation~~ appropriations under s. 20.370 (7) (mc) and (mr) may be expended for the renovation, marking, and maintenance of roads ~~which~~ that the department of natural resources certifies are utilized by a substantial number of visitors to state parks, state forests, or other property under the jurisdiction of the department of natural resources. The department of natural resources shall authorize expenditures under this subsection. The department of natural resources shall rank projects eligible for assistance under a priority system and funding may be restricted to those projects with highest priority. In ranking projects, the department of natural resources shall consider whether the project is for the renovation, marking, or maintenance of roads used for forestry management on property under the jurisdiction of the department of natural resources.

SECTION 2569u. 84.58 of the statutes is created to read:

84.58 Additional contingent funding for major highway and rehabilitation projects. Subject to 2015 Wisconsin Act .... (this act), section 9145 (1v), the proceeds of general obligation bonds issued under s. 20.866 (2) (uuu) may

be used to fund major highway projects under s. 84.013 and state highway rehabilitation projects for the purposes specified in s. 20.395 (3) (cq).

SECTION 2572. 84.59 (6) of the statutes is amended to read:

84.59 **(6)** The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed ~~$3,768,059,300~~ $3,931,472,900, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section, to make payments under agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section, and to pay expenses associated with revenue obligations contracted under this section.

SECTION 2573. 85.0205 (1m) of the statutes is created to read:

85.0205 **(1m)** The department may not expend state moneys on elements of a highway improvement project that the department determines are primarily related to the aesthetic preferences of communities adjacent to the project, generally known as community sensitive solutions.

SECTION 2574. 85.066 of the statutes is created to read:

85.066 Transit safety oversight program. (1) DEFINITION. In this section, " rail fixed guideway transportation system" means a public transportation system being designed, engineered, constructed, or operated that is intended to operate upon a fixed guideway, including a railway, and that is not subject to regulation by the federal railroad administration.

(2) PROGRAM AND FUNDING. The department shall develop and administer a transit safety oversight program. Under the program, the department may oversee, enforce, investigate, and audit all safety aspects of rail fixed guideway transportation systems.

(3) COUNTIES CONTAINING A FIRST CLASS CITY. A county containing a 1st class city may not incur any direct or indirect expenses, including the forfeiture of any revenue, relating to the operation or accommodation of a rail fixed guideway transportation system in the 1st class city unless the expense incurred or revenue forfeited will be fully reimbursed by the 1st class city.

SECTION 2576k. 85.21 (1) of the statutes is amended to read:

85.21 **(1)** PURPOSE. The purpose of this section is to promote the general public health and welfare by providing financial assistance to counties providing transportation services for ~~elderly~~ <u>seniors</u> and ~~disabled persons~~ <u>individuals with disabilities</u>, and to thereby improve and promote the maintenance of human dignity and self–sufficiency by affording the benefits of transportation services to those people who would not otherwise have an available or accessible method of transportation.

SECTION 2576m. 85.21 (2) (b) of the statutes is amended to read:

85.21 **(2)** (b) "County proportionate share" means the amount allocated to a county under this section which is based on the total amount appropriated for

purposes of this section during the current fiscal year multiplied by the ratio of the number of ~~elderly~~ seniors and ~~disabled persons~~ individuals with disabilities in the county to the total number of ~~elderly~~ seniors and ~~disabled persons~~ individuals with disabilities in this state and which provides for a minimum base amount for each county, as determined by the department.

SECTION 2576o. 85.21 (2) (cm) of the statutes is renumbered 85.21 (2) (fg) and amended to read:

85.21 **(2)** (fg) "~~Disabled person~~ Individual with a disability" means any individual who, because of any temporary or permanent physical or mental condition or institutional residence is unable without special facilities or special planning or design to use available transportation facilities and services as effectively as ~~persons~~ individuals who are not so affected.

SECTION 2576q. 85.21 (2) (d) of the statutes is renumbered 85.21 (2) (ft) and amended to read:

85.21 **(2)** (ft) "~~Elderly person~~ Senior" means any individual age 65 or over.

SECTION 2576s. 85.21 (2) (g) of the statutes is amended to read:

85.21 **(2)** (g) "Specialized transportation service" means a transportation system, either publicly or privately owned, which provides to ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities general or special service on a regular and continuing basis in a designated service area.

SECTION 2576u. 85.21 (4) (a) of the statutes is amended to read:

85.21 **(4)** (a) The county may establish the transportation of ~~elderly~~ seniors and ~~disabled persons~~ individuals with disabilities to medical, nutritional, and work–related activities as the priority for the specialized transportation services.

SECTION 2576w. 85.21 (4) (d) of the statutes is amended to read:

85.21 **(4)** (d) A county may not use aids provided under this section to support the regular route services of an urban mass transit system receiving state aids under s. 85.20. A county may use aids provided under this section to support subsystems of urban mass transit systems that provide special services to ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities.

SECTION 2577. 85.22 (title) of the statutes is amended to read:

85.22 (title) ~~**Capital assistance program for specialized**~~ **Specialized transportation program.**

SECTION 2578. 85.22 (1) of the statutes is amended to read:

85.22 **(1)** PURPOSE. The purpose of this section is to promote the general public health and welfare by providing ~~capital~~ assistance to eligible applicants providing transportation services to ~~elderly~~ seniors and ~~disabled persons~~ individuals with disabilities.

SECTION 2579. 85.22 (2) (ag) of the statutes is renumbered 85.22 (2) (bm) and amended to read:

85.22 **(2)** (bm) "~~Disabled person~~ Individual with a disability" means any individual who, because of any temporary or permanent physical or mental condition or institutional residence is unable without special facilities or special planning or design to use available transportation facilities and services as effectively as persons who are not so affected.

SECTION 2580. 85.22 (2) (am) (intro.) of the statutes is renumbered 85.22 (2) (am) and amended to read:

85.22 **(2)** (am) "Eligible applicant" means any applicant that meets eligibility requirements for federal assistance under 49 USC 5310 ~~(a) and is one of the following:~~.

SECTION 2581. 85.22 (2) (am) 1. of the statutes is repealed.

SECTION 2582. 85.22 (2) (am) 2. of the statutes is repealed.

SECTION 2583. 85.22 (2) (b) of the statutes is repealed.

SECTION 2584. 85.22 (2) (d) of the statutes is created to read:

85.22 **(2)** (d) "Senior" means any individual age 65 or older.

SECTION 2585. 85.22 (3) (a) of the statutes is amended to read:

85.22 **(3)** (a) To receive and review ~~annually~~ applications for aid under this section and to prescribe the form, nature, and extent of information which shall be contained in applications. Each applicant shall indicate whether the transportation services it provides or proposes to provide conflict with any transportation services being assisted under s. 85.21.

SECTION 2586. 85.22 (3) (c) of the statutes is amended to read:

85.22 **(3)** (c) To make and execute agreements with eligible applicants to provide for the undertaking of transportation services to ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities.

SECTION 2587. 85.22 (3) (g) of the statutes is amended to read:

85.22 **(3)** (g) To establish an ~~annual~~ application cycle for the program.

SECTION 2588. 85.22 (3) (h) of the statutes is amended to read:

85.22 **(3)** (h) To establish, by rule, standards for the coordination of transportation services to ~~elderly~~ seniors and ~~disabled persons for purposes of s. 85.22 (2) (am) 2. b~~ individuals with disabilities. These standards may require certification by a local public body that any application for aid under this section shall be consistent with the recommendations of a local coordinating committee on transportation that has membership which is, in the department's judgment,

sufficient to provide for adequate coordination of services available in the applicable area.

SECTION 2589. 85.22 (4) (a) (intro.) of the statutes is renumbered 85.22 (4) and amended to read:

85.22 **(4)** Commencing with the highest ranked application and to the extent that state and federal moneys are available, the department shall offer to each eligible applicant an amount of ~~state~~ aid such that the sum of federal and state aid received by an applicant does not exceed ~~any of the following:~~ the funding limitations defined in 49 USC 5310.

SECTION 2590. 85.22 (4) (a) 1. of the statutes is repealed.

SECTION 2591. 85.22 (4) (a) 2. of the statutes is repealed.

SECTION 2592. 85.22 (4) (b) of the statutes is repealed.

SECTION 2595. 85.53 of the statutes is renumbered 51.49, and 51.49 (3), as renumbered, is amended to read:

51.49 **(3)** ~~Grants under this section shall be paid from the appropriation under s. 20.395 (5) (jr).~~ The amount of a grant under this section may not exceed 80% of the amount expended by an eligible applicant for services related to the program.

SECTION 2595d. 86.19 (1h) of the statutes is created to read:

86.19 **(1h)** (a) Subject to par. (b), the department shall erect and maintain 2 directional signs along eastbound and westbound I 90/94 and 2 directional signs along the exit ramps that correspond to the signs along the main roadway for the Wisconsin Basketball Coaches Association Hall of Fame in Columbia County.

(b) Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in par. (a), the department shall erect and maintain

the signs. No state funds, other than from the receipt of contributions under this paragraph, may be expended for the fabrication, erection, or maintenance of the signs.

SECTION 2595g. 86.19 (1u) of the statutes is created to read:

86.19 **(1u)** Notwithstanding sub. (1), the department may erect and maintain directional signs along any highway along the route described in s. 84.10255 (1) to aid navigation to the locations described in s. 84.10255 (2) (b) to (e).

SECTION 2595k. 86.30 (10) of the statutes is created to read:

86.30 **(10)** APPEAL OF AID CALCULATION. (a) Any county or municipality that believes that information used to calculate the aid payment to the county or municipality was reported in error may submit to the department a request that the information be corrected and the correct aid amount be paid.

(b) Corrections to transportation aid payments under this subsection shall be paid from the appropriation under s. 20.395 (1) (ar).

(c) The department shall promulgate rules establishing submission requirements and arbitration procedures for appeals under this subsection.

SECTION 2595m. 86.31 (4) of the statutes is amended to read:

86.31 **(4)** REIMBURSEMENT FOR IMPROVEMENTS. All costs of an improvement funded under this section shall be the responsibility of the political subdivision. At the completion of an improvement, the political subdivision may apply to the department for reimbursement of not more than 50% of eligible costs in the manner and form prescribed by the department. <u>Eligible costs for which no reimbursement is made by the department may be paid by the political subdivision from contributions of tribal funds received from federally recognized American Indian tribes or bands in this state.</u>

SECTION 2595n. 86.31 (6) (i) of the statutes is created to read:

86.31 **(6)** (i) Authorization for a political subdivision to apply towards its eligible expenses for which reimbursement is not sought under sub. (4) contributions of tribal funds deriving from any source to the extent allowed under federal law.

SECTION 2596. 87.305 (1) (intro.) of the statutes is amended to read:

87.305 **(1)** DEPARTMENT APPROVAL. (intro.) Notwithstanding s. 87.30 or any rule promulgated, order issued or ordinance adopted under that section, the department shall authorize the connection of a sanitary sewer line from the sewerage treatment plant in the city of Prairie du Chien and connection of the public water system of the city of Prairie du Chien to the railroad depot and the Dousman hotel on St. Feriole island and shall authorize historic use of the Dousman hotel as a hotel, as defined under s. ~~254.61 (3)~~ 97.01 (7), if all of the following conditions are met:

SECTION 2596g. 88.81 (5) of the statutes is created to read:

88.81 **(5)** Subsections (1) to (3) do not apply on or after the effective date of this subsection .... [LRB inserts date].

SECTION 2596i. 88.815 of the statutes is created to read:

88.815 Dissolution of suspended drainage districts. (1) If the operations of a drainage district are suspended on the effective date of this subsection .... [LRB inserts date], the department of agriculture, trade and consumer protection shall file a notice with the court having jurisdiction on the matter that the district will be administratively dissolved 36 months after the filing of the notice.

(2) Upon the filing of a dissolution notice under sub. (1), the court shall provide notice of the dissolution notice to the drainage board. If, at the time of filing of a dissolution notice, any position on the board is vacant, the court shall appoint a successor as provided in s. 88.17 before providing notice to the board.

(3) Upon receiving notice under sub. (2), the board shall provide notice of the dissolution notice under sub. (1) to the persons specified under s. 88.05 (4) (c).

(4) Upon request by any owner of land in the district, the board shall do all of the following:

(a) Fix a time and place of a hearing on the dissolution notice.

(b) Cause notice of the hearing to be given under s. 88.05 (1) (b) to the persons specified under s. 88.05 (4) (c), the court having jurisdiction on the matter, and the department of agriculture, trade and consumer protection.

(5) Subject to s. 88.82 (2) and after any hearing held under sub. (4), if the board determines that the public welfare will not be promoted by the reinstatement of district operations, the board shall seek approval of dissolution of the district under s. 88.06. If dissolution is approved, the board shall provide notice of the dissolution to the court having jurisdiction on the matter, the department of agriculture, trade and consumer protection, the zoning administrator of each city, village, town, or county in which the district is located, the county clerk of the county in which the drainage board having jurisdiction of the drainage district is located, and the county treasurer.

(6) If s. 88.82 (2) is not satisfied, court approval under s. 88.06 is not received, or the board determines that public welfare will be promoted by the reinstatement of district operations, the board shall order the district reinstated. If reinstatement is ordered, the board shall provide notice of the order to the court having jurisdiction on the matter, the department of agriculture, trade and consumer protection, the zoning administrator of each city, village, town, or county in which the district is located, and the county clerk of the county in which the drainage board having jurisdiction of the drainage district is located.

(7) If no hearing is scheduled under sub. (4), the district is dissolved 36 months after the filing of the notice under sub. (1). If the department of agriculture, trade and consumer protection receives a notice under sub. (4), but does not receive a notice of reinstatement under sub. (5), the district is dissolved 48 months after the filing of the notice under sub. (1).

SECTION 2597. 89.02 (3d) of the statutes is created to read:

89.02 **(3d)** "Department" means the department of agriculture, trade and consumer protection.

SECTION 2598. 89.063 of the statutes is created to read:

89.063 Fees. The department shall determine by rule the fees for each initial license, certification, and permit issued under ss. 89.06 and 89.072, and, if applicable, for renewal of the license, certification, or permit, including late fees, based on the department's administrative and enforcement costs under this chapter. The department shall notify the holder of each such license, certification, or permit of any fee adjustment under this subsection that affects that license, certification, or permit holder.

SECTION 2598m. 89.078 of the statutes is created to read:

89.078 Background investigations. (1) The examining board may conduct an investigation to determine whether an applicant for a license, certification, or permit issued under s. 89.06 or 89.072 satisfies any of the eligibility requirements specified for the license, certification, or permit, including, subject to ss. 111.321, 111.322, and 111.335, whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection, the examining board may require an applicant to provide any information that is necessary for the investigation.

(2) A person holding a license, certification, or permit issued under s. 89.06 or 89.072 who is convicted of a felony or misdemeanor anywhere shall send a notice of the conviction by 1st class mail to the examining board within 48 hours after the entry of the judgment of conviction. The examining board shall by rule determine what information and documentation the person holding the credential shall include with the written notice.

(3) The examining board may investigate whether an applicant for or holder of a license, certification, or permit issued under s. 89.06 or 89.072 has been charged with or convicted of a crime.

SECTION 2599. 89.079 of the statutes is created to read:

89.079 Unauthorized practice. (1) The department may conduct investigations, hold hearings, and make findings as to whether a person has engaged in a practice or used a title without a credential required under this chapter.

(2) If, after holding a public hearing, the department determines that a person has engaged in a practice or used a title without a required credential, the department may issue a special order enjoining the person from continuing the practice or use of the title.

(3) In lieu of holding a public hearing, if the department has reason to believe that a person has engaged in a practice or used a title without a required credential, the department may petition the circuit court for a temporary restraining order or an injunction as provided in ch. 813.

(4) (a) Any person who violates a special order issued under sub. (2) may be required to forfeit not more than $10,000 for each offense. Each day of continued violation constitutes a separate offense. The attorney general or any district

attorney may commence an action in the name of the state to recover a forfeiture under this paragraph.

(b) Any person who violates a temporary restraining order or an injunction issued by a court upon a petition under sub. (3) may be fined not less than $25 nor more than $5,000 or imprisoned for not more than one year in the county jail or both.

SECTION 2606. 93.06 (14) of the statutes is created to read:

93.06 **(14)** COOPERATION AND COLLABORATIVE AGREEMENTS. Promote cooperation and formal collaborative agreements among any of the following with regard to enforcement of the laws and regulations administered by the department, planning, priority setting, information and data sharing, reporting, resource allocation, funding, service delivery, and jurisdiction:

(a) This state.

(b) Local health departments.

(c) Federally recognized American Indian tribes or bands located in this state.

(d) The federal Indian health service.

SECTION 2612. 93.07 (24) (e) of the statutes is created to read:

93.07 **(24)** (e) To enforce the laws for the sanitary care of campgrounds and camping resorts, recreational and educational camps, public swimming pools, hotels, tourist rooming houses, vending machine commissaries, vending machines, and other persons or entities subject to regulation by the department.

SECTION 2613. 93.135 (1) (a) of the statutes is renumbered 93.135 (1) (ag).

SECTION 2614. 93.135 (1) (ab) of the statutes is created to read:

93.135 **(1)** (ab) A license, certification, or permit under ch. 89.

SECTION 2615. 93.135 (1) (km) of the statutes is amended to read:

93.135 **(1)** (km) A license under s. 97.21 ~~(2) or~~ (3).

SECTION 2616. 93.135 (1) (ng) of the statutes is created to read:

93.135 **(1)** (ng) A certificate under s. 97.33.

SECTION 2617. 93.135 (1) (nt) of the statutes is created to read:

93.135 **(1)** (nt) A license under s. 97.605 (1) or 97.67 (1) or (2m).

SECTION 2617m. 93.135 (5) of the statutes is created to read:

93.135 **(5)** The department shall deny an application for an initial license, certification, or permit issued under s. 89.06 or 89.072, or an application for renewal of that license, certification, or permit or revoke a license, certification, or permit issued under s. 89.06 or 89.072 to an individual for whom the department receives a record of a declaration under s. 54.25 (2) (c) 1. d. stating that the individual is incompetent to apply for or hold that license, certification, or permit.

SECTION 2618. 93.20 (1) of the statutes is amended to read:

93.20 **(1)** DEFINITION. In this section, "action" means an action that is commenced in court by, or on behalf of, the department of agriculture, trade and consumer protection to enforce chs. 88, 89, 91 to 100, or 126.

SECTION 2619. 93.22 (1) of the statutes is amended to read:

93.22 **(1)** In cases arising under chs. 88, 89, and 93 to 100, the department may be represented by its attorney.

SECTION 2620. 93.22 (2) of the statutes is amended to read:

93.22 **(2)** The department may, with the approval of the governor, appoint special counsel to prosecute or assist in the prosecution of any case arising under chs. 88, 89, and 93 to 100. The cost of such special counsel shall be charged to the appropriation for the department.

SECTION 2621. 93.22 (3) of the statutes is amended to read:

93.22 **(3)** In any criminal or civil action under chs. 88, 89, and 93 to 100, any exception, exemption, proviso, excuse, or qualification contained in any of said chapters, or in any order, standard, or regulation thereunder, may be proved by the defendant, but need not be specified or negatived in the information or complaint, and, if so specified or negatived, no proof in relation to the matters so specified or negatived, shall be required of the plaintiff.

SECTION 2629. 93.59 of the statutes is created to read:

93.59 Producer led watershed protection grants. (1) The department shall make grants for nonpoint source pollution abatement activities conducted with the assistance of producer led groups that comply with sub. (2). The department shall make a grant directly to the producer led group, except that, if the group is not a legal entity, the department may only make the grant to a legal entity on behalf of the group.

(2) The department may provide a grant under sub. (1) if all of the following apply:

(a) The producer led group includes at least 5 agricultural producers each of whom operates an eligible farm, as defined in s. 91.86 (1), in one watershed. The group may include additional agricultural producers who are not required to be operators of eligible farms.

(b) The group is formed through a memorandum of understanding with the collaborating entity under par. (c).

(c) The group collaborates with at least one of the following:

1. The department.

2. The department of natural resources.

3. A county land conservation committee.

4. The University of Wisconsin–Extension or the Discovery Farms program of the University of Wisconsin–Extension.

5. A nonprofit conservation organization.

(d) The group assists agricultural producers in the watershed under par. (a) to voluntarily conduct nonpoint source water pollution abatement activities.

(e) The group contributes matching funds equal to at least 50 percent of eligible costs.

(3) A producer led group that receives, or on whose behalf a legal entity receives, a grant under this section shall annually file a report with the department describing the activities conducted with the grant and the impact of those activities on water quality in the watershed under sub. (2) (a).

(4) The department may promulgate rules that do all of the following:

(a) Define "legal entity" for the purposes of this section.

(b) Specify the application process for a grant under this section.

(c) Specify activities that may be conducted using a grant under this section.

(5) In any fiscal year, the department may not provide more than $20,000 to any single producer–led group or legal entity on behalf of the group.

SECTION 2636. 94.67 (33m) of the statutes is amended to read:

94.67 **(33m)** "Veterinarian" means an individual who is licensed as a veterinarian under ch. ~~453~~ 89.

SECTION 2637. 94.67 (33t) of the statutes is amended to read:

94.67 **(33t)** "Veterinary technician" means an individual who is certified as a veterinary technician under ch. ~~453~~ 89.

SECTION 2638. 95.21 (1) (e) of the statutes is amended to read:

95.21 **(1)** (e) "Veterinarian" has the meaning designated under s. ~~453.02~~ 89.02 (7).

SECTION 2639. 95.21 (1) (em) of the statutes is amended to read:

95.21 **(1)** (em) "Veterinary technician" has the meaning designated under s. ~~453.02~~ 89.02 (12).

SECTION 2640. 95.21 (2) (a) of the statutes is amended to read:

95.21 **(2)** (a) *Requirement for vaccination.* Except as provided in s. 174.054 or sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. ~~453.05~~ 89.05 (2) (d), at no later than 5 months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into this state after the dog has reached 5 months of age, the owner shall have the dog vaccinated against rabies within 30 days after the dog is obtained or brought into the state unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. ~~453.05~~ 89.05 (2) (d), before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 3 years after the previous vaccination.

SECTION 2641. Chapter 97 (title) of the statutes is amended to read:

CHAPTER 97

FOOD ~~REGULATION~~, LODGING, AND RECREATION

SECTION 2642. Subchapter I (title) of chapter 97 [precedes 97.01] of the statutes is created to read:

CHAPTER 97

SUBCHAPTER I

DEFINITIONS

SECTION 2643. 97.01 (1) of the statutes is renumbered 97.01 (1r).

SECTION 2644. Subchapter II (title) of chapter 97 [precedes 97.02] of the statutes is created to read:

CHAPTER 97

SUBCHAPTER II

FOOD SAFETY AND REGULATION

SECTION 2645. 97.12 (1) of the statutes is amended to read:

97.12 **(1)** For the purpose of enforcing this chapter, the department and its agents may, at reasonable hours, enter and inspect <u>any premises for which a license is required under this chapter or</u> any farm, factory, warehouse, building, room, establishment or place at or in which foods are manufactured, processed, packed, packaged, stored or held for sale, and may enter any vehicle<u>, including a vehicle</u> used to transport or hold foods in commerce. The department and its agents may also secure samples or specimens<u>, including samples or specimens</u> of food and any product or substance that may affect food, examine and copy relevant documents and records<u>,</u> and obtain photographic and other evidence needed to enforce this chapter <u>or a rule promulgated under this chapter</u>. The department shall examine any samples secured and shall conduct other inspections and examinations needed to determine whether there is a violation of this chapter. The department shall pay or offer to pay the market value of samples taken.

SECTION 2646. 97.12 (5) of the statutes is created to read:

97.12 **(5)** Any person who fails to comply with an order issued under this chapter may be required to forfeit $50 for each day of noncompliance.

SECTION 2647. 97.18 (5m) of the statutes is repealed.

SECTION 2648. 97.20 (2) (e) 2. of the statutes is amended to read:

97.20 **(2)** (e) 2. The retail preparation and processing of meals for sale directly to consumers or through vending machines, if the preparation and processing is covered under a ~~restaurant permit or other permit~~ license issued under s. ~~254.64~~ 97.605.

SECTION 2649. 97.21 (2) (a) of the statutes is repealed.

SECTION 2650. 97.21 (2) (b) (title) of the statutes is repealed.

SECTION 2651. 97.21 (2) (b) of the statutes is renumbered 97.21 (2) and amended to read:

97.21 **(2)** BULK MILK TANKER; ~~LICENSE;~~ GRADE A PERMIT. No person may operate a bulk milk tanker to transport milk or fluid milk products in bulk for sale or distribution as grade A milk or grade A milk products without a valid grade A bulk milk tanker permit issued annually by the department or an equivalent regulatory agency in another state for that bulk milk tanker. A grade A bulk milk tanker permit is not transferable between persons or bulk milk tankers. ~~A permit may be issued in the form of an endorsement on a bulk milk tanker license under par. (a).~~ An application for a permit shall be made on a form provided by the department~~, and may be included with a license application under par. (a). The~~. An applicant shall include with an application for a permit proof that the bulk milk tanker has passed an inspection conducted within the preceding year by the department or an individual certified by the department to conduct bulk milk tanker inspections.

Except as provided in sub. (4), the department may not charge a fee for a grade A bulk milk tanker permit issued under this paragraph.

SECTION 2652. 97.21 (4) (a) of the statutes is amended to read:

97.21 **(4)** (a) *License fee.* An applicant for a ~~bulk milk tanker or~~ milk distributor license shall pay the license fee specified under sub. (4m).

SECTION 2653. 97.21 (4) (b) of the statutes is amended to read:

97.21 **(4)** (b) *Reinspection fee.* If the department reinspects a bulk milk tanker or the vehicle or facilities of a milk distributor because the department finds a violation of this chapter or rules promulgated under this chapter, the department shall charge the bulk milk tanker operator or milk distributor the reinspection fee specified under sub. (4m). The reinspection fee is payable when the reinspection is completed, and is due upon written demand from the department. The department may issue a demand for payment when it issues a ~~license~~ permit renewal application to the bulk milk tanker operator or a license renewal application to the milk distributor.

SECTION 2654. 97.21 (4) (c) of the statutes is amended to read:

97.21 **(4)** (c) *Surcharge for operating without a license.* An applicant for a ~~bulk milk tanker operator or~~ milk distributor license shall pay a license fee surcharge of $100 or twice the amount of the annual license fee specified under sub. (4m), whichever is less, if the department determines that, within one year prior to submitting the license application, the applicant operated without a license ~~or grade A permit~~ in violation of this section. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability ~~which~~ that results from a violation of sub. ~~(2) or~~ (3), but does not constitute evidence of any violation of law.

SECTION 2655. 97.21 (4m) (intro.) of the statutes is renumbered 97.21 (4m) and amended to read:

97.21 **(4m)** FEE AMOUNTS. ~~Unless otherwise established by~~ The department ~~rule,~~ shall establish the fees required under sub. (4) (a) and (b) ~~are:~~ by rule.

SECTION 2656. 97.21 (4m) (a) of the statutes is repealed.

SECTION 2657. 97.21 (4m) (b) of the statutes is repealed.

SECTION 2658. 97.21 (5) of the statutes is amended to read:

97.21 **(5)** LICENSING AND PERMITTING CONTINGENT ON PAYMENT OF FEES. The department may not issue or renew a grade A bulk milk tanker permit or milk distributor license unless the permit or license applicant pays all fees ~~which~~ that are due and payable by the applicant under sub. (4), as set forth in a statement from the department. The department shall refund a fee paid under protest if the department determines that the fee was not due and payable as a condition of permitting or licensing under this section.

SECTION 2659. 97.25 (3) of the statutes is amended to read:

97.25 **(3)** RULES. The department shall promulgate rules authorizing the operator of a dairy plant licensed under s. 97.20~~,~~ or a retail food establishment licensed under s. 97.30 ~~or a restaurant with a permit under s. 254.64~~ who complies with the rules to place upon the label of a dairy product the statement "Farmer–certified rBGH free." or an equivalent statement that is not false or misleading. The statement shall be based upon affidavits from milk producers stating that the milk producers do not use synthetic bovine growth hormone for the production of milk.

SECTION 2660. 97.27 (1) (b) 3. of the statutes is amended to read:

97.27 **(1)** (b) 3. A retail food establishment~~, restaurant~~ or other retail facility at which food is stored on a temporary basis incidental to retail preparation or sale.

SECTION 2661. 97.29 (1) (c) of the statutes is amended to read:

97.29 **(1)** (c) "Bottling establishment" means any place where drinking water, soda water beverage or alcohol beverage is manufactured or bottled for sale. "Bottling establishment" does not include a retail establishment engaged in the preparation and sale of beverages under a license issued under s. 125.26 or 125.51 or a ~~restaurant permit~~ license issued under s. 97.30 for a restaurant or other ~~permit~~ license issued under s. ~~254.64~~ 97.605.

SECTION 2662. 97.29 (1) (g) 3. of the statutes is amended to read:

97.29 **(1)** (g) 3. The retail preparation and processing of meals for sale directly to consumers or through vending machines if the preparation and processing is covered under a ~~restaurant permit or other permit~~ license issued under s. ~~254.64~~ 97.605.

SECTION 2663. 97.29 (1) (h) of the statutes is amended to read:

97.29 **(1)** (h) "Food processing plant" means any place where food processing is conducted. "Food processing plant" does not include any establishment subject to the requirements of s. 97.30 ~~or any restaurant~~ or ~~other~~ an establishment holding a ~~permit~~ license under s. ~~254.64~~ 97.605, to the extent that the activities of that establishment are covered by s. 97.30 or the ~~permit~~ license under s. ~~254.64~~ 97.605.

SECTION 2664. 97.30 (1) (c) of the statutes is amended to read:

97.30 **(1)** (c) "Retail food establishment" means a permanent or mobile food processing facility where food processing is conducted primarily for direct retail sale to consumers at the facility, a mobile facility from which potentially hazardous food is sold to consumers at retail or a permanent facility from which food is sold to

consumers at retail, whether or not that facility sells potentially hazardous food or is engaged in food processing. "Retail food establishment" ~~does not include~~ includes a restaurant or ~~other establishment~~ temporary restaurant, but does not include an establishment holding a ~~permit~~ license under s. ~~254.64~~ 97.605, to the extent that the activities of the establishment are covered by that ~~permit~~ license.

SECTION 2665. 97.30 (2) (b) 1. c. of the statutes is amended to read:

97.30 **(2)** (b) 1. c. A retail food establishment which is exempted from licensing by the department by rule. If ~~a restaurant or other~~ an establishment for which a ~~permit~~ license has been issued under s. ~~254.64~~ 97.605 is incidentally engaged in operating a retail food establishment at the same location, the department may exempt by rule the ~~restaurant or~~ establishment from licensing under this section. ~~Rules under this subd. 1. c. shall conform to a memorandum of understanding between the department and the department of health services, under which the department of health services agrees to inspect the retail food establishment operations on behalf of the department.~~

SECTION 2666. 97.30 (2) (c) of the statutes is created to read:

97.30 **(2)** (c) *Pre-licensing inspection.* The department or an agent city or county may not issue a license for a new retail food establishment until it inspects the new retail food establishment for compliance with this section and rules promulgated under this section. A licensed retail food establishment is not considered a new retail food establishment under this paragraph solely because of a change in ownership, or solely because of alterations in the retail food establishment.

SECTION 2667. 97.30 (3m) (intro.) of the statutes is amended to read:

97.30 **(3m)** FEE AMOUNTS. (intro.) The department shall specify by rule the amount of the fees under sub. (3) for a restaurant. Unless otherwise required by department rule, the fees required under sub. (3) for a retail food establishment other than a restaurant are:

SECTION 2668. 97.30 (3m) (a) (intro.) of the statutes is amended to read:

97.30 **(3m)** (a) (intro.) For a retail food establishment, other than a restaurant, that has annual food sales of $25,000 or more but less than $1,000,000 and that processes potentially hazardous food, the following amounts:

SECTION 2669. 97.30 (3m) (b) (intro.) of the statutes is amended to read:

97.30 **(3m)** (b) (intro.) For a retail food establishment, other than a restaurant, that has annual food sales of $1,000,000 or more and that processes potentially hazardous food, the following amounts:

SECTION 2670. 97.30 (3m) (c) (intro.) of the statutes is amended to read:

97.30 **(3m)** (c) (intro.) For a retail food establishment, other than a restaurant, that has annual food sales of $25,000 or more and that is engaged in food processing, but that does not process potentially hazardous food, the following amounts:

SECTION 2671. 97.30 (3m) (cm) of the statutes is amended to read:

97.30 **(3m)** (cm) For a retail food establishment, other than a restaurant, that has annual food sales of less than $25,000 and that is engaged in food processing, an annual license fee of $40 and a reinspection fee of $40.

SECTION 2672. 97.30 (3m) (d) of the statutes is amended to read:

97.30 **(3m)** (d) For a retail food establishment, other than a restaurant, that is not engaged in food processing, an annual license fee of $20 and a reinspection fee of $50.

SECTION 2673. 97.41 (1m) of the statutes is amended to read:

97.41 **(1m)** In the administration of this chapter, the department may enter into a written agreement with a local health department, if the jurisdictional area of the local health department has a population greater than 5,000, which designates the local health department as the agent of the department of agriculture, trade and consumer protection for issuing licenses to and making investigations or inspections of retail food establishments, as defined in s. 97.30 (1) (c). When the designation is made, no license other than the license issued by the local health department under this section may be required by the department of agriculture, trade and consumer protection or the local health department for the same operations. The department of agriculture, trade and consumer protection shall ~~coordinate~~ oversee the designation of agents under this section ~~with the department of health services~~ to ensure that, to the extent feasible, the same local health department is granted agent status under this section and under s. ~~254.69 (2)~~ 97.615 (2). Except as otherwise provided by the department of agriculture, trade and consumer protection, a local health department granted agent status shall regulate all types of establishments for which this subsection permits the department of agriculture, trade and consumer protection to delegate regulatory authority.

SECTION 2674. 97.41 (4) (a) of the statutes is amended to read:

97.41 **(4)** (a) Except as provided in par. (b), a local health department granted agent status under this section shall establish and collect the license fee for retail food establishments, as defined in s. 97.30 (1) (c). The local health department may establish separate fees for ~~preinspections~~ pre-licensing inspections of new establishments, for ~~preinspections~~ pre-licensing inspections of existing establishments for which a person intends to be the new operator or for the issuance of duplicate licenses. No fee may exceed the local health department's reasonable

costs of issuing licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishments, plus the state fee established under sub. (5). A local health department which is granted agent status under this section or under s. ~~254.69,~~ 97.615 may issue a single license and establish and collect a single fee which authorizes the operation on the same premises of more than one type of establishment with respect to which it is granted agent status under this section or under s. ~~254.69 (2)~~ 97.615 (2).

SECTION 2675. 97.42 (3) (em) of the statutes is amended to read:

97.42 **(3)** (em) *Slaughter of farm–raised deer.* The requirements of pars. (a) and (b) do not apply to the slaughter of a farm–raised deer if its meat food products are not sold ~~by a person holding a restaurant permit under s. 254.64 or~~ by an operator of a retail food establishment, as defined under s. 97.30 (1) (c). The operator of an establishment in which farm–raised deer, their carcasses or their meat food products are examined and inspected under this subsection shall pay the department for the cost of the department's examination and inspection.

SECTION 2676. Subchapter III (title) of chapter 97 [precedes 97.603] of the statutes is created to read:

CHAPTER 97

SUBCHAPTER III

LODGING AND VENDING MACHINES

SECTION 2677. Subchapter IV (title) of chapter 97 [precedes 97.67] of the statutes is created to read:

CHAPTER 97

SUBCHAPTER IV

RECREATIONAL SANITATION

SECTION 2678. Subchapter V (title) of chapter 97 [precedes 97.70] of the statutes is created to read:

CHAPTER 97

SUBCHAPTER V

GENERAL PROVISIONS

SECTION 2679. 97.70 of the statutes is created to read:

97.70 Authority of department of safety and professional services. Nothing in this chapter affects the authority of the department of safety and professional services relative to places of employment, elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

SECTION 2680. 97.703 of the statutes is created to read:

97.703 Joint employment. The department and the department of safety and professional services may employ experts, inspectors, or other assistants jointly.

SECTION 2682. 100.36 of the statutes is amended to read:

100.36 Frauds; substitute for butter; advertisement. No person may use the word "butter" in any way in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter. No person may use terms such as "cream", "creamery" or "dairy", or the name or representation of any breed of dairy cattle, or any combination of such words and representation, or any other words or symbols or combinations thereof commonly used in the sale of butter unless at least 40% of the substitute is butterfat. If the term "butter" is used in connection with the name of any such product, it shall be qualified so as to distinguish it from butter as defined in s. 97.01 ~~(1)~~ (1r).

SECTION 2683b. 100.60 (1) (b) 2. of the statutes is amended to read:

100.60 **(1)** (b) 2. Any other fuel that can substitute for petroleum–based diesel fuel, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department ~~of safety and professional services~~ designates as a diesel–replacement renewable fuel under sub. (7) (a).

SECTION 2683d. 100.60 (1) (c) 2. of the statutes is amended to read:

100.60 **(1)** (c) 2. Any other fuel that can substitute for gasoline, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department ~~of safety and professional services~~ designates as a gasoline–replacement renewable fuel under sub. (7) (b).

SECTION 2683f. 100.60 (3) (a) of the statutes is amended to read:

100.60 **(3)** (a) Annually, beginning in 2011, the department, in cooperation with and with assistance from ~~the department of safety and professional services and~~ the department of revenue, shall determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and (c), for the previous year, were met in the state in that year.

SECTION 2683h. 100.60 (6) (a) of the statutes is amended to read:

100.60 **(6)** (a) The department shall consult with ~~the department of safety and professional services and~~ the department of revenue to determine if information necessary to make a determination under sub. (3) (a) or an assessment under sub. (4) is being collected by ~~these agencies~~ <u>the department of revenue</u> under laws in effect on June 2, 2010. If the information is not being collected, the department may request ~~the department of safety and professional services and~~ the department of revenue to collect the information if collection by ~~one of these agencies~~ <u>the</u>

department of revenue is more cost–effective for state government and less burdensome for the persons subject to the reporting requirements than collection of the information by the department.

SECTION 2683i. 100.60 (7) (title) of the statutes is repealed and recreated to read:

100.60 **(7)** (title) RULES.

SECTION 2683j. 100.60 (7) (a) of the statutes is amended to read:

100.60 **(7)** (a) The department ~~of safety and professional services~~ may promulgate a rule designating a fuel that can substitute for petroleum–based diesel fuel, that is derived from a renewable resource, and that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel as a diesel–replacement renewable fuel for the purposes of this section.

SECTION 2683m. 100.60 (7) (b) of the statutes is amended to read:

100.60 **(7)** (b) The department ~~of safety and professional services~~ may promulgate a rule designating a fuel that can substitute for gasoline, that is derived from a renewable resource, and that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel as a gasoline–replacement renewable fuel for the purposes of this section.

SECTION 2685m. 101.02 (7r) (a) of the statutes is amended to read:

101.02 **(7r)** (a) Notwithstanding sub. (7) (a), no city, village, or town may enact or enforce an ordinance that establishes minimum standards for constructing, altering, or adding to public buildings or buildings that are places of employment unless that ordinance strictly conforms to the applicable rules under sub. (15) (j), except as provided in pars. (b) to (d) and sub. (7m).

SECTION 2692. 101.05 (2) of the statutes is amended to read:

101.05 **(2)** A bed and breakfast establishment, as defined under s. ~~254.61 (1)~~ 97.01 (1g), is not subject to building codes adopted by the department under this subchapter.

SECTION 2693. 101.12 (1) (intro.) of the statutes is amended to read:

101.12 **(1)** (intro.) Except for plans that are reviewed by the department of health services under ss. 50.02 (2) (b) ~~and~~, 50.025, 50.36 (2), or 50.92 (3m), the department shall require the submission of essential drawings, calculations and specifications for public buildings, public structures and places of employment including the following components:

SECTION 2694. 101.123 (1) (bn) 1. of the statutes is amended to read:

101.123 **(1)** (bn) 1. A bed and breakfast establishment, as defined in s. ~~254.61 (1)~~ 97.01 (1g).

SECTION 2695. 101.123 (1) (bn) 2. of the statutes is amended to read:

101.123 **(1)** (bn) 2. A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

SECTION 2696. 101.123 (1) (bn) 3. of the statutes is amended to read:

101.123 **(1)** (bn) 3. A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

SECTION 2697. 101.123 (1) (f) of the statutes is amended to read:

101.123 **(1)** (f) "Restaurant" ~~means an establishment as defined~~ has the meaning given in s. ~~254.61 (5)~~ 97.01 (14g).

SECTION 2699. 101.128 (1) (c) of the statutes is amended to read:

101.128 **(1)** (c) "Hotel" has the meaning given in s. ~~254.61 (3)~~ 97.01 (7).

SECTION 2700. 101.128 (1) (e) of the statutes is amended to read:

101.128 **(1)** (e) "Restaurant" has the meaning given in s. ~~254.61 (5)~~ 97.01 (14g).

SECTION 2705. 101.149 (1) (ag) of the statutes is amended to read:

101.149 **(1)** (ag) "Bed and breakfast establishment" has the meaning given in s. ~~254.61 (1)~~ 97.01 (1g).

SECTION 2706. 101.149 (1) (cm) of the statutes is amended to read:

101.149 **(1)** (cm) "Tourist rooming house" has the meaning given in s. ~~254.61 (6)~~ 97.01 (15k).

SECTION 2707. 101.149 (5) (c) of the statutes is amended to read:

101.149 **(5)** (c) All of the fuel–burning appliances in the residential building have sealed combustion units that are inspected as provided in the rules promulgated by the department under sub. (6) (b) or in the rules promulgated by the department ~~of health services~~ under s. ~~254.74~~ 97.625 (1) (am).

SECTION 2710. 101.149 (8) (a) of the statutes is amended to read:

101.149 **(8)** (a) If the department of safety and professional services or the department of ~~health services~~ agriculture, trade and consumer protection determines after an inspection of a building under this section or s. ~~254.74~~ 97.625 (1g) that the owner of the building has violated sub. (2) or (3), the respective department shall issue an order requiring the person to correct the violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit $50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

SECTION 2711. 101.31 of the statutes is repealed.

SECTION 2714. 101.63 (1) (intro.) of the statutes is amended to read:

101.63 **(1)** (intro.) Adopt rules which establish standards for the construction and inspection of one– and 2–family dwellings and components thereof. Where

feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning and other systems, including plumbing, as defined in s. 145.01 (10). No set of rules may be adopted which has not taken into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. Rules promulgated under this subsection do not apply to a bed and breakfast establishment, as defined under s. ~~254.61 (1)~~ 97.01 (1g), except that the rules apply to all of the following:

SECTION 2714m. 101.642 of the statutes is renumbered 101.642 (1).

SECTION 2714n. 101.642 (2) of the statutes is created to read:

101.642 **(2)** The department may not promulgate or enforce a rule that requires that any one– or 2–family dwelling contain an automatic fire sprinkler system, as defined in s. 145.01 (2).

SECTION 2715. 101.647 (1) (am) of the statutes is amended to read:

101.647 **(1)** (am) Notwithstanding s. 101.61 (1), "dwelling" does not include a tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

SECTION 2715m. 101.648 of the statutes is created to read:

101.648 Waiver; smoke detector and carbon monoxide detector requirements; plumbing and electrical standards. (1) In this section:

(a) "Building permit" means a permit that authorizes the construction or occupancy of a one– or 2–family dwelling.

(b) "Dwelling construction standard" means a requirement imposed under s. 101.645 (3) or 101.647 (3) or a requirement imposed under any provision of ch.101 or 145 or under any ordinance of a political subdivision relating to standards for electrical wiring or plumbing in one– and 2–family dwellings.

(c) "Political subdivision" means a city, village, town, or county.

(2) Except as provided in sub. (9), a person who is issued a waiver from a requirement to comply with a dwelling construction standard under this section is not required to comply with that standard.

(3) (a) Except as provided in par. (b), a person is eligible to obtain a waiver from the requirement to comply with a dwelling construction standard if the person submits a signed application form requesting the waiver to the political subdivision that is responsible for issuing building permits for dwellings. The application shall include an attachment containing the address or other identifying information that describes the location of the dwelling and specifying the dwelling construction standard from which the person seeks a compliance waiver.

(b) If the department issues building permits for dwellings in a political subdivision, a person applying for the waiver shall submit the application to the department.

(4) The department shall prescribe and furnish a waiver application form to each political subdivision that issues building permits for dwellings. The form shall be written in simple and plain language and shall list, in a check–off format, each of the following statements:

(a) The person's religious beliefs and the established tenets or teachings of the religious sect of which the person is a member conflict with one or more dwelling construction standards.

(b) The dwelling for which the waiver is requested will be used solely as a residence for the person or members of the person's household.

(c) The waiver is requested based upon the long–established tenets and teachings of the religious sect of which the person is a member and the religious sect

did not establish these tenets and teachings solely to avoid compliance with dwelling construction standards.

(d) The person agrees to modify the dwelling for which the waiver is requested to comply with dwelling construction standards if the person ceases to adhere to the tenets or teachings of the religious sect of which the person is a member and upon which the waiver is requested.

(5) A political subdivision that issues building permits and that receives a completed and signed waiver application form shall promptly issue a waiver to the applicant if all of the following apply:

(a) The political subdivision has no reason to believe that the statements provided by the applicant on the waiver application form are untrue.

(b) The political subdivision is satisfied that the waiver will not result in an unreasonable risk of harm to public health or safety.

(c) The waiver specifies those dwelling construction standards with which the applicant is not required to comply.

(6) A political subdivision that finds that an applicant is not entitled to receive a waiver under this section shall promptly notify the department of its finding together with a description of the political subdivision's basis for its finding. If the department agrees with the political subdivision's finding, it shall deny the waiver and notify the applicant that the waiver is denied. If the department disagrees with the political subdivision's finding, it shall issue the waiver to the applicant and notify the political subdivision that the department has issued the waiver. Upon receipt of the notice, the political subdivision shall waive the applicant's requirement to comply with the dwelling construction standards specified in the waiver.

(7) A person is entitled to obtain a waiver under this section before, during, or after construction of a one– or 2–family dwelling.

(8) Neither a municipality nor the department may charge a person a fee to apply for or to receive a waiver under this section.

(9) A waiver issued under this section is invalid if the political subdivision that issued the waiver or the department find that any of the following applies:

(a) A statement on the waiver form submitted by the person to whom the waiver was issued is untrue.

(b) The basis upon which the waiver was issued no longer applies.

(c) The dwelling is occupied by a person who does not hold the religious beliefs that form the basis for issuing the waiver.

(10) Neither the department nor a political subdivision may take any enforcement action, nor proceed with any enforcement action initiated on or before the effective date of this subsection .... [LRB inserts date], against a person with respect to a dwelling construction standard if the person has a valid waiver issued under this section that waives compliance with the requirement.

SECTION 2716. 101.654 (1m) (e) of the statutes is amended to read:

101.654 **(1m)** (e) ~~The continuing education approved by the department under par. (b) 1. shall include courses offered by private organizations with whom the department contracts under s. 101.657.~~ The department may approve <u>continuing education</u> courses that are offered by other states.

SECTION 2717. 101.657 of the statutes is repealed.

SECTION 2717m. 101.66 (1) of the statutes is amended to read:

101.66 **(1)** Except as provided in ~~sub.~~ subs. (1m) and (1r), every builder, designer, and owner shall use building materials, methods, and equipment which are in conformance with the one– and 2–family dwelling code.

SECTION 2718d. 101.66 (1r) of the statutes is created to read:

101.66 **(1r)** A builder, designer, or owner is not required to comply with those requirements of the one– and 2–family dwelling code for which a waiver is issued under s. 101.648.

SECTION 2718f. 101.86 (1) (a) of the statutes is amended to read:

101.86 **(1)** (a) Enact an electrical code or otherwise exercise jurisdiction over electrical wiring and inspection of electrical wiring by enactment of ordinances~~. An ordinance enacted under this paragraph may not be less restrictive than this subchapter~~, provided that the electrical code or ordinance strictly conforms with the state electrical wiring code promulgated by the department under s. 101.82 (1). A county ordinance shall apply in any city, village or town which has not enacted such an ordinance.

SECTION 2718g. 101.862 (4) (p) of the statutes is created to read:

101.862 **(4)** (p) A person engaged in installing, repairing, or maintaining a private on–site wastewater treatment system, as defined in s. 145.01 (12), if the activity only involves installing or modifying a conductor going from the system's junction, pull, or device box to the nearest disconnecting point and the conductor is buried with the system.

SECTION 2718h. 101.862 (4) (q) of the statutes is created to read:

101.862 **(4)** (q) A person engaged in installing, repairing, or maintaining a pump for a well if the activity only involves installing or modifying a conductor going

from the pump's junction, pull, or device box to the nearest disconnecting point and the conductor is buried with the pump.

SECTION 2720. 101.935 (2) (e) of the statutes is amended to read:

101.935 **(2)** (e) Section ~~254.69 (2)~~ 97.615 (2), as it applies to an agent for the department of ~~health services~~ agriculture, trade and consumer protection in the administration of s. ~~254.47~~ 97.67, applies to an agent for the department of safety and professional services in the administration of this section.

SECTION 2724m. 101.972 of the statutes is repealed.

SECTION 2725m. 101.974 (2) of the statutes is amended to read:

101.974 **(2)** Promulgate the rules under this subchapter ~~after consultation with the multifamily dwelling code council~~.

SECTION 2727. 102.01 (2) (a) of the statutes is renumbered 102.01 (2) (af).

SECTION 2728. 102.01 (2) (ad) of the statutes is created to read:

102.01 **(2)** (ad) "Administrator" means the administrator of the division of hearings and appeals in the department of administration.

SECTION 2731. 102.01 (2) (ar) of the statutes is created to read:

102.01 **(2)** (ar) "Division" means the division of hearings and appeals in the department of administration.

SECTION 2735d. 102.01 (2) (dm) of the statutes is amended to read:

102.01 **(2)** (dm) "Order" means any decision, rule, regulation, direction, requirement, or standard of the department or the division, or any other determination arrived at or decision made by the department or the division.

SECTION 2744d. 102.07 (8) (c) of the statutes is amended to read:

102.07 **(8)** (c) The ~~department~~ division may not admit in evidence any state or federal ~~laws, regulations, documents~~ law, regulation, or document granting

operating authority, or ~~licenses~~ license when determining whether an independent contractor meets the conditions specified in par. (b) 1. or 3.

SECTION 2746. 102.07 (12m) of the statutes is renumbered 102.07 (12m) (b) and amended to read:

102.07 **(12m)** (b) A student of a public school, ~~as described in s. 115.01 (1), or~~ a private school, ~~as defined in s. 115.001 (3r),~~ or an institution of higher education, while he or she is engaged in performing services as part of a school work training, work experience, or work study program, and who is not on the payroll of an employer that is providing the work training or work experience or who is not otherwise receiving compensation on which a worker's compensation carrier could assess premiums on that employer, is an employee of a school district ~~or~~, private school, or institution of higher education that elects under s. 102.077 to name the student as its employee.

SECTION 2747. 102.07 (12m) (a) of the statutes is created to read:

102.07 **(12m)** (a) In this subsection:

1. "Institution of higher education" means an institution within the University of Wisconsin System, a technical college, a tribally controlled college controlled by an Indian tribe that has elected under s. 102.05 (2) to become subject to this chapter, a school approved under s. 38.50, or a private, nonprofit institution of higher education located in this state.

2. "Private school" has the meaning given in s. 115.001 (3r).

3. "Public school" means a school described in s. 115.01 (1).

SECTION 2749. 102.077 (1) of the statutes is amended to read:

102.077 **(1)** A school district ~~or a~~ , private school, ~~as defined in s. 115.001 (3r),~~ or institution of higher education may elect to name as its employee for purposes of

this chapter a student described in s. 102.07 (12m) (b) by an endorsement on its policy of worker's compensation insurance or, if the school district ~~or~~, private school, or institution of higher education is exempt from the duty to insure under s. 102.28 (2) (a), by filing a declaration with the department in the manner provided in s. 102.31 (2) (a) naming the student as an employee of the school district ~~or~~, private school, or institution of higher education for purposes of this chapter. A declaration under this subsection shall list the name of the student to be covered under this chapter, the name and address of the employer that is providing the work training or work experience for that student, and the title, if any, of the work training, work experience, or work study program in which the student is participating.

SECTION 2751. 102.077 (2) of the statutes is amended to read:

102.077 **(2)** A school district ~~or~~, private school, or institution of higher education may revoke a declaration under sub. (1) by providing written notice to the department in the manner provided in s. 102.31 (2) (a), the student, and the employer who is providing the work training or work experience for that student. A revocation under this subsection is effective 30 days after the department receives notice of that revocation.

SECTION 2754d. 102.11 (1) (am) 1. of the statutes is amended to read:

102.11 **(1)** (am) 1. The employee is a member of a class of employees that does the same type of work at the same location and, in the case of an employee in the service of the state, is employed in the same office, department, independent agency, authority, institution, association, society, or other body in state government or, if the department or the division determines appropriate, in the same subunit of an office, department, independent agency, authority, institution, association, society, or other body in state government.

SECTION 2755d. 102.12 of the statutes is amended to read:

102.12 Notice of injury, exception, laches. No claim for compensation may be maintained unless, within 30 days after the occurrence of the injury or within 30 days after the employee knew or ought to have known the nature of his or her disability and its relation to the employment, actual notice was received by the employer or by an officer, manager or designated representative of an employer. If no representative has been designated by posters placed in one or more conspicuous places where notices to employees are customarily posted, then notice received by any superior is sufficient. Absence of notice does not bar recovery if it is found that the employer was not misled ~~thereby~~ by that absence. Regardless of whether notice was received, if no payment of compensation, other than medical treatment or burial expense, is made, and if no application is filed with the department within 2 years ~~from~~ after the date of the injury or death~~, or from~~ or the date the employee or his or her dependent knew or ought to have known the nature of the disability and its relation to the employment, the right to compensation ~~therefor~~ for the injury or death is barred, except that the right to compensation is not barred if the employer knew or should have known, within the 2–year period, that the employee had sustained the injury on which the claim is based. Issuance of notice of a hearing on the ~~department's own~~ motion of the department or the division has the same effect for the purposes of this section as the filing of an application. This section does not affect any claim barred under s. 102.17 (4).

SECTION 2757d. 102.13 (1) (c) of the statutes is amended to read:

102.13 **(1)** (c) So long as the employee, after a written request of the employer or insurer ~~which~~ that complies with par. (b), refuses to submit to or in any way obstructs the examination, the employee's right to begin or maintain any proceeding

for the collection of compensation is suspended, except as provided in sub. (4). If the employee refuses to submit to the examination after direction by the department, the division, or an examiner, or in any way obstructs the examination, the employee's right to the weekly indemnity ~~which~~ that accrues and becomes payable during the period of that refusal or obstruction, is barred, except as provided in sub. (4).

SECTION 2758. 102.13 (1) (d) 2. of the statutes is amended to read:

102.13 **(1)** (d) 2. Any physician, chiropractor, psychologist, dentist, physician assistant, advanced practice nurse prescriber, or podiatrist who attended a worker's compensation claimant for any condition or complaint reasonably related to the condition for which the claimant claims compensation may be required to testify before the ~~department~~ division when the ~~department~~ division so directs.

SECTION 2759d. 102.13 (1) (d) 3. of the statutes is amended to read:

102.13 **(1)** (d) 3. Notwithstanding any statutory provisions except par. (e), any physician, chiropractor, psychologist, dentist, physician assistant, advanced practice nurse prescriber, or podiatrist attending a worker's compensation claimant for any condition or complaint reasonably related to the condition for which the claimant claims compensation may furnish to the employee, employer, worker's compensation insurer, ~~or the~~ department, or division information and reports relative to a compensation claim.

SECTION 2760d. 102.13 (1) (f) of the statutes is amended to read:

102.13 **(1)** (f) If an employee claims compensation under s. 102.81 (1), the department or the division may require the employee to submit to physical or vocational examinations under this subsection.

SECTION 2761d. 102.13 (2) (a) of the statutes is amended to read:

102.13 **(2)** (a) An employee who reports an injury alleged to be work–related or files an application for hearing waives any physician–patient, psychologist–patient, or chiropractor–patient privilege with respect to any condition or complaint reasonably related to the condition for which the employee claims compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any physician, chiropractor, psychologist, dentist, podiatrist, physician assistant, advanced practice nurse prescriber, hospital, or health care provider shall, within a reasonable time after written request by the employee, employer, worker's compensation insurer, ~~or~~ department, or division, or its representative, provide that person with any information or written material reasonably related to any injury for which the employee claims compensation.

SECTION 2763d. 102.13 (3) of the statutes is amended to read:

102.13 **(3)** If 2 or more physicians, chiropractors, psychologists, dentists, or podiatrists disagree as to the extent of an injured employee's temporary disability, the end of an employee's healing period, an employee's ability to return to work at suitable available employment or the necessity for further treatment or for a particular type of treatment, the department or the division may appoint another physician, chiropractor, psychologist, dentist, or podiatrist to examine the employee and render an opinion as soon as possible. The department or the division shall promptly notify the parties of this appointment. If the employee has not returned to work, payment for temporary disability shall continue until the department or the division receives the opinion. The employer or its insurance carrier, or both, shall pay for the examination and opinion. The employer or insurance carrier, or both, shall receive appropriate credit for any overpayment to the employee determined by the department or the division after receipt of the opinion.

SECTION 2764d. 102.13 (4) of the statutes is amended to read:

102.13 **(4)** The ~~rights of employees~~ right of an employee to begin or maintain proceedings for the collection of compensation and to receive weekly indemnities ~~which~~ that accrue and become payable shall not be suspended or barred under sub. (1) when an employee refuses to submit to a physical examination, upon the request of the employer or worker's compensation insurer or at the direction of the department, the division, or an examiner, ~~which~~ that would require the employee to travel a distance of 100 miles or more from his or her place of residence, unless the employee has claimed compensation for treatment from a practitioner whose office is located 100 miles or more from the employee's place of residence or the department, division, or examiner determines that any other circumstances warrant the examination. If the employee has claimed compensation for treatment from a practitioner whose office is located 100 miles or more from the employee's place of residence, the employer or insurer may request, or the department, the division, or an examiner may direct, the employee to submit to a physical examination in the area where the employee's treatment practitioner is located.

SECTION 2765d. 102.13 (5) of the statutes is amended to read:

102.13 **(5)** The department or the division may refuse to receive testimony as to conditions determined from an autopsy if it appears that the party offering the testimony had procured the autopsy and had failed to make reasonable effort to notify at least one party in adverse interest or the department or the division at least 12 hours before the autopsy of the time and place ~~it~~ at which the autopsy would be performed, or that the autopsy was performed by or at the direction of the coroner or medical examiner or at the direction of the district attorney for purposes not

authorized ~~by~~ under ch. 979. The department or the division may withhold findings until an autopsy is held in accordance with its directions.

SECTION 2766d. 102.14 (title) of the statutes is amended to read:

102.14 (title) **Jurisdiction of department and division; advisory committee.**

SECTION 2767d. 102.14 (1) of the statutes is amended to read:

102.14 **(1)** ~~This~~ Except as otherwise provided, this chapter shall be administered by the department and the division.

SECTION 2768d. 102.14 (2) of the statutes is amended to read:

102.14 **(2)** The council on worker's compensation shall advise the department and the division in carrying out the purposes of this chapter~~. Such council~~, shall submit its recommendations with respect to amendments to this chapter to each regular session of the legislature, and shall report its views upon any pending bill relating to this chapter to the proper legislative committee. At the request of the chairpersons of the senate and assembly committees on labor, the department shall schedule a meeting of the council with the members of the senate and assembly committees on labor to review and discuss matters of legislative concern arising under this chapter.

SECTION 2769. 102.15 (1) of the statutes is amended to read:

102.15 **(1)** Subject to this chapter, the ~~department~~ division may adopt its own rules of procedure and may change the same from time to time.

SECTION 2770. 102.15 (2) of the statutes is amended to read:

102.15 **(2)** The ~~department~~ division may provide by rule the conditions under which transcripts of testimony and proceedings shall be furnished.

SECTION 2772d. 102.16 (1) of the statutes is renumbered 102.16 (1) (a) and amended to read:

102.16 **(1)** (a) Any controversy concerning compensation or a violation of sub. (3), including ~~controversies~~ a controversy in which the state may be a party, shall be submitted to the department in the manner and with the effect provided in this chapter. ~~Every compromise of any~~

(b) In the case of a claim for compensation ~~may be reviewed and set aside, modified or confirmed by the department~~ with respect to which no application has been filed under s. 102.17 (1) (a) 1. or with respect to which an application has been filed, but the application is not ready to be scheduled for a hearing, the department may review and set aside, modify, or confirm a compromise of the claim within one year ~~from~~ after the date on which the compromise is filed with the department, ~~or from~~ the date on which an award has been entered based on the compromise, or the date on which an application for the office to take any of those actions is filed with the department.

(c) In the case of a claim for compensation with respect to which an application has been filed under s. 102.17 (1) (a) 1., if the application is ready to be scheduled for a hearing, the division may review and set aside, modify, or confirm a compromise of the claim within one year after the date on which the compromise is filed with the division, the date on which an award has been entered~~, based thereon, or the department may take that action upon application made within one year. Unless~~ based on the compromise, or the date on which an application for the division to take any of those actions is filed with the division.

(d) Unless the word "compromise" appears in a stipulation of settlement, the settlement shall not be ~~deemed~~ considered a compromise, and further claim is not

barred except as provided in s. 102.17 (4) regardless of whether an award is made. The employer, insurer, or dependent under s. 102.51 (5) shall have equal rights with the employee to have ~~review of~~ a compromise or any other stipulation of settlement reviewed under this subsection. Upon petition filed with the ~~department, the~~ department or the division under this subsection, the department or the division may set aside the award or otherwise determine the rights of the parties.

SECTION 2773d. 102.16 (1m) (a) of the statutes is amended to read:

102.16 **(1m)** (a) If an insurer or self–insured employer concedes by compromise under sub. (1) or stipulation under s. 102.18 (1) (a) that the insurer or self–insured employer is liable under this chapter for any health services provided to an injured employee by a health service provider, but disputes the reasonableness of the fee charged by the health service provider, the department or the division may include in its order confirming the compromise or stipulation a determination made by the department under sub. (2) as to the reasonableness of the fee or ~~the department~~, if such a determination has not yet been made, the department or the division may notify, or direct the insurer or self–insured employer to notify, the health service provider under sub. (2) (b) that the reasonableness of the fee is in dispute. The department or the division shall deny payment of a health service fee that the department determines under ~~this paragraph~~ sub. (2) to be unreasonable. A health service provider and an insurer or self–insured employer that are parties to a fee dispute under this paragraph are bound by the department's determination under ~~this paragraph~~ sub. (2) on the reasonableness of the disputed fee, unless that determination is set aside, reversed, or modified by the department under sub. (2) (f) or is set aside on judicial review as provided in sub. (2) (f).

SECTION 2774d. 102.16 (1m) (b) of the statutes is amended to read:

102.16 **(1m)** (b) If an insurer or self–insured employer concedes by compromise under sub. (1) or stipulation under s. 102.18 (1) (a) that the insurer or self–insured employer is liable under this chapter for any treatment provided to an injured employee by a health service provider, but disputes the necessity of the treatment, the department or the division may include in its order confirming the compromise or stipulation a determination made by the department under sub. (2m) as to the necessity of the treatment or ~~the department~~, if such a determination has not yet been made, the department or the division may notify, or direct the insurer or self–insured employer to notify, the health service provider under sub. (2m) (b) that the necessity of the treatment is in dispute. Before determining under ~~this paragraph~~ sub. (2m) the necessity of treatment provided to an injured employee, the department may, but is not required to, obtain the opinion of an expert selected by the department who is qualified as provided in sub. (2m) (c). The standards promulgated under sub. (2m) (g) shall be applied by an expert and by the department in rendering an opinion as to, and in determining, necessity of treatment under this paragraph. In cases in which no standards promulgated under sub. (2m) (g) apply, the department shall find the facts regarding necessity of treatment. The department or the division shall deny payment for any treatment that the department determines under ~~this paragraph~~ sub. (2m) to be unnecessary. A health service provider and an insurer or self–insured employer that are parties to a dispute under this paragraph over the necessity of treatment are bound by the department's determination under ~~this paragraph~~ sub. (2m) on the necessity of the disputed treatment, unless that determination is set aside, reversed, or modified by the department under sub. (2m) (e) or is set aside on judicial review as provided in sub. (2m) (e).

SECTION 2775d. 102.16 (1m) (c) of the statutes is amended to read:

102.16 **(1m)** (c) If an insurer or self–insured employer concedes by compromise under sub. (1) or stipulation under s. 102.18 (1) (a) that the insurer or self–insured employer is liable under this chapter for the cost of a prescription drug dispensed under s. 102.425 (2) for outpatient use by an injured employee, but disputes the reasonableness of the amount charged for the prescription drug, the department or the division may include in its order confirming the compromise or stipulation a determination made by the department under s. 102.425 (4m) as to the reasonableness of the prescription drug charge or ~~the department~~, if such a determination has not yet been made, the department or the division may notify, or direct the insurer or self–insured employer to notify, the pharmacist or practitioner dispensing the prescription drug under s. 102.425 (4m) (b) that the reasonableness of the prescription drug charge is in dispute. The department or the division shall deny payment of a prescription drug charge that the department determines under ~~this paragraph~~ s. 102.425 (4m) to be unreasonable. A pharmacist or practitioner and an insurer or self–insured employer that are parties to a dispute under this paragraph over the reasonableness of a prescription drug charge are bound by the department's determination under ~~this paragraph~~ s. 102.425 (4m) on the reasonableness of the disputed prescription drug charge, unless that determination is set aside, reversed, or modified by the department under s. 102.425 (4m) (e) or is set aside on judicial review as provided in s. 102.425 (4m) (e).

SECTION 2776d. 102.16 (2) (a) of the statutes is amended to read:

102.16 **(2)** (a) Except as provided in this paragraph, the department has jurisdiction under this subsection, the department and the division have jurisdiction under sub. (1m) (a), and the division has jurisdiction under s. 102.17 to resolve a

dispute between a health service provider and an insurer or self–insured employer over the reasonableness of a fee charged by the health service provider for health services provided to an injured employee who claims benefits under this chapter. A health service provider may not submit a fee dispute to the department under this subsection before all treatment by the health service provider of the employee's injury has ended if the amount in controversy, whether based on a single charge or a combination of charges for one or more days of service, is less than $25. After all treatment by a health service provider of an employee's injury has ended, the health service provider may submit any fee dispute to the department, regardless of the amount in controversy. The department shall deny payment of a health service fee that the department determines under this subsection to be unreasonable.

SECTION 2778d. 102.16 (2) (b) of the statutes is amended to read:

102.16 **(2)** (b) An insurer or self–insured employer that disputes the reasonableness of a fee charged by a health service provider or the department <u>or the division</u> under sub. (1m) (a) or s. 102.18 (1) (bg) 1. shall provide reasonable written notice to the health service provider that the fee is being disputed. After receiving reasonable written notice under this paragraph or under sub. (1m) (a) or s. 102.18 (1) (bg) 1. that a health service fee is being disputed, a health service provider may not collect the disputed fee from, or bring an action for collection of the disputed fee against, the employee who received the services for which the fee was charged.

SECTION 2785d. 102.16 (2m) (a) of the statutes is amended to read:

102.16 **(2m)** (a) Except as provided in this paragraph, the department has jurisdiction under this subsection, <u>the department and the division have jurisdiction under</u> sub. (1m) (b), and <u>the division has jurisdiction under</u> s. 102.17 to resolve a dispute between a health service provider and an insurer or self–insured employer

over the necessity of treatment provided for an injured employee who claims benefits under this chapter. A health service provider may not submit a dispute over necessity of treatment to the department under this subsection before all treatment by the health service provider of the employee's injury has ended if the amount in controversy, whether based on a single charge or a combination of charges for one or more days of service, is less than $25. After all treatment by a health service provider of an employee's injury has ended, the health service provider may submit any dispute over necessity of treatment to the department, regardless of the amount in controversy. The department shall deny payment for any treatment that the department determines under this subsection to be unnecessary.

SECTION 2787d. 102.16 (2m) (b) of the statutes is amended to read:

102.16 **(2m)** (b) An insurer or self–insured employer that disputes the necessity of treatment provided by a health service provider or the department <u>or the division</u> under sub. (1m) (b) or s. 102.18 (1) (bg) 2. shall provide reasonable written notice to the health service provider that the necessity of that treatment is being disputed. After receiving reasonable written notice under this paragraph or under sub. (1m) (b) or s. 102.18 (1) (bg) 2. that the necessity of treatment is being disputed, a health service provider may not collect a fee for that disputed treatment from, or bring an action for collection of the fee for that disputed treatment against, the employee who received the treatment.

SECTION 2793d. 102.16 (4) of the statutes is amended to read:

102.16 **(4)** The department ~~has~~ <u>and the division have</u> jurisdiction to pass on any question arising out of sub. (3) and ~~has jurisdiction~~ to order the employer to reimburse an employee or other person for any sum deducted from wages or paid by him or her in violation of that subsection. In addition to the penalty provided in s.

102.85 (1), any employer violating sub. (3) shall be liable to an injured employee for the reasonable value of the necessary services rendered to that employee ~~pursuant to~~ under any arrangement made in violation of sub. (3) without regard to that employee's actual disbursements for ~~the same~~ those services.

SECTION 2794d. 102.17 (1) (a) 1. of the statutes is amended to read:

102.17 **(1)** (a) 1. Upon the filing with the department by any party in interest of any application in writing stating the general nature of any claim as to which any dispute or controversy may have arisen, the department shall mail a copy of the application to all other parties in interest, and the insurance carrier shall be considered a party in interest. The department or the division may bring in additional parties by service of a copy of the application.

SECTION 2795. 102.17 (1) (a) 2. of the statutes is amended to read:

102.17 **(1)** (a) 2. Subject to subd. 3., the ~~department~~ division shall cause notice of hearing on the application to be given to each interested party~~,~~ by service of that notice on the interested party personally or by mailing a copy of that notice to the interested party's last–known address at least 10 days before the hearing. If a party in interest is located without this state, and has no post–office address within this state, the copy of the application and copies of all notices shall be filed with the department of financial institutions and shall also be sent by registered or certified mail to the last–known post–office address of the party. Such filing and mailing shall constitute sufficient service, with the same effect as if served upon a party located within this state.

SECTION 2796d. 102.17 (1) (a) 3. of the statutes is amended to read:

102.17 **(1)** (a) 3. If a party in interest claims that the employer or insurer has acted with malice or bad faith as described in s. 102.18 (1) (b) or (bp), that party shall

provide written notice stating with reasonable specificity the basis for the claim to the employer, the insurer, ~~and~~ the department, and the division before the ~~department~~ division schedules a hearing on the claim of malice or bad faith.

SECTION 2797. 102.17 (1) (a) 4. of the statutes is amended to read:

102.17 **(1)** (a) 4. The hearing may be adjourned in the discretion of the ~~department~~ division, and hearings may be held at such places as the ~~department~~ division designates, within or without the state. The ~~department~~ division may also arrange to have hearings held by the commission, officer, or tribunal having authority to hear cases arising under the worker's compensation law of any other state, of the District of Columbia, or of any territory of the United States, with the testimony and proceedings at any such hearing to be reported to the ~~department~~ division and to be made part of the record in the case. Any evidence so taken shall be subject to rebuttal upon final hearing before the ~~department~~ division.

SECTION 2798. 102.17 (1) (b) of the statutes is amended to read:

102.17 **(1)** (b) In any dispute or controversy pending before the ~~department~~ division, the ~~department~~ division may direct the parties to appear before an examiner for a conference to consider the clarification of issues, the joining of additional parties, the necessity or desirability of amendments to the pleadings, the obtaining of admissions of fact or of documents, records, reports, and bills ~~which~~ that may avoid unnecessary proof, and such other matters as may aid in disposition of the dispute or controversy. After ~~this~~ that conference the ~~department~~ division may issue an order requiring disclosure or exchange of any information or written material ~~which it~~ that the division considers material to the timely and orderly disposition of the dispute or controversy. If a party fails to disclose or exchange that information within the time stated in the order, the ~~department~~ division may issue an order

dismissing the claim without prejudice or excluding evidence or testimony relating to the information or written material. The ~~department~~ division shall provide each party with a copy of any order issued under this paragraph.

SECTION 2799d. 102.17 (1) (c) of the statutes is renumbered 102.17 (1) (c) 1. and amended to read:

102.17 **(1)** (c) 1. Any party shall have the right to be present at any hearing, in person or by attorney or any other agent, and to present such testimony as may be pertinent to the controversy before the ~~department~~ division. No person, firm, or corporation, other than an attorney at law who is licensed to practice law in the state, may appear on behalf of any party in interest before the ~~department~~ division or any member or employee of the ~~department~~ division assigned to conduct any hearing, investigation, or inquiry relative to a claim for compensation or benefits under this chapter, unless the person is 18 years of age or older, does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, is otherwise qualified, and has obtained from the department a license with authorization to appear in matters or proceedings before the ~~department~~ division. Except as provided under pars. (cm), (cr), and (ct), the license shall be issued by the department under rules promulgated by the department. The department shall maintain in its office a current list of persons to whom licenses have been issued.

2. Any license issued under subd. 1. may be suspended or revoked by the department for fraud or serious misconduct on the part of an agent, ~~any license~~ may be denied, suspended, nonrenewed, or otherwise withheld by the department for failure to pay court–ordered payments as provided in par. (cm) on the part of an agent, and ~~any license~~ may be denied or revoked if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes

or if the department determines under par. (ct) that the applicant or licensee is liable for delinquent unemployment insurance contributions. Before suspending or revoking the license of the agent on the grounds of fraud or misconduct, the department shall give notice in writing to the agent of the charges of fraud or misconduct and shall give the agent full opportunity to be heard in relation to those charges. In denying, suspending, restricting, refusing to renew, or otherwise withholding a license for failure to pay court–ordered payments as provided in par. (cm), the department shall follow the procedure provided in a memorandum of understanding entered into under s. 49.857. ~~The license and certificate of authority shall, unless~~

3. Unless otherwise suspended or revoked, a license issued under subd. 1. shall be in force from the date of issuance until the June 30 following the date of issuance and may be renewed by the department from time to time, but each renewed license shall expire on the June 30 following the issuance of the renewed license.

SECTION 2807. 102.17 (1) (d) 1. of the statutes is amended to read:

102.17 **(1)** (d) 1. The contents of certified medical and surgical reports by physicians, podiatrists, surgeons, dentists, psychologists, physician assistants, advanced practice nurse prescribers, and chiropractors licensed in and practicing in this state, and of certified reports by experts concerning loss of earning capacity under s. 102.44 (2) and (3), presented by a party for compensation constitute prima facie evidence as to the matter contained in those reports, subject to any rules and limitations the ~~department~~ division prescribes. Certified reports of physicians, podiatrists, surgeons, dentists, psychologists, physician assistants, advanced practice nurse prescribers, and chiropractors, wherever licensed and practicing, who have examined or treated the claimant, and of experts, if the practitioner or expert

consents to being subjected to cross–examination, also constitute prima facie evidence as to the matter contained in those reports. Certified reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are admissible as evidence of the diagnosis, necessity of the treatment, and cause and extent of the disability. Certified reports by doctors of dentistry, physician assistants, and advanced practice nurse prescribers are admissible as evidence of the diagnosis and necessity of treatment but not of the cause and extent of disability. Any physician, podiatrist, surgeon, dentist, psychologist, chiropractor, physician assistant, advanced practice nurse prescriber, or expert who knowingly makes a false statement of fact or opinion in ~~such~~ a certified report may be fined or imprisoned, or both, under s. 943.395.

SECTION 2808. 102.17 (1) (d) 2. of the statutes is amended to read:

102.17 **(1)** (d) 2. The record of a hospital or sanatorium in this state that is satisfactory to the ~~department~~ division, established by certificate, affidavit, or testimony of the supervising officer of the hospital or sanitorium, any other person having charge of the record, or a physician, podiatrist, surgeon, dentist, psychologist, physician assistant, advanced practice nurse prescriber, or chiropractor to be the record of the patient in question, and made in the regular course of examination or treatment of the patient, constitutes prima facie evidence as to the matter contained in the record, to the extent that the record is otherwise competent and relevant.

SECTION 2809. 102.17 (1) (d) 3. of the statutes is amended to read:

102.17 **(1)** (d) 3. The ~~department~~ division may, by rule, establish the qualifications of and the form used for certified reports submitted by experts who provide information concerning loss of earning capacity under s. 102.44 (2) and (3). The ~~department~~ division may not admit into evidence a certified report of a practitioner or other expert or a record of a hospital or sanatorium that was not filed

with the ~~department~~ division and all parties in interest at least 15 days before the date of the hearing, unless the ~~department~~ division is satisfied that there is good cause for the failure to file the report.

SECTION 2810. 102.17 (1) (d) 4. of the statutes is amended to read:

102.17 **(1)** (d) 4. A report or record described in subd. 1., 2., or 3. that is admitted or received into evidence by the ~~department~~ division constitutes substantial evidence under s. 102.23 (6) as to the matter contained in the report or record.

SECTION 2811. 102.17 (1) (e) of the statutes is amended to read:

102.17 **(1)** (e) The ~~department~~ division may, with or without notice to any party, cause testimony to be taken, an inspection of the premises where the injury occurred to be made, or the time books and payrolls of the employer to be examined by any examiner, and may direct any employee claiming compensation to be examined by a physician, chiropractor, psychologist, dentist, or podiatrist. The testimony so taken, and the results of any such inspection or examination, shall be reported to the ~~department~~ division for its consideration upon final hearing. All ex parte testimony taken by the ~~department~~ division shall be reduced to writing, and any party shall have opportunity to rebut that testimony on final hearing.

SECTION 2812. 102.17 (1) (f) of the statutes is amended to read:

102.17 **(1)** (f) Sections 804.05 and 804.07 shall not apply to proceedings under this chapter, except as to a witness who is any of the following:

1. ~~Who is beyond~~ Beyond reach of the subpoena of the ~~department; or~~ division.

2. ~~Who is about~~ About to go out of the state, not intending to return in time for the ~~hearing; or~~ hearing.

3. ~~Who is so~~ So sick, infirm, or aged as to make it probable that the witness will not be able to attend the ~~hearing; or~~ hearing.

4. ~~Who is a~~ A member of the legislature, if any committee of the ~~same or~~ legislature or of the house of which the witness is a member~~,~~ is in session~~, provided~~ and the witness waives his or her privilege.

SECTION 2813. 102.17 (1) (g) of the statutes is amended to read:

102.17 **(1)** (g) Whenever the testimony presented at any hearing indicates a dispute or creates a doubt as to the extent or cause of disability or death, the ~~department~~ division may direct that the injured employee be examined, that an autopsy be performed, or that an opinion be obtained without examination or autopsy, by or from an impartial, competent physician, chiropractor, dentist, psychologist or podiatrist designated by the ~~department~~ division who is not under contract with or regularly employed by a compensation insurance carrier or self–insured employer. The expense of the examination, autopsy, or opinion shall be paid by the employer or, if the employee claims compensation under s. 102.81, from the uninsured employers fund. The report of the examination, autopsy, or opinion shall be transmitted in writing to the ~~department~~ division and a copy of the report shall be furnished by the ~~department~~ division to each party, who shall have an opportunity to rebut ~~such~~ the report on further hearing.

SECTION 2814d. 102.17 (1) (h) of the statutes is amended to read:

102.17 **(1)** (h) The contents of certified reports of investigation~~,~~ made by industrial safety specialists who are employed, contracted, or otherwise secured by the department or the division and who are available for cross–examination, if served upon the parties 15 days prior to hearing, shall constitute prima facie evidence as to matter contained in those reports. A report described in this paragraph that is admitted or received into evidence by the ~~department~~ division

constitutes substantial evidence under s. 102.23 (6) as to the matter contained in the report.

SECTION 2815. 102.17 (2) of the statutes is amended to read:

102.17 **(2)** If the ~~department shall have~~ division has reason to believe that the payment of compensation has not been made, ~~it~~ the division may on its own motion give notice to the parties, in the manner provided for the service of an application, of a time and place when a hearing will be held for the purpose of determining the facts. ~~Such~~ The notice shall contain a statement of the matter to be considered. ~~Thereafter all other~~ All provisions of this chapter governing proceedings on an application shall ~~attach~~ apply, insofar as ~~the same may be~~ applicable, to a proceeding under this subsection. When the ~~department~~ division schedules a hearing on its own motion, the ~~department~~ division does not become a party in interest and is not required to appear at the hearing.

SECTION 2816d. 102.17 (2m) of the statutes is amended to read:

102.17 **(2m)** ~~Any~~ The division or any party, including the department, may require any person to produce books, papers, and records at the hearing by personal service of a subpoena upon the person along with a tender of witness fees as provided in ss. 814.67 and 885.06. Except as provided in sub. (2s), the subpoena shall be on a form provided by the ~~department~~ division and shall give the name and address of the party requesting the subpoena.

SECTION 2817. 102.17 (2s) of the statutes is amended to read:

102.17 **(2s)** A party's attorney of record may issue a subpoena to compel the attendance of a witness or the production of evidence. A subpoena issued by an attorney must be in substantially the same form as provided in s. 805.07 (4) and must be served in the manner provided in s. 805.07 (5). The attorney shall, at the time of

issuance, send a copy of the subpoena to the ~~appeal tribunal~~ hearing examiner or other representative of the ~~department~~ division responsible for conducting the proceeding.

SECTION 2818. 102.17 (7) (b) of the statutes is amended to read:

102.17 **(7)** (b) Except as provided in par. (c), the ~~department~~ division shall exclude from evidence testimony or certified reports from expert witnesses under par. (a) offered by the party that raises the issue of loss of earning capacity if that party failed to notify the ~~department~~ division and the other parties of interest, at least 60 days before the date of the hearing, of the party's intent to provide the testimony or reports and of the names of the expert witnesses involved. Except as provided in par. (c), the ~~department~~ division shall exclude from evidence testimony or certified reports from expert witnesses under par. (a) offered by a party of interest in response to the party that raises the issue of loss of earning capacity if the responding party failed to notify the ~~department~~ division and the other parties of interest, at least 45 days before the date of the hearing, of the party's intent to provide the testimony or reports and of the names of the expert witnesses involved.

SECTION 2819. 102.17 (7) (c) of the statutes is amended to read:

102.17 **(7)** (c) Notwithstanding the notice deadlines provided in par. (b), the ~~department~~ division may receive in evidence testimony or certified reports from expert witnesses under par. (a) when the applicable notice deadline under par. (b) is not met if good cause is shown for the delay in providing the notice required under par. (b) and if no party is prejudiced by the delay.

SECTION 2820. 102.17 (8) of the statutes is amended to read:

102.17 **(8)** Unless otherwise agreed to by all parties, an injured employee shall file with the ~~department~~ division and serve on all parties at least 15 days before the

date of the hearing an itemized statement of all medical expenses and incidental compensation under s. 102.42 claimed by the injured employee. The itemized statement shall include, if applicable, information relating to any travel expenses incurred by the injured employee in obtaining treatment including the injured employee's destination, number of trips, round trip mileage, and meal and lodging expenses. The ~~department~~ division may not admit into evidence any information relating to medical expenses and incidental compensation under s. 102.42 claimed by an injured employee if the injured employee failed to file with the ~~department~~ division and serve on all parties at least 15 days before the date of the hearing an itemized statement of the medical expenses and incidental compensation under s. 102.42 claimed by the injured employee, unless the ~~department~~ division is satisfied that there is good cause for the failure to file and serve the itemized statement.

SECTION 2821. 102.175 (2) of the statutes is amended to read:

102.175 **(2)** If after a hearing or a prehearing conference the ~~department~~ division determines that an injured employee is entitled to compensation but that there remains in dispute only the issue of which of 2 or more parties is liable for that compensation, the ~~department~~ division may order one or more parties to pay compensation in an amount, time, and manner as determined by the ~~department~~ division. If the ~~department~~ division later determines that another party is liable for compensation, the ~~department~~ division shall order that other party to reimburse any party that was ordered to pay compensation under this subsection.

SECTION 2822. 102.18 (1) (b) of the statutes is amended to read:

102.18 **(1)** (b) Within 90 days after the final hearing and close of the record, the ~~department~~ division shall make and file its findings upon the ultimate facts involved in the controversy, and its order, which shall state ~~its~~ the division's determination as

to the rights of the parties. Pending the final determination of any controversy before it, the ~~department may in its discretion~~ division, after any hearing, may, in its discretion, make interlocutory findings, orders, and awards, which may be enforced in the same manner as final awards. The ~~department~~ division may include in any interlocutory or final award or order an order directing the employer or insurer to pay for any future treatment that may be necessary to cure and relieve the employee from the effects of the injury. If the ~~department~~ division finds that the employer or insurer has not paid any amount that the employer or insurer was directed to pay in any interlocutory order or award and that the nonpayment was not in good faith, the ~~department~~ division may include in its final award a penalty not exceeding ~~25%~~ 25 percent of each amount that was not paid as directed. When there is a finding that the employee is in fact suffering from an occupational disease caused by the employment of the employer against whom the application is filed, a final award dismissing the application upon the ground that the applicant has suffered no disability from the disease shall not bar any claim the employee may ~~thereafter~~ have for disability sustained after the date of the award.

SECTION 2823d. 102.18 (1) (bg) 1. of the statutes is amended to read:

102.18 **(1)** (bg) 1. If the ~~department~~ division finds under par. (b) that an insurer or self–insured employer is liable under this chapter for any health services provided to an injured employee by a health service provider, but that the reasonableness of the fee charged by the health service provider is in dispute, the ~~department~~ division may include in its order under par. (b) a determination made by the department under s. 102.16 (2) as to the reasonableness of the fee or ~~the department~~, if such a determination has not yet been made, the division may notify, or direct the insurer or self–insured employer to notify, the health service provider under s. 102.16 (2) (b)

that the reasonableness of the fee is in dispute. ~~The department shall deny payment of a health service fee that the department determines under this subdivision to be unreasonable. An insurer or self–insured employer and a health service provider that are parties to a fee dispute under this subdivision are bound by the department's determination under this subdivision on the reasonableness of the disputed fee, unless that determination is set aside, reversed, or modified by the department under sub. (3) or by the commission under sub. (3) or (4) or is set aside on judicial review under s. 102.23.~~

SECTION 2824d. 102.18 (1) (bg) 2. of the statutes is amended to read:

102.18 **(1)** (bg) 2. If the ~~department~~ division finds under par. (b) that an employer or insurance carrier is liable under this chapter for any treatment provided to an injured employee by a health service provider, but that the necessity of the treatment is in dispute, the ~~department~~ division may include in its order under par. (b) a determination made by the department under s. 102.16 (2m) as to the necessity of the treatment or ~~the department~~, if such a determination has not yet been made, the division may notify, or direct the employer or insurance carrier to notify, the health service provider under s. 102.16 (2m) (b) that the necessity of the treatment is in dispute. ~~Before determining under this subdivision the necessity of treatment provided to an injured employee, the department may, but is not required to, obtain the opinion of an expert selected by the department who is qualified as provided in s. 102.16 (2m) (c). The standards promulgated under s. 102.16 (2m) (g) shall be applied by an expert in rendering an opinion as to, and in determining, necessity of treatment under this subdivision. In cases in which no standards promulgated under s. 102.16 (2m) (g) apply, the department shall find the facts regarding necessity of treatment. The department shall deny payment for any treatment that~~

~~the department determines under this subdivision to be unnecessary. An insurer or self–insured employer and a health service provider that are parties to a dispute under this subdivision over the necessity of treatment are bound by the department's determination under this subdivision on the necessity of the disputed treatment, unless that determination is set aside, reversed, or modified by the department~~ division ~~under sub. (3) or by the commission under sub. (3) or (4) or is set aside on judicial review under s. 102.23.~~

SECTION 2825d. 102.18 (1) (bg) 3. of the statutes is amended to read:

102.18 **(1)** (bg) 3. If the ~~department~~ division finds under par. (b) that an insurer or self–insured employer is liable under this chapter for the cost of a prescription drug dispensed under s. 102.425 (2) for outpatient use by an injured employee, but that the reasonableness of the amount charged for that prescription drug is in dispute, the ~~department~~ division may include in its order under par. (b) a determination made by the department under s. 102.425 (4m) as to the reasonableness of the prescription drug charge or ~~the department~~, if such a determination has not yet been made, the division may notify, or direct the insurer or self–insured employer to notify, the pharmacist or practitioner dispensing the prescription drug under s. 102.425 (4m) (b) that the reasonableness of the prescription drug charge is in dispute. ~~The department shall deny payment of a prescription drug charge that the department determines under this subdivision to be unreasonable. An insurer or self–insured employer and a pharmacist or practitioner that are parties to a dispute under this subdivision over the reasonableness of a prescription drug charge are bound by the department's determination under par. (b) on the reasonableness of the disputed prescription drug charge, unless that determination is set aside, reversed, or modified by the~~

~~department under sub. (3) or by the commission under sub. (3) or (4) or is set aside on judicial review under s. 102.23.~~

SECTION 2826. 102.18 (1) (bp) of the statutes is amended to read:

102.18 **(1)** (bp) If the ~~department~~ division determines that the employer or insurance carrier suspended, terminated, or failed to make payments or failed to report an injury as a result of malice or bad faith, the ~~department~~ division may include a penalty in an award to an employee for each event or occurrence of malice or bad faith. ~~This~~ That penalty is the exclusive remedy against an employer or insurance carrier for malice or bad faith. If ~~this~~ the penalty is imposed for an event or occurrence of malice or bad faith that causes a payment that is due an injured employee to be delayed in violation of s. 102.22 (1) or overdue in violation of s. 628.46 (1), the ~~department~~ division may not also order an increased payment under s. 102.22 (1) or the payment of interest under s. 628.46 (1). The ~~department~~ division may award an amount that ~~it~~ the division considers just, not to exceed the lesser of 200 percent of total compensation due or $30,000 for each event or occurrence of malice or bad faith. The ~~department~~ division may assess the penalty against the employer, the insurance carrier, or both. Neither the employer nor the insurance carrier is liable to reimburse the other for the penalty amount. The ~~department~~ division may, by rule, define actions ~~which~~ that demonstrate malice or bad faith.

SECTION 2827d. 102.18 (1) (bw) of the statutes is amended to read:

102.18 **(1)** (bw) If an insurer, a self–insured employer, or, if applicable, the uninsured employers fund pays compensation to an employee in excess of its liability and another insurer or self–insured employer is liable for all or part of the excess payment, the department or the division may order the insurer or self–insured employer that is liable for that excess payment to reimburse the insurer or

self–insured employer that made the excess payment or, if applicable, the uninsured employers fund.

SECTION 2828. 102.18 (1) (c) of the statutes is amended to read:

102.18 **(1)** (c) If 2 or more examiners have conducted a formal hearing on a claim and are unable to agree on the order or award to be issued, the decision shall be the decision of the majority. If the examiners are equally divided on the decision, the ~~department~~ division may appoint an additional examiner who shall review the record and consult with the other examiners concerning their ~~personal~~ impressions of the credibility of the evidence. Findings of fact and an order or award may then be issued by a majority of the examiners.

SECTION 2829d. 102.18 (1) (e) of the statutes is amended to read:

102.18 **(1)** (e) Except as provided in s. 102.21, if the department or the division orders a party to pay an award of compensation, the party shall pay the award no later than 21 days after the date on which the order is mailed to the last–known address of the party, unless the party files a petition for review under sub. (3). This paragraph applies to all awards of compensation ordered by the department or the division, whether the award results from a hearing, the default of a party, or a compromise or stipulation confirmed by the department or the division.

SECTION 2830d. 102.18 (2) of the statutes is renumbered 102.18 (2) (a) and amended to read:

102.18 **(2)** (a) The department shall have and maintain on its staff such examiners as are necessary to hear and decide ~~disputed~~ claims for compensation described in s. 102.16 (1) (b) and to assist in the effective administration of this chapter. ~~These examiners~~

(c) Examiners under pars. (a) and (b) shall be attorneys and may be designated as administrative law judges. ~~These~~ Those examiners may make findings and orders~~,~~ and may approve, review, set aside, modify, or confirm stipulations of settlement or compromises of claims for compensation.

SECTION 2830e. 102.18 (2) (b) of the statutes is created to read:

102.18 **(2)** (b) The division shall have and maintain on its staff such examiners as are necessary to decide claims for compensation described in s. 102.16 (1) (c) and to assist in the effective adjudication of claims under this chapter. The administrator shall require at least 18 examiners employed by the division to devote not less than 80 percent of their work time to the duties specified in this paragraph.

SECTION 2831d. 102.18 (3) of the statutes is amended to read:

102.18 **(3)** A party in interest may petition the commission for review of an examiner's decision awarding or denying compensation if the department, the division, or the commission receives the petition within 21 days after the department or the division mailed a copy of the examiner's findings and order to the ~~party's~~ last-known ~~address~~ addresses of the parties in interest. The commission shall dismiss a petition ~~which~~ that is not timely filed unless the petitioner shows probable good cause that the reason for failure to timely file was beyond the petitioner's control. If no petition is filed within 21 days ~~from~~ after the date ~~that~~ on which a copy of the findings or order of the examiner is mailed to the last-known ~~address~~ addresses of the parties in interest, the findings or order shall be considered final unless set aside, reversed, or modified by the examiner within that time. If the findings or order are set aside by the examiner, the status shall be the same as prior to the setting aside of the findings or order ~~set aside~~. If the findings or order are reversed or modified by the examiner, the time for filing a petition commences ~~with~~

on the date ~~that~~ on which notice of reversal or modification is mailed to the last–known ~~address~~ addresses of the parties in interest. The commission shall either affirm, reverse, set aside, or modify the findings or order, in whole or in part, or direct the taking of additional evidence. ~~This~~ The commission's action shall be based on a review of the evidence submitted.

SECTION 2833d. 102.18 (4) (c) 3. of the statutes is amended to read:

102.18 **(4)** (c) 3. Remand the case to the department or the division for further proceedings.

SECTION 2834d. 102.18 (4) (d) of the statutes is amended to read:

102.18 **(4)** (d) While a petition for review by the commission is pending or after entry of an order or award by the commission but before commencement of an action for judicial review or expiration of the period in which to commence an action for judicial review, the commission shall remand any compromise presented to it to the department or the division for consideration and approval or rejection ~~pursuant to~~ under s. 102.16 (1). Presentation of a compromise does not affect the period in which to commence an action for judicial review.

SECTION 2835. 102.18 (5) of the statutes is amended to read:

102.18 **(5)** If it ~~shall appear to the department~~ appears to the division that a mistake may have been made as to cause of injury in the findings, order, or award upon an alleged injury based on accident, when in fact the employee was suffering from an occupational disease, within 3 years after the date of the findings, order, or award the ~~department~~ division may, upon its own motion, with or without hearing, ~~within 3 years from the date of such findings, order or award,~~ set aside ~~such~~ the findings, order or award, or the ~~department~~ division may take ~~such~~ that action upon application made within ~~such~~ those 3 years. ~~Thereafter, and after~~ After an

opportunity for hearing, the ~~department~~ division may, if in fact the employee is suffering from disease arising out of the employment, make new findings, and a new order or award, or ~~it~~ the division may reinstate the previous findings, order, or award.

SECTION 2836. 102.18 (6) of the statutes is amended to read:

102.18 **(6)** In case of disease arising out of ~~the~~ employment, the ~~department~~ division may from time to time review its findings, order, or award, and make new findings, or a new order or award, based on the facts regarding disability or otherwise as ~~they~~ those facts may ~~then~~ appear at the time of the review. This subsection shall not affect the application of the limitation in s. 102.17 (4).

SECTION 2838d. 102.195 of the statutes is amended to read:

102.195 Employees confined in institutions; payment of benefits. In case an employee is adjudged ~~insane~~ mentally ill or incompetent~~,~~ or convicted of a felony, and is confined in a public institution and has wholly dependent upon the employee for support a person~~,~~ whose dependency is determined as if the employee were deceased, compensation payable during the period of the employee's confinement may be paid to the employee and the employee's dependents~~,~~ in such manner, for such time, and in such amount as the department or division by order provides.

SECTION 2839. 102.21 of the statutes is amended to read:

102.21 Payment of awards by municipalities. Whenever an award is made ~~by the department~~ under this chapter or s. 66.191, 1981 stats., against any municipality, the person in whose favor ~~it~~ the award is made shall file a certified copy ~~thereof~~ of the award with the municipal clerk. ~~Within 20 days thereafter, unless~~ Unless an appeal is taken, ~~such~~ within 20 days after that filing, the municipal clerk shall draw an order on the municipal treasurer for the payment of the award. If upon

appeal ~~such~~ the award is affirmed in whole or in part ~~the~~, the municipal clerk shall draw an order for payment ~~shall be drawn~~ of the award within 10 days after a certified copy of ~~such~~ the judgment affirming the award is filed with ~~the proper~~ that clerk. If the award or judgment provides for more than one payment ~~is provided for in the award or judgment, orders shall be drawn~~, the municipal clerk shall draw orders for payment as the payments become due. No statute relating to the filing of claims against, ~~and~~ or the auditing, allowing, and payment of claims by ~~municipalities shall apply~~, a municipality applies to the payment of an award or judgment under this section.

SECTION 2840d. 102.22 (1) of the statutes is amended to read:

102.22 **(1)** If the employer or his or her insurer inexcusably delays in making the first payment that is due an injured employee for more than 30 days after the ~~day~~ date on which the employee leaves work as a result of an injury and if the amount due is $500 or more, the payments as to which the delay is found shall be increased by ~~10%~~ 10 percent. If the employer or his or her insurer inexcusably delays in making the first payment that is due an injured employee for more than 14 days after the ~~day~~ date on which the employee leaves work as a result of an injury, the payments as to which the delay is found may be increased by ~~10%~~ 10 percent. If the employer or his or her insurer inexcusably delays for any length of time in making any other payment that is due an injured employee, the payments as to which the delay is found may be increased by ~~10%. Where~~ 10 percent. If the delay is chargeable to the employer and not to the insurer, s. 102.62 ~~shall apply~~ applies and the relative liability of the parties shall be fixed and discharged as ~~therein~~ provided in that section. The department or the division may also order the employer or insurance carrier to reimburse the employee for any finance charges, collection charges, or interest ~~which~~

that the employee paid as a result of the inexcusable delay by the employer or insurance carrier.

SECTION 2841d. 102.22 (2) of the statutes is amended to read:

102.22 **(2)** If ~~the sum ordered by the department~~ any sum that the department or the division orders to be paid is not paid when due, that sum shall bear interest at the rate of ~~10%~~ 10 percent per year. The state is liable for ~~such~~ interest on awards issued against it under this chapter. The department or the division has jurisdiction to issue an award for payment of ~~such~~ interest under this subsection at any time within one year ~~of~~ after the date of its order~~,~~ or ~~upon appeal~~, if the order is appealed, within one year after final court determination. ~~Such interest~~ Interest awarded under this subsection becomes due from the date the examiner's order becomes final or from the date of a decision by the ~~labor and industry review~~ commission, whichever is later.

SECTION 2842d. 102.23 (1) (a) of the statutes is amended to read:

102.23 **(1)** (a) The findings of fact made by the commission acting within its powers shall, in the absence of fraud, be conclusive. The order or award granting or denying compensation, either interlocutory or final, whether judgment has been rendered on ~~it~~ the order or award or not, is subject to review only as provided in this section and not under ch. 227 or s. 801.02. Within 30 days after the date of an order or award made by the commission either originally or after the filing of a petition for review with the department, the division, or the commission under s. 102.18 any party aggrieved ~~thereby~~ by the order or award may by serving a complaint as provided in par. (b) and filing the summons and complaint with the clerk of the circuit court commence, in circuit court, an action against the commission for the review of the order or award, in which action the adverse party shall also be made a defendant.

If the circuit court is satisfied that a party in interest has been prejudiced because of an exceptional delay in the receipt of a copy of any finding or order, ~~it~~ the circuit court may extend the time in which an action may be commenced by an additional 30 days. The proceedings shall be in the circuit court of the county where the plaintiff resides, except that if the plaintiff is a state agency, the proceedings shall be in the circuit court of the county where the defendant resides. The proceedings may be brought in any circuit court if all parties stipulate and that court agrees.

SECTION 2844d. 102.23 (2) of the statutes is amended to read:

102.23 **(2)** Upon the trial of ~~any such~~ an action for review of an order or award the court shall disregard any irregularity or error of the commission ~~or~~, the department, or the division unless it is made to affirmatively appear that the plaintiff was damaged ~~thereby~~ by that irregularity or error.

SECTION 2845d. 102.23 (3) of the statutes is amended to read:

102.23 **(3)** The record in any case shall be transmitted to the department or the division within 5 days after expiration of the time for appeal from the order or judgment of the court, unless an appeal ~~shall be~~ is taken from ~~such~~ that order or judgment.

SECTION 2846d. 102.23 (5) of the statutes is amended to read:

102.23 **(5)** When an action for review involves only the question of liability as between the employer and one or more insurance companies or as between several insurance companies, a party that has been ordered by the department, the division, the commission, or a court to pay compensation is not relieved from paying compensation as ordered.

SECTION 2847d. 102.24 (2) of the statutes is amended to read:

102.24 **(2)** After the commencement of an action to review any order or award of the commission, the parties may have the record remanded by the court for such time and under such condition as ~~they~~ the parties may provide, for the purpose of having the department or the division act upon the question of approving or disapproving any settlement or compromise that the parties may desire to have so approved. If approved, the action shall be at an end and judgment may be entered upon the approval as upon an award. If not approved, the department or the division shall immediately return the record ~~shall forthwith be returned~~ to the circuit court and the action shall proceed as if no remand had been made.

SECTION 2848d. 102.25 (1) of the statutes is amended to read:

102.25 **(1)** Any party aggrieved by a judgment entered upon the review of any order or award may appeal ~~therefrom~~ the judgment within the ~~time~~ period specified in s. 808.04 (1). A trial court ~~shall~~ may not require the commission or any party to the action to execute, serve, or file an undertaking under s. 808.07 or to serve, or secure approval of, a transcript of the notes of the stenographic reporter or the tape of the recording machine. The state is a party aggrieved under this subsection if a judgment is entered upon the review confirming any order or award against ~~it~~ the state. At any time before the case is set down for hearing in the court of appeals or the supreme court, the parties may have the record remanded by the court to the department or the division in the same manner and for the same purposes as provided for remanding from the circuit court to the department or the division under s. 102.24 (2).

SECTION 2849d. 102.26 (2) of the statutes is amended to read:

102.26 **(2)** Unless previously authorized by the department or the division, no fee may be charged or received for the enforcement or collection of any claim for

compensation~~,~~ nor may any contract for that enforcement or collection be enforceable when that fee, inclusive of all taxable attorney fees paid or agreed to be paid for that enforcement or collection, exceeds 20 percent of the amount at which ~~that~~ the claim is compromised or of the amount awarded, adjudged, or collected, except that in cases of admitted liability in which there is no dispute as to the amount of compensation due and in which no hearing or appeal is necessary, the fee charged may not exceed 10 percent, but not to exceed $250, of the amount at which ~~that~~ the claim is compromised or of the amount awarded, adjudged, or collected. The limitation as to fees shall apply to the combined charges of attorneys, solicitors, representatives, and adjusters who knowingly combine their efforts toward the enforcement or collection of any compensation claim.

SECTION 2850d. 102.26 (3) (b) 1. of the statutes is amended to read:

102.26 **(3)** (b) 1. ~~The department may~~ Subject to sub. (2), upon application of any interested party ~~and subject to sub. (2)~~, the department or the division may fix the fee of the claimant's attorney or representative and provide in the award for that fee to be paid directly to the attorney or representative.

SECTION 2851d. 102.26 (3) (b) 3. of the statutes is amended to read:

102.26 **(3)** (b) 3. The claimant may request the insurer or self–insured employer to pay any compensation that is due the claimant by depositing the payment directly into an account maintained by the claimant at a financial institution. If the insurer or self–insured employer agrees to the request, the insurer or self–insured employer may deposit the payment by direct deposit, electronic funds transfer, or any other money transfer technique approved by the department or the division. The claimant may revoke a request under this subdivision at any time by providing appropriate written notice to the insurer or self–insured employer.

SECTION 2852d. 102.26 (4) of the statutes is amended to read:

102.26 **(4)** ~~The charging or receiving of~~ Any attorney or other person who charges or receives any fee in violation of this section ~~shall be unlawful, and the attorney or other person guilty thereof shall~~ may be required to forfeit double the amount retained by the attorney or other person, ~~the same to~~ which forfeiture shall be collected by the state in an action in debt~~,~~ upon complaint of the department or the division. Out of the sum recovered the court shall direct payment to the injured party of the amount of the overcharge.

SECTION 2853d. 102.27 (2) (b) of the statutes is amended to read:

102.27 **(2)** (b) If a governmental unit provides public assistance under ch. 49 to pay medical costs or living expenses related to a claim under this chapter and if the governmental unit has given the parties to the claim written notice stating that the governmental unit provided the assistance and the cost of that assistance, the department or the division shall order the employer or insurance carrier owing compensation ~~shall~~ to reimburse that governmental unit ~~any compensation awarded or paid if the governmental unit has given the parties to the claim written notice stating that it provided the assistance and the cost of the assistance provided. Reimbursement shall equal the lesser of either~~ for the amount of assistance the governmental unit provided or two–thirds of the amount of the award or payment remaining after deduction of attorney fees and any other fees or costs chargeable under ch. 102, whichever is less. The department shall comply with this paragraph when making payments under s. 102.81.

SECTION 2861. 102.28 (3) (c) of the statutes is amended to read:

102.28 **(3)** (c) An employee who has signed a waiver under par. (a) 1. and an affidavit under par. (a) 2., who sustains an injury that, but for that waiver, the

employer would be liable for under s. 102.03, who at the time of the injury was a member of a religious sect whose authorized representative has filed an affidavit under par. (a) 3. and an agreement under par. (a) 4., and who as a result of the injury becomes dependent on the religious sect for financial and medical assistance, or the employee's dependent, may request a hearing under s. 102.17 (1) to determine if the religious sect has provided the employee and his or her dependents with a standard of living and medical treatment that are reasonable when compared to the general standard of living and medical treatment for members of the religious sect. If, after hearing, the ~~department~~ division determines that the religious sect has not provided that standard of living or medical treatment, or both, the ~~department~~ division may order the religious sect to provide alternative benefits to that employee or his or her dependent, or both, in an amount that is reasonable under the circumstances, but not in excess of the benefits that the employee or dependent could have received under this chapter but for the waiver under par. (a) 1.

SECTION 2865d. 102.28 (4) (c) of the statutes is amended to read:

102.28 **(4)** (c) After a hearing under par. (b), or without a hearing if one is not requested, the ~~department~~ division may issue an order to an employer to cease operations on a finding that the employer is an uninsured employer. If no hearing is requested, the department may issue such an order.

SECTION 2866. 102.28 (4) (d) of the statutes is amended to read:

102.28 **(4)** (d) The department of justice may bring an action in any court of competent jurisdiction for an injunction or other remedy to enforce ~~the department's~~ an order to cease operations under par. (c).

SECTION 2873d. 102.29 (1) (b) (intro.) of the statutes is amended to read:

102.29 **(1)** (b) (intro.) If a party entitled to notice cannot be found, the department shall become the agent of that party for the giving of a notice as required in par. (a) and the notice, when given to the department, shall include an affidavit setting forth the facts, including the steps taken to locate that party. Each party shall have an equal voice in the prosecution of the claim, and any disputes arising shall be passed upon by the court before whom the case is pending, and if no action is pending, then by a court of record or by the department or the division. If notice is given as provided in par. (a), the liability of the tort–feasor shall be determined as to all parties having a right to make claim and, irrespective of whether or not all parties join in prosecuting the claim, the proceeds of the claim shall be divided as follows:

SECTION 2875d. 102.29 (1) (c) of the statutes is amended to read:

102.29 **(1)** (c) If both the employee or the employee's personal representative or other person entitled to bring action, and the employer, compensation insurer, or department, join in the pressing of said claim and are represented by counsel, the attorney fees allowed as a part of the costs of collection shall be, unless otherwise agreed upon, divided between the attorneys for those parties as directed by the court or by the department or the division.

SECTION 2876d. 102.29 (1) (d) of the statutes is amended to read:

102.29 **(1)** (d) A settlement of a 3rd–party claim shall be void unless the settlement and the distribution of the proceeds of the settlement are approved by the court before whom the action is pending or, if no action is pending, then by a court of record or by the department or the division.

SECTION 2878. 102.29 (8) of the statutes is amended to read:

102.29 **(8)** No student of a public school, ~~as described in s. 115.01 (1), or~~ a private school, ~~as defined in s. 115.001 (3r),~~ or an institution of higher education who is named under s. 102.077 as an employee of the school district, private school, or institution of higher education for purposes of this chapter and who makes a claim for compensation under this chapter may make a claim or maintain an action in tort against the employer that provided the work training or work experience from which the claim arose.

SECTION 2879d. 102.30 (7) (a) of the statutes is amended to read:

102.30 **(7)** (a) The department or the division may order direct reimbursement out of the proceeds payable under this chapter for payments made under a nonindustrial insurance policy covering the same disability and expenses compensable under s. 102.42 when the claimant consents or when it is established that the payments under the nonindustrial insurance policy were improper. No attorney fee is due with respect to that reimbursement.

SECTION 2905d. 102.32 (1m) (intro.) of the statutes is amended to read:

102.32 **(1m)** (intro.) In any case in which compensation payments for an injury have extended or will extend over 6 months or more after the date of the injury or in any case in which death benefits are payable, any party in interest may, in the discretion of the department or the division, be discharged from, or compelled to guarantee, future compensation payments by doing any of the following:

SECTION 2906d. 102.32 (1m) (a) of the statutes is amended to read:

102.32 **(1m)** (a) Depositing the present value of the total unpaid compensation upon a 5 percent interest discount basis with a credit union, savings bank, savings and loan association, bank, or trust company designated by the department or the division.

SECTION 2907d. 102.32 (1m) (c) of the statutes is amended to read:

102.32 **(1m)** (c) Making payment in gross upon a 5 percent interest discount basis to be approved by the department or the division.

SECTION 2908d. 102.32 (1m) (d) of the statutes is amended to read:

102.32 **(1m)** (d) In cases in which the time for making payments or the amounts of payments cannot be definitely determined, furnishing a bond, or other security, satisfactory to the department or the division for the payment of compensation as may be due or become due. The acceptance of the bond, or other security, and the form and sufficiency of the bond or other security, shall be subject to the approval of the department or the division. If the employer or insurer is unable or fails to immediately procure the bond, ~~then,~~ the employer or insurer, in lieu of procuring the bond, shall deposit ~~shall be made~~ with a credit union, savings bank, savings and loan association, bank, or trust company designated by the department~~, of~~ or the division the maximum amount that may reasonably become payable in ~~these~~ those cases, to be determined by the department or the division at amounts consistent with the extent of the injuries and the law. The bonds and deposits ~~are to~~ may be reduced only to satisfy claims and may be withdrawn only after the claims which they are to guarantee are fully satisfied or liquidated under par. (a), (b), or (c).

SECTION 2909d. 102.32 (5) of the statutes is amended to read:

102.32 **(5)** Any insured employer may, ~~within~~ in the discretion of the department or the division, compel the insurer to discharge, or to guarantee payment of, the employer's liabilities in any case described in sub. (1m) and ~~thereby~~ by that discharge or guarantee release the employer from ~~compensation~~ liability for compensation in that case, ~~but~~ except that if for any reason a bond furnished or deposit made under sub. (1m) (d) does not fully protect the beneficiary of the bond

or deposit, the compensation insurer or insured employer, as the case may be, shall still be liable to ~~the~~ that beneficiary ~~of the bond or deposit~~.

SECTION 2913d. 102.32 (6m) of the statutes is amended to read:

102.32 **(6m)** The department or the division may direct an advance on a payment of unaccrued compensation for permanent disability or death benefits if the department or the division determines that the advance payment is in the best interest of the injured employee or the employee's dependents. In directing the advance, the department or the division shall give the employer or the employer's insurer an interest credit against its liability. The credit shall be computed at 5 percent. An injured employee or dependent may receive no more than 3 advance payments per calendar year.

SECTION 2914. 102.32 (7) of the statutes is amended to read:

102.32 **(7)** No lump sum settlement shall be allowed in any case of permanent total disability upon an estimated life expectancy, except upon consent of all parties, after hearing and finding by the ~~department~~ division that the interests of the injured employee will be conserved ~~thereby~~ by the lump sum settlement.

SECTION 2915. 102.33 (title) of the statutes is amended to read:

102.33 (title) **~~Department forms~~ Forms and records; public access.**

SECTION 2916d. 102.33 (1) of the statutes is amended to read:

102.33 **(1)** The department and the division shall print and furnish free to any employer or employee any blank forms that ~~the department considers~~ are necessary to facilitate efficient administration of this chapter. The department and the division shall keep any record books or records that ~~the department considers~~ are necessary for the proper and efficient administration of this chapter.

SECTION 2917d. 102.33 (2) (a) of the statutes is amended to read:

102.33 **(2)** (a) Except as provided in pars. (b) and (c), the records of the department, ~~and the records of~~ the division, and the commission, related to the administration of this chapter are subject to inspection and copying under s. 19.35 (1).

SECTION 2918d. 102.33 (2) (b) (intro.) of the statutes is amended to read:

102.33 **(2)** (b) (intro.) Except as provided in this paragraph and par. (d), a record maintained by the department ~~or by~~, the division, or the commission that reveals the identity of an employee who claims worker's compensation benefits, the nature of the employee's claimed injury, the employee's past or present medical condition, the extent of the employee's disability, or the amount, type, or duration of benefits paid to the employee and a record maintained by the department that reveals any financial information provided to the department by a self–insured employer or by an applicant for exemption under s. 102.28 (2) (b) are confidential and not open to public inspection or copying under s. 19.35 (1). The department ~~or~~, the division, or the commission may deny a request made under s. 19.35 (1) or, subject to s. 102.17 (2m) and (2s), refuse to honor a subpoena issued by an attorney of record in a civil or criminal action or special proceeding to inspect and copy a record that is confidential under this paragraph, unless one of the following applies:

SECTION 2919d. 102.33 (2) (b) 1. of the statutes is amended to read:

102.33 **(2)** (b) 1. The requester is the employee who is the subject of the record or an attorney or authorized agent of that employee. An attorney or authorized agent of an employee who is the subject of a record shall provide a written authorization for inspection and copying from the employee if requested by the department ~~or~~, the division, or the commission.

SECTION 2920d. 102.33 (2) (b) 2. of the statutes is amended to read:

102.33 **(2)** (b) 2. The record that is requested contains confidential information concerning a worker's compensation claim and the requester is an insurance carrier or employer that is a party to any worker's compensation claim involving the same employee or an attorney or authorized agent of that insurance carrier or employer, except that the department ~~or~~, the division, or the commission is not required to do a random search of its records and may require the requester to provide the approximate date of the injury and any other relevant information that would assist the department ~~or~~, the division, or the commission in finding the record requested. An attorney or authorized agent of an insurance carrier or employer that is a party to an employee's worker's compensation claim shall provide a written authorization for inspection and copying from the insurance carrier or employer if requested by the department ~~or~~, the division, or the commission.

SECTION 2922d. 102.33 (2) (b) 4. of the statutes is amended to read:

102.33 **(2)** (b) 4. A court of competent jurisdiction in this state orders the department ~~or~~, the division, or the commission to release the record.

SECTION 2923d. 102.33 (2) (c) of the statutes is amended to read:

102.33 **(2)** (c) A record maintained by the department, the division, or the commission that contains employer or insurer information obtained from the Wisconsin compensation rating bureau under s. 102.31 (8) or 626.32 (1) (a) is confidential and not open to public inspection or copying under s. 19.35 (1) unless the Wisconsin compensation rating bureau authorizes public inspection or copying of that information.

SECTION 2924d. 102.33 (2) (d) 2. of the statutes is amended to read:

102.33 **(2)** (d) 2. The department ~~or~~, the division, or the commission may release information that is confidential under par. (b) to a government unit, an institution

of higher education, or a nonprofit research organization for purposes of research and may release information that is confidential under par. (c) to those persons for that purpose if the Wisconsin compensation rating bureau authorizes that release. A government unit, institution of higher education, or nonprofit research organization may not permit inspection or disclosure of any information released to it under this subdivision that is confidential under par. (b) unless the department ~~or~~, the division, or the commission authorizes that inspection or disclosure and may not permit inspection or disclosure of any information released to it under this subdivision that is confidential under par. (c) unless the department ~~or~~, the division, or the commission, and the Wisconsin compensation rating bureau, authorize the inspection or disclosure. A government unit, institution of higher education, or nonprofit research organization that obtains any confidential information under this subdivision for purposes of research shall provide the results of that research free of charge to the person that released or authorized the release of that information.

SECTION 2927d. 102.35 (3) of the statutes is amended to read:

102.35 **(3)** Any employer who without reasonable cause refuses to rehire an employee who is injured in the course of employment, ~~where~~ when suitable employment is available within the employee's physical and mental limitations, upon order of the department ~~and in addition to other benefits~~ or the division, has exclusive liability to pay to the employee, in addition to other benefits, the wages lost during the period of such refusal, not exceeding one year's wages. In determining the availability of suitable employment the continuance in business of the employer shall be considered and any written rules promulgated by the employer with respect to seniority or the provisions of any collective bargaining agreement with respect to seniority shall govern.

SECTION 2932d. 102.42 (1m) of the statutes is amended to read:

102.42 **(1m)** LIABILITY FOR UNNECESSARY TREATMENT. If an employee who has sustained a compensable injury undertakes in good faith invasive treatment that is generally medically acceptable, but that is unnecessary, the employer shall pay disability indemnity for all disability incurred as a result of that treatment. An employer is not liable for disability indemnity for any disability incurred as a result of any unnecessary treatment undertaken in good faith that is noninvasive or not medically acceptable. This subsection applies to all findings that an employee has sustained a compensable injury, whether the finding results from a hearing, the default of a party, or a compromise or stipulation confirmed by the department or the division.

SECTION 2933d. 102.42 (6) of the statutes is amended to read:

102.42 **(6)** TREATMENT REJECTED BY EMPLOYEE. Unless the employee ~~shall have~~ has elected Christian Science treatment in lieu of medical, surgical, dental, or hospital treatment, no compensation shall be payable for the death or disability of an employee, if the death ~~be~~ is caused, or insofar as the disability may be aggravated, caused, or continued by an unreasonable refusal or neglect to submit to or follow any competent and reasonable medical, surgical, or dental treatment or, in the case of tuberculosis, by refusal or neglect to submit to or follow hospital or medical treatment when found by the department or the division to be necessary. The right to compensation accruing during a period of refusal or neglect to submit to or follow hospital or medical treatment when found by the department or the division to be necessary in the case of tuberculosis shall be barred, irrespective of whether disability was aggravated, caused, or continued ~~thereby~~ by that refusal or neglect.

SECTION 2934d. 102.42 (8) of the statutes is amended to read:

102.42 **(8)** AWARD TO STATE EMPLOYEE. Whenever the department or the division makes an award ~~is made by the department in~~ on behalf of a state employee, the department ~~of workforce development~~ or the division shall file duplicate copies of the award with the subunit of the department of administration responsible for risk management. Upon receipt of the copies of the award, the department of administration shall promptly issue a voucher in payment of the award from the proper appropriation under s. 20.865 (1) (fm), (kr) or (ur), and shall transmit one copy of the voucher and the award to the officer, department, or agency by whom the affected employee is employed.

SECTION 2937d. 102.425 (4m) (a) of the statutes is amended to read:

102.425 **(4m)** (a) The department has jurisdiction under this subsection ~~and~~, the department and the division have jurisdiction under s. 102.16 (1m) (c), and the division has jurisdiction under s. 102.17 to resolve a dispute between a pharmacist or practitioner and an employer or insurer over the reasonableness of the amount charged for a prescription drug dispensed under sub. (2) for outpatient use by an injured employee who claims benefits under this chapter.

SECTION 2938d. 102.425 (4m) (b) of the statutes is amended to read:

102.425 **(4m)** (b) An employer or insurer that disputes the reasonableness of the amount charged for a prescription drug dispensed under sub. (2) for outpatient use by an injured employee or the department or division under sub. (4) (b) or s. 102.16 (1m) (c) or 102.18 (1) (bg) 3. shall provide, within 30 days after receiving a completed bill for the prescription drug, reasonable written notice to the pharmacist or practitioner that the charge is being disputed. After receiving reasonable written notice under this paragraph or under sub. (4) (b) or s. 102.16 (1m) (c) or 102.18 (1) (bg) 1. that a prescription drug charge is being disputed, a pharmacist or practitioner

may not collect the disputed charge from, or bring an action for collection of the disputed charge against, the employee who received the prescription drug.

SECTION 2942d. 102.43 (5) (b) of the statutes is amended to read:

102.43 **(5)** (b) Except as provided in s. 102.61 (1g), temporary disability shall also include such period as the employee may be receiving instruction under s. 102.61 (1) or (1m). Temporary disability on account of receiving instruction under s. 102.61 (1) or (1m), and not otherwise resulting from the injury, shall not be in excess of 80 weeks. ~~Such~~ That 80–week limitation does not apply to temporary disability benefits under this section, the cost of tuition, fees, books, travel, or maintenance under s. 102.61 (1), or the cost of private rehabilitation counseling or rehabilitative training under s. 102.61 (1m) if the department or the division determines that additional training is warranted. The necessity for additional training as authorized by the department or the division for any employee shall be subject to periodic review and reevaluation.

SECTION 2943. 102.44 (1) (ag) of the statutes is amended to read:

102.44 **(1)** (ag) Notwithstanding any other provision of this chapter, every employee who is receiving compensation under this chapter for permanent total disability or continuous temporary total disability more than 24 months after the date of injury resulting from an injury that occurred prior to January 1, 2001, shall receive supplemental benefits that shall be payable ~~in the first instance~~ by the employer or, subject to par. (c), the employer's insurance carrier, or in the case of benefits payable to an employee under s. 102.66, shall be paid by the department out of the fund created under s. 102.65. Those supplemental benefits shall be paid only for weeks of disability occurring after January 1, 2003, and shall continue during the period of such total disability subsequent to that date.

SECTION 2944d. 102.44 (1) (ag) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

102.44 **(1)** (ag) Notwithstanding any other provision of this chapter, every employee who is receiving compensation under this chapter for permanent total disability or continuous temporary total disability more than 24 months after the date of injury resulting from an injury that occurred prior to January 1, 2001, shall receive supplemental benefits that shall be payable by the employer or~~, subject to par. (c),~~ the employer's insurance carrier, or in the case of benefits payable to an employee under s. 102.66, shall be paid by the department out of the fund created under s. 102.65. Those supplemental benefits shall be paid only for weeks of disability occurring after January 1, 2003, and shall continue during the period of such total disability subsequent to that date.

SECTION 2945. 102.44 (1) (c) of the statutes is renumbered 102.44 (1) (c) 1. and amended to read:

102.44 **(1)** (c) 1. ~~Subject to any certificate filed under s. 102.65 (4), an employer or~~ An insurance carrier paying the supplemental benefits required under this subsection shall be entitled to reimbursement for each such case from the ~~fund established by s. 102.65~~ worker's compensation operations fund, commencing one year after the date of the first payment of those benefits and annually thereafter while those payments continue. To receive reimbursement under this paragraph, an ~~employer or~~ insurance carrier must file a claim for that reimbursement with the department by no later than 12 months after the end of the year in which the supplemental benefits were paid and the claim must be approved by the department.

SECTION 2947. 102.44 (1) (c) 2. of the statutes is created to read:

102.44 **(1)** (c) 2. After the expiration of the deadline for filing a claim under subd. 1., the department shall determine the total amount of all claims filed by that deadline and shall use that total to determine the amount to be collected under s. 102.75 (1g) from each licensed worker's compensation insurance carrier, deposited in the worker's compensation operations fund, and used to provide reimbursement to insurance carriers paying supplemental benefits under this subsection. Subject to subd. 3., the department shall pay a claim for reimbursement approved by the department by no later than 16 months after the end of the year in which the claim was received by the department.

SECTION 2949. 102.44 (1) (c) 3. of the statutes is created to read:

102.44 **(1)** (c) 3. The maximum amount that the department may pay under subd. 2. in a calendar year is $5,000,000. If the amount determined payable under subd. 2. in a calendar year is $5,000,000 or less, the department shall pay that amount. If the amount determined payable under subd. 2. in a calendar year exceeds $5,000,000, the department shall pay $5,000,000 in the year in which the determination is made and, subject to the maximum amount payable of $5,000,000 per calendar year, shall pay the excess in the next calendar year or in subsequent calendar years until that excess is paid in full. The department shall pay claims for reimbursement under subd. 2. in the chronological order in which those claims are received.

SECTION 2951. 102.44 (1) (c) 4. of the statutes is created to read:

102.44 **(1)** (c) 4. This paragraph does not apply to supplemental benefits paid for an injury that occurs on or after January 1, 2016.

SECTION 2952. 102.44 (2) of the statutes is amended to read:

102.44 **(2)** In case of permanent total disability, aggregate indemnity shall be weekly indemnity for the period that the employee may live. Total impairment for industrial use of both eyes, ~~or~~ the loss of both arms at or near the shoulder, ~~or~~ the loss of both legs at or near the hip, or the loss of one arm at the shoulder and one leg at the hip~~,~~ constitutes permanent total disability. This enumeration is not exclusive, but in other cases the ~~department~~ division shall find the facts.

SECTION 2954. 102.44 (6) (b) of the statutes is amended to read:

102.44 **(6)** (b) If~~,~~ during the period set forth in s. 102.17 (4) the employment relationship is terminated by the employer at the time of the injury~~,~~ or by the employee because his or her physical or mental limitations prevent his or her continuing in such employment, or if during ~~such~~ that period a wage loss of ~~15%~~ 15 percent or more occurs, the ~~department~~ division may reopen any award and make a redetermination taking into account loss of earning capacity.

SECTION 2957d. 102.475 (6) of the statutes is amended to read:

102.475 **(6)** PROOF. In administering this section the department or the division may require reasonable proof of birth, marriage, domestic partnership under ch. 770, relationship, or dependency.

SECTION 2958d. 102.48 (1) of the statutes is amended to read:

102.48 **(1)** An unestranged surviving parent or parents to whose support the deceased has contributed less than $500 in the 52 weeks next preceding the injury causing death shall receive a death benefit of $6,500. If the parents are not living together, the department or the division shall divide this sum in such proportion as ~~it deems~~ the department or division considers to be just, considering their ages and other facts bearing on dependency.

SECTION 2959d. 102.48 (2) of the statutes is amended to read:

102.48 **(2)** In all other cases the death benefit shall be such sum as the department ~~shall determine~~ or the division determines to represent fairly and justly the aid to support which the dependent might reasonably have anticipated from the deceased employee but for the injury. To establish anticipation of support and dependency, it shall not be essential that the deceased employee made any contribution to support. The aggregate benefits in ~~such~~ that case shall not exceed twice the average annual earnings of the deceased~~;~~ or 4 times the contributions of the deceased to the support of ~~such~~ his or her dependents during the year immediately preceding the deceased employee's death, whichever amount is the greater. In no event shall the aggregate benefits in ~~such~~ that case exceed the amount ~~which~~ that would accrue to a person who is solely and wholly dependent. ~~Where~~ When there is more than one partial dependent the weekly benefit shall be apportioned according to their relative dependency. The term "support" as used in ss. 102.42 to 102.63 shall include contributions to the capital fund of the dependents~~,~~ for their necessary comfort.

SECTION 2960d. 102.48 (3) of the statutes is amended to read:

102.48 **(3)** ~~A~~ Except as otherwise provided, a death benefit, other than burial expenses, ~~except as otherwise provided,~~ shall be paid in weekly installments corresponding in amount to two–thirds of the weekly earnings of the employee, until otherwise ordered by the department or the division.

SECTION 2961d. 102.49 (3) of the statutes is amended to read:

102.49 **(3)** If the employee leaves a spouse or domestic partner under ch. 770 wholly dependent and also a child by a former marriage, domestic partnership under ch. 770, or adoption, likewise wholly dependent, aggregate benefits shall be the same in amount as if the child were the child of the surviving spouse or partner, and the

entire benefit shall be apportioned to the dependents in the amounts that the department or the division determines to be just, considering the ages of the dependents and other factors bearing on dependency. The benefit awarded to the surviving spouse or partner shall not exceed 4 times the average annual earnings of the deceased employee.

SECTION 2963d. 102.49 (6) of the statutes is amended to read:

102.49 **(6)** The department or the division may award the additional benefits payable under this section to the surviving parent of the child, to the child's guardian, or to such other person, bank, or trust company for the child's use as may be found best calculated to conserve the ~~interest~~ interests of the child. ~~In the case of death of a child~~ If the child dies while benefits are still payable, there shall be paid the reasonable expense for burial, not exceeding $1,500.

SECTION 2964d. 102.51 (3) of the statutes is amended to read:

102.51 **(3)** DIVISION AMONG DEPENDENTS. If there is more than one person wholly or partially dependent on a deceased employee, the death benefit shall be divided between ~~such~~ those dependents in such proportion as the department ~~shall determine~~ or the division determines to be just, considering their ages and other facts bearing on ~~such~~ their dependency.

SECTION 2965d. 102.51 (4) of the statutes is amended to read:

102.51 **(4)** DEPENDENCY AS OF THE DATE OF DEATH. Questions as to who is a dependent and the extent of his or her dependency shall be determined as of the date of the death of the employee, and the dependent's right to any death benefit becomes fixed at that time, regardless of any subsequent change in conditions. The death benefit shall be directly recoverable by and payable to the dependents entitled ~~thereto~~ to the death benefit or their legal guardians or trustees. In case of the death

of a dependent whose right to a death benefit has ~~thus~~ become fixed, so much of the benefit as is ~~then~~ unpaid is payable to the dependent's personal representatives in gross, unless the department or the division determines that the unpaid benefit shall be reassigned~~,~~ under sub. (6)~~,~~ and paid to any other dependent who is physically or mentally incapacitated or a minor. ~~A posthumous child is for the purpose~~ For purposes of this subsection, a child of the employee who is born after the death of the employee is considered to be a dependent as of the date of death.

SECTION 2966d. 102.51 (6) of the statutes is amended to read:

102.51 **(6)** DIVISION AMONG DEPENDENTS. Benefits accruing to a minor dependent child may be awarded to either parent in the discretion of the department or the division. Notwithstanding sub. (1), the department or the division may reassign the death benefit~~, in accordance with their respective needs for the death benefit~~ as between a surviving spouse or a domestic partner under ch. 770 and any children ~~designated~~ specified in sub. (1) and s. 102.49 in accordance with their respective needs for the death benefit.

SECTION 2967d. 102.55 (3) of the statutes is amended to read:

102.55 **(3)** For all other injuries to the members of the body or its faculties ~~which~~ that are specified in ~~this~~ the schedule under s. 102.52 resulting in permanent disability, though the member ~~be~~ is not actually severed or the faculty is not totally lost, compensation shall bear such relation to ~~that~~ the compensation named in ~~this~~ the schedule as ~~disabilities bear~~ the disability bears to the ~~disabilities~~ disability named in ~~this~~ the schedule. Indemnity in ~~such~~ those cases shall be determined by allowing weekly indemnity during the healing period resulting from the injury and the percentage of permanent disability resulting ~~thereafter~~ after the healing period as found by the department or the division.

SECTION 2968d. 102.555 (12) (a) of the statutes is amended to read:

102.555 **(12)** (a) An employer, the department, or the ~~department~~ division is not liable for the expense of any examination or test for hearing loss, any evaluation of such an exam or test, any medical treatment for improving or restoring hearing, or any hearing aid to relieve the effect of hearing loss unless it is determined that compensation for occupational deafness is payable under sub. (3), (4), or (11).

SECTION 2969d. 102.56 (1) of the statutes is amended to read:

102.56 **(1)** Subject to sub. (2), if an employee is so permanently disfigured as to occasion potential wage loss due to the disfigurement, the department or the division may allow such sum as the department or the division considers just as compensation for the disfigurement, not exceeding the employee's average annual earnings. In determining the potential for wage loss due to the disfigurement and the sum awarded, the department or the division shall take into account the age, education, training, and previous experience and earnings of the employee, the employee's present occupation and earnings, and likelihood of future suitable occupational change. Consideration for disfigurement allowance is confined to those areas of the body that are exposed in the normal course of employment. The department or the division shall also take into account the appearance of the disfigurement, its location, and the likelihood of its exposure in occupations for which the employee is suited.

SECTION 2970d. 102.56 (2) of the statutes is amended to read:

102.56 **(2)** If an employee who claims compensation under sub. (1) returns to work for the employer who employed the employee at the time of the injury, or is offered employment with that employer, at the same or a higher wage, the

department or the division may not allow that compensation unless the employee suffers an actual wage loss due to the disfigurement.

SECTION 2971d. 102.565 (1) of the statutes is amended to read:

102.565 **(1)** When ~~an employee working subject to this chapter~~, as a result of exposure in the course of ~~his or her~~ employment over a period of time to toxic or hazardous substances or conditions, an employee performing work that is subject to this chapter develops any clinically observable abnormality or condition ~~which~~ that, on competent medical opinion, predisposes or renders the ~~employ~~ employee in any manner differentially susceptible to disability to such an extent that it is inadvisable for the employee to continue employment involving ~~such~~ that exposure ~~and the employee,~~ is discharged from or ceases to continue the employment, and suffers wage loss by reason of ~~such~~ that discharge from, or ~~such~~ cessation of, employment, the department or the division may allow such sum as ~~it deems~~ the department or the division considers just as compensation ~~therefor~~ for that wage loss, not exceeding $13,000. ~~In the event~~ If a nondisabling condition may also be caused by toxic or hazardous exposure not related to employment~~,~~ and if the employee has a history of ~~such~~ that exposure, compensation as provided ~~by~~ under this section or any other remedy for loss of earning capacity shall not be allowed ~~nor shall any other remedy for loss of earning capacity. In case of such discharge~~. If the employee is discharged from employment prior to a finding by the department or the division that it is inadvisable for the employee to continue in ~~such~~ that employment and if it is reasonably probable that continued exposure would result in disability, the liability of the employer who ~~so~~ discharges the employee is primary, and the liability of the employer's insurer is secondary, under the same procedure and to the same effect as provided by s. 102.62.

SECTION 2972d. 102.565 (2) of the statutes is amended to read:

102.565 **(2)** Upon application of any employer or employee the department or the division may direct any employee of the employer or an employee who, in the course of his or her employment, has been exposed to toxic or hazardous substances or conditions~~,~~ to submit to examination by ~~a physician or~~ one or more physicians ~~to be~~ appointed by the department or the division to determine whether the employee has developed any abnormality or condition under sub. (1), and the degree ~~thereof~~ of that abnormality or condition. The cost of the medical examination shall be borne by the person making application. The physician conducting the examination shall submit the results of the examination ~~shall be submitted by the physician~~ to the department or the division, which shall submit copies of the reports to the employer and employee, who shall have an opportunity to rebut the reports ~~provided request therefor~~ if a request to submit a rebuttal is made to the department or the division within 10 days ~~from the mailing of~~ after the department or the division mails the report to the parties. The department or the division shall make its findings as to whether ~~or not~~ it is inadvisable for the employee to continue in his or her employment.

SECTION 2973d. 102.565 (3) of the statutes is amended to read:

102.565 **(3)** If ~~an employee refuses to submit to the examination~~ after direction by the commission, ~~or any member thereof or the department~~ or any member of the commission, the department, the division, or an examiner ~~thereof,~~, an employee refuses to submit to an examination or in any way obstructs the ~~same~~ examination, the employee's right to compensation under this section shall be barred.

SECTION 2974. 102.57 of the statutes is amended to read:

102.57 Violations of safety provisions, penalty. If injury is caused by the failure of the employer to comply with any statute, rule, or order of the department of safety and professional services, compensation and death benefits provided in this chapter shall be increased ~~15%~~ by 15 percent but the total increase may not exceed $15,000. Failure of an employer reasonably to enforce compliance by employees with any statute, rule, or order of the department of safety and professional services constitutes failure by the employer to comply with that statute, rule, or order.

SECTION 2975. 102.58 of the statutes is amended to read:

102.58 Decreased compensation. If injury is caused by the failure of the employee to use safety devices that are provided in accordance with any statute, rule, or order of the department of safety and professional services and that are adequately maintained, and the use of which is reasonably enforced by the employer, if injury results from the employee's failure to obey any reasonable rule adopted and reasonably enforced by the employer for the safety of the employee and of which the employee has notice, or if injury results from the intoxication of the employee by alcohol beverages, as defined in s. 125.02 (1), or use of a controlled substance, as defined in s. 961.01 (4), or a controlled substance analog, as defined in s. 961.01 (4m), the compensation and death benefit provided in this chapter shall be reduced ~~15%~~ by 15 percent but the total reduction may not exceed $15,000.

SECTION 2978. 102.61 (1g) (c) of the statutes is amended to read:

102.61 **(1g)** (c) On receiving notice that he or she is eligible to receive vocational rehabilitation services under 29 USC 701 to 797a, an employee shall provide the employer with a written report from a physician, chiropractor, psychologist, or podiatrist stating the employee's permanent work restrictions. Within 60 days after receiving that report, the employer shall provide to the employee in writing an offer

of suitable employment, a statement that the employer has no suitable employment for the employee, or a report from a physician, chiropractor, psychologist, or podiatrist showing that the permanent work restrictions provided by the employee's practitioner are in dispute and documentation showing that the difference in work restrictions would materially affect either the employer's ability to provide suitable employment or a vocational rehabilitation counselor's ability to recommend a rehabilitative training program. If the employer and employee cannot resolve the dispute within 30 days after the employee receives the employer's report and documentation, the employer or employee may request a hearing before the ~~department~~ division to determine the employee's work restrictions. Within 30 days after the ~~department~~ division determines the employee's work restrictions, the employer shall provide to the employee in writing an offer of suitable employment or a statement that the employer has no suitable employment for the employee.

SECTION 2980d. 102.61 (1m) (c) of the statutes is amended to read:

102.61 **(1m)** (c) The employer or insurance carrier shall pay the reasonable cost of any services provided for an employee by a private rehabilitation counselor under par. (a) and, subject to the conditions and limitations specified in sub. (1r) (a) to (c) and by rule, if the private rehabilitation counselor determines that rehabilitative training is necessary, the reasonable cost of the rehabilitative training program recommended by that counselor, including the cost of tuition, fees, books, maintenance, and travel at the same rate as is provided for state officers and employees under s. 20.916 (8). Notwithstanding that the department or the division may authorize under s. 102.43 (5) (b) a rehabilitative training program that lasts longer than 80 weeks, a rehabilitative training program that lasts 80 weeks or less is presumed to be reasonable.

SECTION 2984. 102.61 (2) of the statutes is amended to read:

102.61 **(2)** The ~~department~~ division, the commission, and the courts shall determine the rights and liabilities of the parties under this section in like manner and with like effect as the ~~department~~ division, the commission, and the courts determine other issues under this chapter. A determination under this subsection may include a determination based on the evidence regarding the cost or scope of the services provided by a private rehabilitation counselor under sub. (1m) (a) or the cost or reasonableness of a rehabilitative training program developed under sub. (1m) (a).

SECTION 2985. 102.62 of the statutes is amended to read:

102.62 Primary and secondary liability; unchangeable. In case of liability under s. 102.57 or 102.60, the liability of the employer shall be primary and the liability of the insurance carrier shall be secondary. If proceedings are had before the ~~department~~ division for the recovery of that liability, the ~~department~~ division shall set forth in its award the amount and order of liability as provided in this section. Execution shall not be issued against the insurance carrier to satisfy any judgment covering that liability until execution has first been issued against the employer and has been returned unsatisfied as to any part of that liability. Any provision in any insurance policy undertaking to guarantee primary liability or to avoid secondary liability for a liability under s. 102.57 or 102.60 is void. If the employer has been adjudged bankrupt or has made an assignment for the benefit of creditors, ~~or~~ if the employer, other than an individual, has gone out of business or has been dissolved, or if the employer is a corporation and its charter has been forfeited or revoked, the insurer shall be liable for the payment of that liability without judgment or execution against the employer, but without altering the primary liability of the employer.

SECTION 2987d. 102.64 (1) of the statutes is amended to read:

102.64 **(1)** Upon request of the department of administration, a representative of the department of justice shall represent the state in cases involving payment into or out of the state treasury under s. 20.865 (1) (fm), (kr), or (ur) or 102.29. The department of justice, after giving notice to the department of administration, may compromise the amount of those payments but such compromises shall be subject to review by the department ~~of workforce development~~ <u>or the division</u>. If the spouse or domestic partner under ch. 770 of the deceased employee compromises his or her claim for a primary death benefit, the claim of the children of the employee under s. 102.49 shall be compromised on the same proportional basis, subject to approval by the department <u>or the division</u>. If the persons entitled to compensation on the basis of total dependency under s. 102.51 (1) compromise their claim, payments under s. 102.49 (5) (a) shall be compromised on the same proportional basis.

SECTION 2988d. 102.64 (2) of the statutes is amended to read:

102.64 **(2)** Upon request of the department of administration, the attorney general shall appear on behalf of the state in proceedings upon claims for compensation against the state. Except as provided in s. 102.65 (3), the department of justice shall represent the interests of the state in proceedings under s. 102.44 (1), 102.49, 102.59, 102.60, or 102.66. The department of justice may compromise claims in those proceedings, but the compromises are subject to review by the department ~~of workforce development~~ <u>or the division</u>. Costs incurred by the department of justice in prosecuting or defending any claim for payment into or out of the work injury supplemental benefit fund under s. 102.65, including expert witness and witness fees but not including attorney fees or attorney travel expenses for services

performed under this subsection, shall be paid from the work injury supplemental benefit fund.

SECTION 2991d. 102.65 (3) of the statutes is amended to read:

102.65 **(3)** The department of workforce development may retain the department of administration to process, investigate, and pay claims under ss. 102.44 (1), 102.49, 102.59, and 102.66. If retained by the department of workforce development, the department of administration may compromise a claim processed by that department, but a compromise made by that department is subject to review by the department of workforce development <u>or the division</u>. The department of workforce development shall pay for the services retained under this subsection from the appropriation account under s. 20.445 (1) (t).

SECTION 2992. 102.65 (4) (intro.) of the statutes is amended to read:

102.65 **(4)** (intro.) The secretary shall monitor the cash balance in, and incurred losses to, the work injury supplemental benefit fund using generally accepted actuarial principles. If the secretary determines that the expected ultimate losses to the work injury supplemental benefit fund on known claims exceed 85 percent of the cash balance in that fund, the secretary shall consult with the council on worker's compensation. If the secretary, after consulting with the council on worker's compensation, determines that there is a reasonable likelihood that the cash balance in the work injury supplemental benefit fund may become inadequate to fund all claims under ss. ~~102.44 (1) (c),~~ 102.49, 102.59, and 102.66, the secretary shall file with the secretary of administration a certificate attesting that the cash balance in that fund is likely to become inadequate to fund all claims under ss. ~~102.44 (1) (c),~~ 102.49, 102.59, and 102.66 and specifying one of the following:

SECTION 2995d. 102.66 (1) of the statutes is amended to read:

102.66 **(1)** Subject to any certificate filed under s. 102.65 (4), if there is an otherwise meritorious claim for occupational disease, or for a traumatic injury described in s. 102.17 (4) in which the date of injury or death or last payment of compensation, other than for treatment or burial expenses, is before April 1, 2006, and if the claim is barred solely by the statute of limitations under s. 102.17 (4), the department <u>or the division</u> may, in lieu of worker's compensation benefits, direct payment from the work injury supplemental benefit fund under s. 102.65 of such compensation and such medical expenses as would otherwise be due, based on the date of injury, to or on behalf of the injured employee. The benefits shall be supplemental, to the extent of compensation liability, to any disability or medical benefits payable from any group insurance policy whose premium is paid in whole or in part by any employer, or under any federal insurance or benefit program providing disability or medical benefits. Death benefits payable under any such group policy do not limit the benefits payable under this section.

SECTION 2996d. 102.75 (1) of the statutes is amended to read:

102.75 **(1)** The department shall assess upon and collect from each licensed worker's compensation insurance carrier and from each employer exempted under s. 102.28 (2) by special order or by rule, the proportion of total costs and expenses incurred by the council on worker's compensation for travel and research and by the department<u>, the division,</u> and the commission in the administration of this chapter for the current fiscal year plus any deficiencies in collections and anticipated costs from the previous fiscal year, that the total indemnity paid or payable under this chapter by each such carrier and exempt employer in worker's compensation cases initially closed during the preceding calendar year, other than for increased, double or treble compensation bore to the total indemnity paid in cases closed the previous

calendar year under this chapter by all carriers and exempt employers other than for increased, double or treble compensation. The council on worker's compensation, the division, and the commission shall annually certify any costs and expenses for worker's compensation activities to the department at such time as the secretary requires.

SECTION 2997. 102.75 (1g) of the statutes is created to read:

102.75 **(1g)** (a) Subject to par. (b), the department shall collect from each licensed worker's compensation carrier the proportion of reimbursement approved by the department under s. 102.44 (1) (c) 1. for supplemental benefits paid in the year before the previous year that the total indemnity paid or payable under this chapter by the carrier in worker's compensation cases initially closed during the preceding calendar year, other than for increased, double, or treble compensation, bore to the total indemnity paid in cases closed the previous calendar year under this chapter by all carriers, other than for increased, double, or treble compensation.

(b) The maximum amount that the department may collect under par. (a) in a calendar year is $5,000,000. If the amount determined collectible under par. (a) in a calendar year is $5,000,000 or less, the department shall collect that amount. If the amount determined collectible under par. (a) in a calendar year exceeds $5,000,000, the department shall collect $5,000,000 in the year in which the determination is made and, subject to the maximum amount collectible of $5,000,000 per calendar year, shall collect the excess in the next calendar year or in subsequent calendar years until that excess is collected in full.

(c) This subsection does not apply to claims for reimbursement under s. 102.44 (1) (c) 1. for supplemental benefits paid for injuries that occur on or after January 1, 2016.

SECTION 3000. 102.75 (1m) of the statutes is amended to read:

102.75 **(1m)** The moneys collected under ~~sub.~~ subs. (1) and (1g) and under ss. 102.28 (2) and 102.31 (7), together with all accrued interest, shall constitute a separate nonlapsible fund designated as the worker's compensation operations fund. Moneys in the fund may be expended only as provided in ~~s.~~ ss. 20.427 (1) (ra) and 20.445 (1) (ra), (rb), and (rp) ~~and (2) (ra)~~ and may not be used for any other purpose of the state.

SECTION 3002. 102.75 (2) of the statutes is amended to read:

102.75 **(2)** The department shall require ~~that payments for costs and expenses for each fiscal year shall be made on such dates as the department prescribes by~~ each licensed worker's compensation insurance carrier and employer exempted under s. 102.28 (2) (b) from the duty to insure under s. 102.28 (2) (a) to make the payments required under sub. (1) for each fiscal year on such dates as the department prescribes. The department shall also require each licensed worker's compensation insurance carrier to make the payments required under sub. (1g) for each fiscal year on those dates. Each such payment shall be a sum equal to a proportionate share of the annual costs and expenses assessed upon each carrier and employer as estimated by the department. Interest shall accrue on amounts not paid within 30 days after the date prescribed by the department under this subsection at the rate of 1 percent per month. All interest payments received under this subsection shall be deposited in the fund established under s. 102.65.

SECTION 3006. 102.80 (1) (f) of the statutes is created to read:

102.80 **(1)** (f) Amounts transferred to the uninsured employers fund from the appropriation account under s. 20.445 (1) (ra) as provided in s. 102.81 (1) (c).

SECTION 3018. 102.81 (1) (c) of the statutes is created to read:

102.81 **(1)** (c) 1. The department shall pay a claim under par. (a) in excess of $1,000,000 from the uninsured employers fund in the first instance. If the claim is not covered by excess or stop–loss reinsurance under sub. (2), the secretary of administration shall transfer from the appropriation account under s. 20.445 (1) (ra) to the uninsured employers fund as provided in subds. 2. and 3. an amount equal to the amount by which payments from the uninsured employers fund on the claim are in excess of $1,000,000.

2. Each calendar year the department shall file with the secretary of administration a certificate setting forth the number of claims in excess of $1,000,000 in the preceding year paid from the uninsured employers fund, the payments made from the uninsured employers fund on each such claim in the preceding year, and the total payments made from the uninsured employers fund on all such claims and, based on that information, the secretary of administration shall determine the amount to be transferred under subd. 1. in that calendar year.

3. The maximum amount that the secretary of administration may transfer under subd. 1. in a calendar year is $500,000. If the amount determined under subd. 2. is $500,000 or less, the secretary of administration shall transfer the amount determined under subd. 2. If the amount determined under subd. 2. exceeds $500,000, the secretary of administration shall transfer $500,000 in the calendar year in which the determination is made and, subject to the maximum transfer amount of $500,000 per calendar year, shall transfer that excess in the next calendar year or in subsequent calendar years until that excess is transferred in full.

SECTION 3076c. 103.005 (14m) of the statutes is created to read:

103.005 **(14m)** (a) In this subsection, "qualified independent researcher" means a faculty member of a university who satisfies all of the following:

1. The faculty member has an approved protocol from an institutional review board for human subjects research to work with data containing personal information for the purposes of evaluating the program under s. 119.23.

2. The faculty member has received from the state and properly managed data containing personal information for the purposes of evaluating the program under s. 119.23 before the effective date of this subdivision .... [LRB inserts date].

(b) The department shall, to the extent permitted under federal law, permit a qualified independent researcher to have access to any database maintained by the department for the purpose of cross–matching information contained in any such database with a database that both is in the possession of the qualified independent researcher and contains information regarding pupils participating in the program under s. 119.23. The department may charge a fee to the qualified independent researcher for the information that does not exceed the cost incurred by the department to provide the information.

SECTION 3076d. 103.06 (1) (b) 5. of the statutes is amended to read:

103.06 **(1)** (b) 5. For purposes of maintaining records under sub. (3) (a) 4. as required under rules promulgated under s. ~~104.04~~ 104.035, an employee, as defined in s. 104.01 (2).

SECTION 3076h. 103.06 (1) (c) 5. of the statutes is amended to read:

103.06 **(1)** (c) 5. For purposes of maintaining records under sub. (3) (a) 4. as required under rules promulgated under s. ~~104.04~~ 104.035, an employer, as defined in s. 104.01 (3).

SECTION 3076p. 103.06 (3) (a) 4. of the statutes is amended to read:

103.06 **(3)** (a) 4. That the employer is maintaining records of the hours worked by its employees, the wages paid to those employees, any deductions from those

wages, and any other information that the employer is required to keep under rules promulgated under s. 103.02 or ~~104.04~~ 104.035, and is listing deductions from wages as required under s. 103.457.

SECTION 3076t. 103.06 (4) (a) 1. of the statutes is amended to read:

103.06 **(4)** (a) 1. Enter and inspect any place of business or place of employment and examine and copy any records that the employer is required to keep under rules promulgated under s. 103.02 or ~~104.04~~ 104.035; any books, registers, payroll records, records of wage withholdings, records of work activity and hours of work, and records or indicia of the employment status of persons performing work for the employer; and any other records relating to compliance with the requirements specified in sub. (3) (a).

SECTION 3078am. 103.67 (2) (fm) 3. of the statutes is amended to read:

103.67 **(2)** (fm) 3. The minor is paid the applicable minimum wage under ~~ch. 104~~ s. 104.035 or under federal law, whichever is greater, for the work.

SECTION 3078b. 103.70 (2) (b) 3. of the statutes is amended to read:

103.70 **(2)** (b) 3. The minor is paid the applicable minimum wage under ~~ch. 104~~ s. 104.035 or under federal law, whichever is greater, for the work.

SECTION 3078bg. 103.85 (2) (g) of the statutes is created to read:

103.85 **(2)** (g) An employee who states in writing that he or she voluntarily chooses to work without at least 24 consecutive hours of rest in 7 consecutive days.

SECTION 3078bm. 104.001 (1) of the statutes is amended to read:

104.001 **(1)** The legislature finds that the provision of a ~~living~~ minimum wage that is uniform throughout the state is a matter of statewide concern and that the enactment of a ~~living~~ minimum wage ordinance by a city, village, town, or county would be logically inconsistent with, would defeat the purpose of, and would go

against the spirit of this chapter. Therefore, this chapter shall be construed as an enactment of statewide concern for the purpose of providing a ~~living~~ minimum wage that is uniform throughout the state.

SECTION 3078c. 104.001 (2) of the statutes is amended to read:

104.001 **(2)** A city, village, town, or county may not enact and administer an ordinance establishing a ~~living~~ minimum wage. Any city, village, town, or county ~~living~~ minimum wage ordinance that is in effect on June 16, 2005, is void.

SECTION 3078cm. 104.01 (intro.) of the statutes is amended to read:

104.01 Definitions. (intro.) ~~The following terms as used in~~ In this chapter ~~shall be construed as follows~~:

SECTION 3078d. 104.01 (1) of the statutes is renumbered 104.01 (1m).

SECTION 3078dm. 104.01 (1d) of the statutes is created to read:

104.01 **(1d)** "Agricultural employee" means an employee who is employed in the operation of farm premises, as described in s. 102.04 (3).

SECTION 3078e. 104.01 (5) of the statutes is repealed.

SECTION 3078em. 104.01 (5g) of the statutes is created to read:

104.01 **(5g)** "Minor employee" means an employee who is under 18 years of age.

SECTION 3078f. 104.01 (5m) of the statutes is created to read:

104.01 **(5m)** "Opportunity employee" means a person under 20 years of age who is in the first 90 consecutive days of employment with his or her employer.

SECTION 3078fm. 104.01 (7m) of the statutes is created to read:

104.01 **(7m)** "Tipped employee" means an employee who in the course of employment customarily and regularly receives money or other gratuities from persons other than the employee's employer.

SECTION 3078g. 104.01 (8) of the statutes is amended to read:

104.01 **(8)** ~~The term "wage" and the term "wages" shall each mean~~ "Wage" means any compensation for labor measured by time, piece, or otherwise.

SECTION 3078gm. 104.02 and 104.03 of the statutes are consolidated, renumbered 104.02 and amended to read:

104.02 ~~Living~~ Minimum wage ~~prescribed~~: requirement to pay. Every wage paid or agreed to be paid by any employer to any employee, except as otherwise provided in s. 104.07, shall be not less than ~~a living~~ the applicable minimum wage established under s. 104.035. ~~**104.03 Unlawful wages.**~~ Any employer paying, offering to pay, or agreeing to pay any employee a wage lower or less in value than ~~a living~~ the applicable minimum wage established under s. 104.035 is guilty of a violation of this chapter as provided in s. 103.005 (11) and is subject to the penalties provided in s. 103.005 (12).

SECTION 3078h. 104.035 of the statutes is created to read:

104.035 Minimum wage. (1) EMPLOYEES GENERALLY. (a) *Minimum rates.* Except as provided in subs. (2) to (8), the minimum wage is $7.25 per hour.

(b) *Allowances for meals and lodging.* Except as provided in subs. (2) (b), (2m) (b), and (4) (b) and subject to sub. (3) (b), if an employer furnishes an employee with meals or lodging in accordance with rules promulgated by the department under s. 104.045 (2), the employer may deduct the following amounts from the wages of the employee:

1. For lodging, $58 per week or $8.30 per day.

2. For meals, $87 per week or $4.15 per meal.

(2) MINOR EMPLOYEES. (a) *Minimum rates.* Except as provided in subs. (2m) to (8), the minimum wage for a minor employee is $7.25 per hour.

(b) *Allowances for meals and lodging.* Except as provided in subs. (2m) (b) and (4) (b) and subject to sub. (3) (b), if an employer furnishes a minor employee with meals or lodging in accordance with rules promulgated by the department under s. 104.045 (2), the employer may deduct the following amounts from the wages of the employee:

1. For lodging, $58 per week or $8.30 per day.

2. For meals, $87 per week or $4.15 per meal.

(2m) OPPORTUNITY EMPLOYEES. (a) *Minimum rates.* Except as provided in subs. (3) to (8), the minimum wage for an opportunity employee is $5.90 per hour.

(b) *Allowances for meals and lodging.* Except as provided in sub. (4) (b) and subject to sub. (3) (b), if an employer furnishes an opportunity employee with meals or lodging in accordance with rules promulgated by the department under s. 104.045 (2), the employer may deduct the following amounts from the wages of the employee:

1. For lodging, $47.20 per week or $6.75 per day.

2. For meals, $70.80 per week or $3.35 per meal.

(3) TIPPED EMPLOYEES. (a) *Minimum rates.* Except as provided in subs. (4) to (8), if an employer of a tipped employee establishes by the employer's payroll records that, when adding the tips received by the tipped employee in a week to the wages paid to the tipped employee in that week, the tipped employee receives not less than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum wage for the tipped employee is as follows:

1. For wages earned by a tipped employee who is not an opportunity employee, $2.33 per hour.

2. For wages earned by a tipped employee who is an opportunity employee, $2.13 per hour.

(b) *Allowances for meals and lodging.* If an employer furnishes a tipped employee with meals or lodging in accordance with rules promulgated by the department under s. 104.045 (2), the employer may deduct the applicable amounts specified in sub. (1) (b), (2) (b), or (2m) (b) from the wages of the tipped employee.

(4) AGRICULTURAL EMPLOYEES. (a) *Minimum rates.* Except as provided in subs. (7) and (8), the minimum wage for an agricultural employee is $7.25 per hour.

(b) *Allowances for meals and lodging.* If an employer furnishes an agricultural employee with meals or lodging in accordance with rules promulgated by the department under s. 104.045 (2), the employer may deduct the following amounts from the wages of the employee:

1. For lodging, $58 per week or $8.30 per day.

2. For meals, $87 per week or $4.15 per meal.

(5) CAMP COUNSELORS. The minimum wage for a counselor at a seasonal recreational or educational camp, including a day camp, is $350 per week if meals and lodging are not furnished, $265 per week if only meals are furnished, and $210 per week if both meals and lodging are furnished.

(6) GOLF CADDIES. The minimum wage for a golf caddy is $10.50 for caddying 18 holes and $5.90 for caddying 9 holes.

(7) MINIMUM WAGE ESTABLISHED BY DEPARTMENT. The department shall promulgate rules providing the minimum wage for all of the following:

(a) An employee or worker with a disability covered under a license under s. 104.07.

(b) A student learner.

(c) A student employed by an independent college or university for less than 20 hours per week.

(8) EMPLOYMENT EXEMPTED BY DEPARTMENT. The department shall promulgate rules exempting from the minimum wage requirements under subs. (1) to (7) all of the following:

(a) A person engaged in casual employment in and around an employer's home on an irregular or intermittent basis for not more than 15 hours per week.

(b) A person who resides in the home of an employer who, due to advanced age or physical or mental disability, cannot care for his or her own needs, for the purpose of companionship and who spends not more than 15 hours per week on general household work for the employer.

(c) An elementary or secondary school student performing student work–like activities in the student's school.

(9) GENDER–SPECIFIC MINIMUM WAGE PROHIBITED.

SECTION 3078hm. 104.04 (title) of the statutes is repealed.

SECTION 3078i. 104.04 of the statutes is renumbered 104.035 (9) and amended to read:

104.035 **(9)** ~~The department shall investigate, ascertain, determine, and fix such reasonable classifications, and shall impose general or special orders, determining the living wage, and shall carry out the purposes of this chapter. Such investigations, classifications, and orders shall be made as provided under s. 103.005, and the penalties specified in s. 103.005 (12) shall apply to and be imposed for any violation of this chapter. In determining the living wage, the department may consider the effect that an increase in the living wage might have on the economy of the state, including the effect of a living wage increase on job creation, retention, and expansion, on the availability of entry–level jobs, and on regional economic conditions within the state.~~ The department may not establish a different minimum

wage for men and women. ~~Said orders shall be subject to review in the manner provided in ch. 227.~~

SECTION 3078im. 104.045 of the statutes is renumbered 104.045 (intro.) and amended to read:

104.045 ~~Tipped employees~~ Tips, meals, lodging, and hours worked. (intro.) The department shall ~~by rule determine what amount of~~ promulgate rules governing all of the following:

(1) The counting of tips or similar gratuities ~~may be counted~~ toward fulfillment of the employer's obligation under this chapter.

SECTION 3078j. 104.045 (2) and (3) of the statutes are created to read:

104.045 **(2)** The deduction of meals or lodging provided by an employer to an employee from the employer's obligation under this chapter.

(3) The determination of hours worked by an employee during which the employee is entitled to the minimum wage established under s. 104.035.

SECTION 3078jm. 104.05 of the statutes is repealed.

SECTION 3078ke. 104.06 of the statutes is repealed.

SECTION 3078km. 104.07 (1) and (2) of the statutes are amended to read:

104.07 **(1)** The department shall ~~make~~ promulgate rules, and, except as provided under subs. (5), (6), and (7), grant ~~licenses~~ a license to any employer who employs any employee ~~who is unable to earn the living wage determined by the department, permitting the employee to work for a wage that~~ for whom the minimum wage established under s. 104.035 is not commensurate with the employee's ability. Each license so granted shall establish a wage for ~~the licensee~~ any such employees of the licensee.

(2) The department shall ~~make~~ promulgate rules, and, except as provided under subs. (5), (6), and (7), grant ~~licenses~~ a license to a sheltered ~~workshops~~ workshop, to permit the employment of workers with disabilities ~~who are unable to earn the living wage~~ at a wage that is commensurate with their ability and productivity. A license granted to a sheltered workshop under this subsection may be issued for the entire workshop or a department of the workshop.

SECTION 3078ks. 104.08 (2m) of the statutes is amended to read:

104.08 **(2m)** Any person working in a trade industry for which a ~~living~~ minimum wage has been established for minors, and who has no trade, shall be employed under an apprentice contract under s. 106.01.

SECTION 3078L. 104.10 of the statutes is amended to read:

104.10 Penalty for intimidating witness. Any employer who discharges or threatens to discharge, or who in any way discriminates~~,~~ or threatens to discriminate against, any employee because the employee has testified or is about to testify, or because the employer believes that the employee may testify, in any investigation or proceeding relative to the enforcement of this chapter, ~~is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of~~ may be fined $25 for each offense.

SECTION 3078Lm. 104.11 of the statutes is repealed.

SECTION 3078m. 104.12 of the statutes is amended to read:

104.12 Complaints. Any person may register with the department a complaint that the wages paid to an employee for whom a ~~living~~ minimum wage has been established under s. 104.035 are less than that ~~living~~ minimum wage, and the department shall investigate the matter and take all proceedings necessary to enforce the payment of ~~a~~ that minimum wage ~~that is not less than the living wage~~.

Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section.

SECTION 3081d. 106.13 (1) of the statutes is amended to read:

106.13 **(1)** The department shall provide a youth apprenticeship program that includes the grant ~~programs under subs. (3m) and (4)~~ program under sub. (3m).

SECTION 3082. 106.13 (3m) (a) of the statutes is renumbered 106.13 (3m) (a) (intro.) and amended to read:

106.13 **(3m)** (a) (intro.) In this subsection~~, "local partnership"~~:

1. "Local partnership" means one or more school districts, or any combination of one or more school districts, other public agencies, ~~as defined in sub. (4) (a) 2.,~~ nonprofit organizations, ~~as defined in sub. (4) (a) 1r.,~~ individuals, or other persons, who have agreed to be responsible for implementing and coordinating a local youth apprenticeship program.

SECTION 3083. 106.13 (3m) (b) (intro.) of the statutes is amended to read:

106.13 **(3m)** (b) (intro.) From the appropriation under s. 20.445 (1) ~~(e)~~ (b), the department ~~shall~~ may award grants to applying local partnerships for the implementation and coordination of local youth apprenticeship programs. A local partnership shall include in its grant application the identity of each public agency, nonprofit organization, individual, and other person who is a participant in the local partnership, a plan to accomplish the implementation and coordination activities specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible for receiving, managing, and accounting for the grant moneys received under this paragraph. Subject to par. (c), a local partnership that is awarded a grant under this paragraph may use the grant moneys awarded for any of the following implementation and coordination activities:

SECTION 3084. 106.13 (4) (a) (intro.) of the statutes is repealed.

SECTION 3085. 106.13 (4) (a) 1d. of the statutes is repealed.

SECTION 3086. 106.13 (4) (a) 1r. of the statutes is renumbered 106.13 (3m) (a) 1r.

SECTION 3087. 106.13 (4) (a) 2. of the statutes is renumbered 106.13 (3m) (a) 2.

SECTION 3088. 106.13 (4) (b) of the statutes is repealed.

SECTION 3089. 106.13 (4) (c) of the statutes is repealed.

SECTION 3090. 106.13 (4) (d) of the statutes is repealed.

SECTION 3097. 106.32 (title) of the statutes is renumbered 45.435 (title).

SECTION 3098. 106.32 (1) (intro.) of the statutes is renumbered 45.435 (1) (intro.).

SECTION 3099. 106.32 (1) (a) of the statutes is renumbered 45.435 (1) (a) and amended to read:

45.435 **(1)** (a) "Disabled veteran" means a veteran who is verified by the department ~~of veterans affairs~~ to have a service–connected disability rating of at least 50 percent under 38 USC 1114 or 1134.

SECTION 3100. 106.32 (1) (b) and (c) of the statutes are renumbered 45.435 (1) (b) and (c).

SECTION 3101. 106.32 (1) (d) of the statutes is repealed.

SECTION 3102. 106.32 (2) of the statutes is renumbered 45.435 (2), and 45.435 (2) (a) (intro.), as renumbered, is amended to read:

45.435 **(2)** (a) (intro.) ~~Beginning on July 2, 2013, from~~ <u>From</u> the appropriation account under s. ~~20.445 (1)~~ <u>20.485 (2)</u> (q), the department shall award a grant in any

of the following amounts to any person who hires a disabled veteran to work at a business in this state:

SECTION 3103. 106.32 (3) of the statutes is renumbered 45.435 (3), and 45.435 (3) (b), as renumbered, is amended to read:

45.435 **(3)** (b) The department shall pay a grant under this section only for hiring a disabled veteran who has received unemployment ~~compensation~~ insurance benefits for at least one week prior to being hired by the applicant, who was receiving such benefits at the time that he or she was hired by the applicant, and who was eligible to receive such benefits at the time the benefits were paid.

SECTION 3104e. 106.36 of the statutes is created to read:

106.36 Offender reentry initiative. (1) In this section, "offender" has the meaning given in 29 USC 3102 (38).

(2) The department shall align its workforce development activities under the federal Workforce Innovation and Opportunity Act, 29 USC 3101 to 3361, with the department of corrections' initiatives to reintegrate offenders into the community by doing all of the following:

(a) Training staff of the department of corrections in the use of assessment tools to assess the educational and vocational needs and skills of offenders who are incarcerated.

(b) Providing in its guidelines for the development of local plans under 29 USC 3123 a specific requirement that local workforce development boards established under 29 USC 3122 outline in their local plans how they will work with local and statewide offender reentry initiatives supported by the department of corrections.

(c) Appointing a representative of the department of corrections to serve on any subcommittee of the state workforce development board established under 29 USC

3111 that is responsible for the planning and operation of, and other issues relating to, the state workforce development system to ensure that workforce development programs made available through that system provide workforce development activities serving offenders.

(d) Integrating offender reentry initiatives supported by the department of corrections with the job center network under s. 106.14 (1) to ensure that offenders are aware of the comprehensive career planning, job placement, job training, and other resources available to them through the job center network.

SECTION 3105. 106.52 (1) (d) 1. of the statutes is amended to read:

106.52 **(1)** (d) 1. A bed and breakfast establishment, as defined in s. ~~254.61 (1)~~ 97.01 (1g).

SECTION 3106. 106.52 (1) (d) 2. of the statutes is amended to read:

106.52 **(1)** (d) 2. A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

SECTION 3107. 106.52 (1) (d) 3. of the statutes is amended to read:

106.52 **(1)** (d) 3. A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

SECTION 3110. 108.02 (24g) of the statutes is created to read:

108.02 **(24g)** SUITABLE WORK. "Suitable work" has the meaning specified by the department by rule under s. 108.14 (27).

SECTION 3111. 108.04 (8) (a) of the statutes is amended to read:

108.04 **(8)** (a) ~~If~~ Except as provided in par. (b), if an employee fails, without good cause, to accept suitable work when offered, the employee is ineligible to receive benefits until the employee earns wages after the week in which the failure occurs equal to at least 6 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's weekly

benefit rate shall be that rate which would have been paid had the failure not occurred. This paragraph does not preclude an employee from establishing a benefit year during a period in which the employee is ineligible to receive benefits under this paragraph if the employee qualifies to establish a benefit year under s. 108.06 (2) (a). ~~The~~ Except as provided in par. (b), the department shall charge to the fund's balancing account any benefits otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18 whenever an employee of that employer fails, without good cause, to accept suitable work offered by that employer.

SECTION 3112. 108.04 (8) (b) of the statutes is created to read:

108.04 **(8)** (b) There is a rebuttable presumption that an employee has failed, without good cause, to accept suitable work when offered if the department determines, based on a report submitted by an employing unit in accordance with s. 108.133 (4), that the employing unit required, as a condition of an offer of employment, that the employee submit to a test for the presence of controlled substances and withdrew the conditional offer after the employee either declined to submit to such a test or tested positive for one or more controlled substances without evidence of a valid prescription for each controlled substance for which the employee tested positive. In the case of the employee declining to submit to such a test, the employee shall be ineligible for benefits until the employee again qualifies for benefits in accordance with the rules promulgated under this paragraph. In the case of the employee testing positive in such a test without evidence of a valid prescription, the employee shall be ineligible for benefits until the employee again qualifies for benefits in accordance with the rules promulgated under this paragraph, except that the employee may maintain his or her eligibility for benefits

in same manner as is provided in s. 108.133 (3) (d). The department shall promulgate rules identifying a period of ineligibility that must elapse or a requalification requirement that must be satisfied, or both, in order for an employee who becomes ineligible for benefits as provided in this paragraph to again qualify for benefits and specifying how a claimant may overcome the presumption in this paragraph. The department shall charge to the fund's balancing account any benefits otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18 whenever an employee of that employer fails, without good cause, to accept suitable work as described in this paragraph.

SECTION 3113. 108.04 (11) (bh) of the statutes is amended to read:

108.04 **(11)** (bh) In addition to ineligibility for benefits resulting from concealment as provided in par. (be), the department shall assess a penalty against the claimant in an amount equal to ~~15~~ 40 percent of the benefit payments erroneously paid to the claimant as a result of one or more acts of concealment described in pars. (a) and (b).

SECTION 3115. 108.133 of the statutes is created to read:

108.133 Testing for controlled substances. (1) DEFINITIONS. In this section:

(a) Notwithstanding s. 108.02 (9), "controlled substance" has the meaning given in 21 USC 802.

(b) "Job skills assessment" means an assessment conducted by the department under sub. (2) (d).

(c) "Occupation that regularly conducts drug testing" means an occupation identified in the regulations issued by the federal secretary of labor under 42 USC 503 (l) (1) (A) (ii).

(d) "Screening" means the screening process created by the department under sub. (2) (a) 3.

(e) "Substance abuse treatment program" means the program provided under sub. (2) (c).

(f) "Valid prescription" means a prescription, as defined in s. 450.01 (19), for a controlled substance that has not expired.

(2) DRUG TESTING PROGRAM. The department shall establish a program to test claimants who apply for regular benefits under this chapter for the presence of controlled substances in accordance with this section and shall, under the program, do all of the following:

(a) Promulgate rules to establish the program. The department shall do all of the following in the rules promulgated under this paragraph:

1. Identify a process for testing claimants for the presence of controlled substances. The department shall ensure that the process adheres to any applicable federal requirements regarding drug testing.

2. Identify the parameters for a substance abuse treatment program for claimants who engage in the unlawful use of controlled substances and specify criteria that a claimant must satisfy in order to be considered in full compliance with requirements of the substance abuse treatment program. If the rules require that a claimant enrolled in the substance abuse treatment program submit to additional tests for the presence of controlled substances following the initial test conducted under sub. (3) (c), the rules shall allow the claimant to have at least one more positive test result following the initial test without, on that basis, being considered not to be in full compliance with the requirements of the substance abuse treatment program.

3. Create a screening process for determining whether there is a reasonable suspicion that a claimant has engaged in the unlawful use of controlled substances.

4. Identify the parameters for a job skills assessment for claimants who engage in the unlawful use of controlled substances and specify criteria that a claimant must satisfy in order to be considered in full compliance with the requirements of the job skills assessment.

5. Identify a period of ineligibility that must elapse or a requalification requirement that must be satisfied, or both, in order for a claimant to again qualify for benefits after becoming ineligible for benefits under sub. (3) (a) or (c).

(am) Promulgate rules identifying occupations for which drug testing is regularly conducted in this state. The department shall notify the U.S. department of labor of any rules promulgated under this paragraph.

(b) When a claimant applies for regular benefits under this chapter, do all of the following:

1. Determine whether the claimant is an individual for whom suitable work is only available in an occupation that regularly conducts drug testing.

2. Determine whether the claimant is an individual for whom suitable work is only available in an occupation identified in the rules promulgated under par. (am).

3. If the claimant is determined by the department under subd. 1. to be an individual for whom suitable work is only available in an occupation that regularly conducts drug testing, conduct a screening on the claimant.

4. If the claimant is determined by the department under subd. 2. to be an individual for whom suitable work is only available in an occupation identified in the rules promulgated under par. (am), conduct a screening on the claimant if a screening is not already required under subd. 3.

5. If a screening conducted as required under subd. 3. or 4. indicates a reasonable suspicion that the claimant has engaged in the unlawful use of controlled substances, require that the claimant submit to a test for the presence of controlled substances.

(c) Create and provide, or contract with an entity or another agency to provide, a substance abuse treatment program in accordance with the rules promulgated under par. (a) 2.

(d) Create and conduct job skills assessments in accordance with the rules promulgated under par. (a) 4.

(3) DRUG TESTING; SUBSTANCE ABUSE TREATMENT. (a) If a claimant is required under sub. (2) (b) 5. to submit to a test for the presence of controlled substances and the claimant declines to submit to such a test, the claimant is ineligible for benefits under this chapter until the claimant is again eligible for benefits as provided in the rules promulgated under sub. (2) (a) 5.

(b) If a claimant who is required under sub. (2) (b) 5. to submit to a test for the presence of controlled substances submits to the test and does not test positive for any controlled substance or the claimant presents evidence satisfactory to the department that the claimant possesses a valid prescription for each controlled substance for which the claimant tests positive, the claimant may receive benefits under this chapter if otherwise eligible and may not be required to submit to any further test for the presence of controlled substances until a subsequent benefit year.

(c) If a claimant who is required under sub. (2) (b) 5. to submit to a test for the presence of controlled substances submits to the test and tests positive for one or more controlled substances without presenting evidence satisfactory to the department that the claimant possesses a valid prescription for each controlled

substance for which the claimant tested positive, the claimant is ineligible for benefits under this chapter until the claimant is again eligible for benefits as provided in the rules promulgated under sub. (2) (a) 5., except as provided in par. (d).

(d) A claimant who tests positive for one or more controlled substances without presenting evidence of a valid prescription as described in par. (c) may maintain his or her eligibility for benefits under this chapter by enrolling in the substance abuse treatment program and undergoing a job skills assessment. Such a claimant remains eligible for benefits under this chapter, if otherwise eligible, for each week the claimant is in full compliance with any requirements of the substance abuse treatment program and job skills assessment, as determined by the department in accordance with the rules promulgated under sub. (2) (a) 2. and 4.

(e) All information relating to a claimant's enrollment in the substance abuse treatment program shall, subject to and in accordance with any rules promulgated by the department, be confidential and not subject to the right of inspection or copying under s. 19.35 (1).

(f) The department shall charge to the fund's balancing account the cost of benefits paid to an individual that are otherwise chargeable to the account of an employer that is subject to the contribution requirements of ss. 108.17 and 108.18 if the individual receives benefits based on the application of par. (d).

(4) PREEMPLOYMENT DRUG TESTING. (a) An employing unit may, in accordance with the rules promulgated by the department under par. (b), voluntarily submit to the department the results of a test for the presence of controlled substances that was conducted on an individual as a condition of an offer of employment or notify the department that an individual declined to submit to such a test, along with information necessary to identify the individual. Upon receipt of any such results

of a test conducted and certified in a manner approved by the department or notification that an individual declined to submit to such a test, the department shall determine whether the individual is a claimant receiving benefits. If the individual is a claimant receiving benefits, the department shall, in accordance with rules promulgated by the department under par. (b), use that information for purposes of determining eligibility for benefits under s. 108.04 (8) (b).

(b) The department shall promulgate rules necessary to implement par. (a).

(5) APPLICATION OF THIS SECTION. (a) Notwithstanding subs. (2) (b) 1., 3., and 5., (c), and (d) and (3), subs. (2) (b) 1., 3., and 5., (c), and (d) and (3) do not apply until the rules required under sub. (2) (a) take effect. The department shall submit to the legislative reference bureau for publication in the Wisconsin administrative register a notice identifying the date on which subs. (2) (b) 1., 3., and 5., (c), and (d) and (3) will be implemented.

(b) Notwithstanding sub. (2) (b) 2. and 4., sub. (2) (b) 2. and 4. do not apply until the rules required under sub. (2) (am) take effect. The department shall submit to the legislative reference bureau for publication in the Wisconsin administrative register a notice identifying the date on which sub. (2) (b) 2. and 4. will be implemented.

(c) Notwithstanding sub. (4) (a) and s. 108.04 (8) (b), sub. (4) (a) and s. 108.04 (8) (b) do not apply until the rules required under sub. (4) (b) take effect. The department shall submit to the legislative reference bureau for publication in the Wisconsin administrative register a notice identifying the date on which sub. (4) (a) and s. 108.04 (8) (b) will be implemented.

(d) The secretary may waive compliance with any provision under this section and s. 108.04 (8) (b) if the secretary determines that waiver of the provision is

necessary to permit continued certification of this chapter for grants to this state under Title III of the federal Social Security Act or for maximum credit allowances to employers under the federal Unemployment Tax Act.

SECTION 3116. 108.14 (8n) (e) of the statutes is amended to read:

108.14 **(8n)** (e) The department shall charge this state's share of any benefits paid under this subsection to the account of each employer by which the employee claiming benefits was employed in the applicable base period, in proportion to the total amount of wages he or she earned from each employer in the base period, except that if s. 108.04 (1) (f), (5), (7) (a), (c), (e), (L), (q), (s), or (t), (7m) or (8) (a) or <u>(b),</u> 108.07 (3), (3r), or (5) (b)<u>, or 108.133 (3) (f)</u> would have applied to employment by such an employer who is subject to the contribution requirements of ss. 108.17 and 108.18, the department shall charge the share of benefits based on employment with that employer to the fund's balancing account, or, if s. 108.04 (1) (f) or (5) or 108.07 (3) would have applied to an employer that is not subject to the contribution requirements of ss. 108.17 and 108.18, the department shall charge the share of benefits based on that employment in accordance with s. 108.07 (5) (a) and (b). The department shall also charge the fund's balancing account with any other state's share of such benefits pending reimbursement by that state.

SECTION 3117. 108.14 (27) of the statutes is created to read:

108.14 **(27)** The department shall promulgate a rule to define what constitutes suitable work for claimants, which shall specify different levels of suitable work based upon the number of weeks that a claimant has received benefits in a given benefit year. The rule promulgated under this subsection may not affect the ability of an employee to fail to accept suitable work pursuant to s. 108.04 (8) (d).

SECTION 3118. 108.141 (3g) (a) 3. (intro.) of the statutes is amended to read:

108.141 **(3g)** (a) 3. (intro.) ~~Work~~ Notwithstanding s. 108.02 (24g), work is suitable within the meaning of subd. 2. if:

SECTION 3119. 108.141 (7) (a) of the statutes is amended to read:

108.141 **(7)** (a) The department shall charge the state's share of each week of extended benefits to each employer's account in proportion to the employer's share of the total wages of the employee receiving the benefits in the employee's base period, except that if the employer is subject to the contribution requirements of ss. 108.17 and 108.18 the department shall charge the share of extended benefits to which s. 108.04 (1) (f), (5), (7) (a), (c), (e), (L), (q), (s), or (t), (7m) or (8) (a) or (b), 108.07 (3), (3r), or (5) (b), or 108.133 (3) (f) applies to the fund's balancing account.

SECTION 3119m. 108.16 (6) (n) of the statutes is amended to read:

108.16 **(6)** (n) ~~Any~~ The amount of any penalty collected under s. 108.04 (11) (bh) that accounts for the minimum penalty required to be assessed and deposited into the fund under 42 USC 503 (a) (11).

SECTION 3120. 108.16 (6m) (a) of the statutes is amended to read:

108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), (5g), (7) (h), (8) (a) or (b), (13) (c) or (d) or (16) (e), 108.07 (3), (3r), (5) (b), (5m), or (6), 108.133 (3) (f), 108.14 (8n) (e), 108.141, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

SECTION 3120m. 108.19 (1s) (a) of the statutes is amended to read:

108.19 **(1s)** (a) There is created a separate, nonlapsible trust fund designated as the unemployment program integrity fund consisting of all amounts collected under s. 108.04 (11) (bh) other than the amounts required to be deposited in the fund under s. 108.16 (6) (n).

SECTION 3121. 108.227 (1) (e) 3. of the statutes is amended to read:

108.227 **(1)** (e) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), ~~252.23 (2), 252.24 (2),~~ 254.176, 254.20 (3), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

SECTION 3122. 108.227 (1) (e) 3. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

108.227 **(1)** (e) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), 254.176, 254.20 (3), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a ~~permit~~ license for operation of a campground specified in s. ~~254.47 (1)~~ 97.67 (1).

SECTION 3133m. 109.03 (1) (c) of the statutes is amended to read:

109.03 **(1)** (c) ~~Unclassified employees~~ Employees of the University of Wisconsin System other than university staff, as defined in s. 36.05 (15).

SECTION 3138g. 111.70 (4) (d) 1. of the statutes is amended to read:

111.70 **(4)** (d) 1. A representative chosen for the purposes of collective bargaining by a majority of the ~~municipal~~ public safety employees or transit employees voting in a collective bargaining unit shall be the exclusive representative of all employees in the unit for the purpose of collective bargaining. A representative chosen for the purposes of collective bargaining by at least 51 percent of the general municipal employees in a collective bargaining unit shall be the exclusive representative of all employees in the unit for the purpose of collective bargaining.

Any individual employee, or any minority group of employees in any collective bargaining unit, shall have the right to present grievances to the municipal employer in person or through representatives of their own choosing, and the municipal employer shall confer with ~~said~~ the employee in relation thereto, if the majority representative has been afforded the opportunity to be present at the conferences. Any adjustment resulting from these conferences ~~shall~~ may not be inconsistent with the conditions of employment established by the majority representative and the municipal employer.

SECTION 3139. 111.81 (5) of the statutes is created to read:

111.81 **(5)** "Division" means the division of personnel management in the department of administration.

SECTION 3140m. 111.81 (7) (ar) of the statutes, as created by 2011 Wisconsin Act 32, is amended to read:

111.81 **(7)** (ar) Any employee who is employed by the University of Wisconsin System, except an employee who is assigned to the University of Wisconsin–Madison, and except faculty ~~under s. 36.13,~~ and except academic staff under s. 36.15.

SECTION 3141m. 111.81 (7) (at) of the statutes, as created by 2011 Wisconsin Act 32, is amended to read:

111.81 **(7)** (at) Any employee who is employed by the University of Wisconsin System and assigned to the University of Wisconsin–Madison except faculty ~~under s. 36.13~~ and except academic staff under s. 36.15.

SECTION 3143. 111.81 (7) (f) of the statutes is amended to read:

111.81 **(7)** (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm), 2013 stats.

SECTION 3148. 111.81 (14) of the statutes is repealed.

SECTION 3152. 111.815 (1) and (2) of the statutes, as affected by 2013 Wisconsin Act 166, are amended to read:

111.815 **(1)** In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The ~~office~~ division shall negotiate and administer collective bargaining agreements. To coordinate the employer position in the negotiation of agreements, the ~~office~~ division shall maintain close liaison with the legislature relative to the negotiation of agreements and the fiscal ramifications of those agreements. Except with respect to the collective bargaining units specified in s. 111.825 (1r) and (1t), the ~~office~~ division is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the ~~office~~ division that require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1r), the Board of Regents of the University of Wisconsin System is responsible for the employer functions under this subchapter. With respect to the collective bargaining units specified in s. 111.825 (1t), the chancellor of the University of Wisconsin–Madison is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (1r) (ef), the governing board of the

charter school established by contract under s. 118.40 (2r) (cm), 2013 stats., is responsible for the employer functions under this subchapter.

(2) The ~~director of the office~~ administrator of the division shall, together with the appointing authorities or their representatives, represent the state in its responsibility as an employer under this subchapter except with respect to negotiations in the collective bargaining units specified in s. 111.825 (1r) and (1t). ~~The director of the office~~ Except as provided in s. 36.115 (7), the administrator of the division shall establish and maintain, wherever practicable, consistent employment relations policies and practices throughout the state service.

SECTION 3154. 111.815 (3) of the statutes is amended to read:

111.815 **(3)** With regard to collective bargaining activities involving employees who are assistant district attorneys, the ~~director of the office~~ administrator of the division shall maintain close liaison with the secretary of administration.

SECTION 3156. 111.825 (1r) (ef) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

111.825 **(1r)** (ef) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm), 2013 stats.

SECTION 3161r. 111.83 (1) of the statutes is amended to read:

111.83 **(1)** Except as provided in sub. (5), a representative chosen for the purposes of collective bargaining by ~~a majority~~ at least 51 percent of the general employees ~~voting~~ in a collective bargaining unit shall be the exclusive representative of all of the employees in such unit for the purposes of collective bargaining. A representative chosen for the purposes of collective bargaining by a majority of the public safety employees voting in a collective bargaining unit shall be the exclusive

representative of all of the employees in such unit for the purposes of collective bargaining. Any individual employee, or any minority group of employees in any collective bargaining unit, may present grievances to the employer in person, or through representatives of their own choosing, and the employer shall confer with ~~said~~ the employee or group of employees in relation thereto if the majority representative has been afforded the opportunity to be present at the conference. Any adjustment resulting from such a conference may not be inconsistent with the conditions of employment established by the majority representative and the employer.

SECTION 3162. 111.83 (3) (a) of the statutes is amended to read:

111.83 **(3)** (a) Whenever a question arises concerning the representation of employees in a collective bargaining unit the commission shall determine the representative thereof by taking a secret ballot of the employees and certifying in writing the results thereof to the interested parties and to the ~~director of the office~~ administrator of the division. There shall be included on any ballot for the election of representatives the names of all labor organizations having an interest in representing the employees participating in the election as indicated in petitions filed with the commission. The name of any existing representative shall be included on the ballot without the necessity of filing a petition. The commission may exclude from the ballot one who, at the time of the election, stands deprived of his or her rights under this subchapter by reason of a prior adjudication of his or her having engaged in an unfair labor practice. The ballot shall be so prepared as to permit a vote against representation by anyone named on the ballot. The commission's certification of the results of any election is conclusive as to the findings included therein unless reviewed under s. 111.07 (8).

SECTION 3162t. 111.83 (5) (d) of the statutes is amended to read:

111.83 **(5)** (d) If at an election held under par. (b), ~~a majority~~ at least 51 percent of the employees ~~voting~~ in the collective bargaining unit at all institutions in which the choice to participate in collective bargaining receives ~~a majority~~ at least 51 percent of the eligible votes ~~cast~~ elect to be represented by a single labor organization, that labor organization shall be the exclusive representative for all employees in that collective bargaining unit, except those excluded under par. (c).

SECTION 3162u. 111.83 (5) (e) of the statutes is amended to read:

111.83 **(5)** (e) If at an election held under par. (b), ~~a majority~~ at least 51 percent of the employees ~~voting~~ in the collective bargaining unit at all institutions in which the choice to participate in collective bargaining receives ~~a majority~~ at least 51 percent of the eligible votes ~~cast~~ do not elect to be represented by a single labor organization, the commission may hold one or more runoff elections under sub. (4) until one representative receives ~~a majority~~ at least 51 percent of the eligible votes ~~cast~~.

SECTION 3162v. 111.83 (5) (f) of the statutes is amended to read:

111.83 **(5)** (f) Notwithstanding par. (b), if a labor organization is certified to represent the employees within the collective bargaining unit at one or more institutions, and a petition is filed with the commission indicating a showing of interest by the employees at an institution which is not a part of the unit under par. (c) to be represented by a labor organization, the only question which ~~shall~~ may appear on the ballot shall be whether the employees desire to participate in collective bargaining. A petition under this paragraph may ~~only~~ be filed only during June in an even–numbered year. If ~~a majority~~ at least 51 percent of the employees ~~voting~~ at the institution who are included within the collective bargaining unit vote to

participate in collective bargaining, the employees at that institution shall become a part of that collective bargaining unit.

SECTION 3167. 111.86 (2) of the statutes is amended to read:

111.86 **(2)** The ~~office~~ division shall charge a state department or agency the employer's share of the cost related to grievance arbitration under sub. (1) for any arbitration that involves one or more employees of the state department or agency. Each state department or agency so charged shall pay the amount that the ~~office~~ division charges from the appropriation account or accounts used to pay the salary of the grievant. Funds received under this subsection shall be credited to the appropriation account under s. ~~20.545 (1) (km)~~ 20.505 (1) (ks).

SECTION 3168. 111.89 (1) of the statutes is amended to read:

111.89 **(1)** Upon establishing that a strike is in progress, the employer may either seek an injunction or file an unfair labor practice charge with the commission under s. 111.84 (2) (e) or both. It is the responsibility of the ~~office~~ division to decide whether to seek an injunction or file an unfair labor practice charge. The existence of an administrative remedy does not constitute grounds for denial of injunctive relief.

SECTION 3169. 111.91 (4) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

111.91 **(4)** The ~~director of the office~~ administrator of the division, in connection with the development of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a) 1., shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) and with each certified labor organization representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any

provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.

SECTION 3171. 111.915 of the statutes is amended to read:

111.915 Labor proposals. The ~~director of the office~~ administrator of the division shall notify and consult with the joint committee on employment relations, in such form and detail as the committee requests, regarding substantial changes in wages, employee benefits, personnel management, and program policy contract provisions to be included in any contract proposal to be offered to any labor organization by the state or to be agreed to by the state before such proposal is actually offered or accepted.

SECTION 3172. 111.92 (1) (a) 1. of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

111.92 **(1)** (a) 1. Any tentative agreement reached between the ~~office~~ division and any labor organization representing a collective bargaining unit specified in s. 111.825 (1) or (2) (d) or (e) shall, after official ratification by the labor organization, be submitted by the ~~office~~ division to the joint committee on employment relations, which shall hold a public hearing before determining its approval or disapproval.

SECTION 3176. 111.92 (1) (c) of the statutes is amended to read:

111.92 **(1)** (c) Any tentative agreement reached between the governing board of the charter school established by contract under s. 118.40 (2r) (cm), 2013 stats., acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.825 (1r) (ef) shall, after official ratification by the labor organization and approval by the chancellor of the University of Wisconsin–Parkside, be executed by the parties.

SECTION 3182g. 115.001 (1) of the statutes is amended to read:

115.001 **(1)** CHARTER SCHOOL. "Charter school" means a school under contract with a school board under s. 118.40 ~~or~~, with one of the entities under s. 118.40 (2r) (b) 1., or with the director under s. 118.40 (2x), or a school established and operated by one of the entities under s. 118.40 (2r) (b) 1. a. to d.

SECTION 3182s. 115.28 (7) (a) of the statutes is amended to read:

115.28 **(7)** (a) License all teachers for the public schools of the state; make rules establishing standards of attainment and procedures for the examination and licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191, 118.192, 118.193, 118.194, and 118.195; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, beginning on July 1, 2012, and annually thereafter, each teacher preparatory program located in this state shall submit to the department a list of individuals who have completed the program and who have been recommended by the program for licensure under this subsection, together with each individual's date of program completion, from each term or semester of the program's most recently completed academic year; file in the state superintendent's office all papers relating to state teachers' licenses; and register each such license.

SECTION 3184m. 115.28 (9m) of the statutes is created to read:

115.28 **(9m)** WAIVER OF PUPIL ASSESSMENT REQUIREMENTS. (a) Request a waiver from the federal department of education that would permit the state superintendent to approve between 3 and 5 examinations, selected by the University of Wisconsin–Madison Value–Added Research Center under s. 118.301 (2), for administration to pupils as provided under s. 118.301 (3).

(b) Upon receipt of the waiver under par. (a), submit the waiver, together with a request to supplement the appropriation under s. 20.255 (1) (fm) with the funds that are held in the appropriation under s. 20.865 (4) (a) for the purposes described under s. 118.301, to the joint committee on finance for consideration by the committee at its next quarterly meeting under s. 13.10. Upon approval of the state superintendent's request under this paragraph, the joint committee on finance shall release the funds.

SECTION 3184p. 115.28 (10m) of the statutes is created to read:

115.28 **(10m)** REPORT TO THE SUPERINTENDENT OF SCHOOLS OF A 1ST CLASS CITY SCHOOL DISTRICT AND TO THE COMMISSIONER OF THE OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAMS. (a) By October 15, 2015, and annually thereafter, submit to the commissioner of the opportunity schools and partnership program under subch. II of ch. 119 and to the superintendent of schools of the school district operating under ch. 119 a report that identifies the schools in Milwaukee County and located in a school district that was placed in the lowest performance category on the most recent accountability report published for that school district under s. 115.385 (1) to which any of the following applies, and that disaggregates the schools by elementary school, middle school, junior high school, high school, and senior high school:

1. The school was assigned to the lowest performance category on the most recent accountability report published for the school under s. 115.385 (1).

2. The school building is vacant or an underutilized building, as defined in s. 119.61 (1) (c).

(b) By October 15 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 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.

SECTION 3184r. 115.28 (10o) of the statutes is created to read:

115.28 **(10o)** NOTICE OF ELIGIBLE SCHOOL DISTRICT. (a) Beginning in October of the 2015–16 school year, annually determine whether any school district qualifies as an eligible school district, as defined in s. 115.999 (1) (d).

(b) Notify the governor, the appropriate county executive, as defined in s. 115.999 (1) (b), and the appropriate mayor, as defined in s. 115.999 (1) (e), as soon as the state superintendent determines that a school district qualifies as an eligible school district, as defined in s. 115.999 (1) (d).

SECTION 3185. 115.28 (54m) of the statutes is created to read:

115.28 **(54m)** NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the department's Internet site a link to information about all of the educational options available to children in the state who are at least 3 years old but not yet 18 years old, including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full–time open enrollment, youth options, course options, and options for pupils enrolled in a home–based private educational program.

SECTION 3186. 115.28 (61) of the statutes is created to read:

115.28 **(61)** WHOLE GRADE SHARING FEASIBILITY STUDIES. Approve organizations to conduct feasibility studies under s. 118.50 (2) (c).

SECTION 3186g. 115.28 (62) of the statutes is created to read:

115.28 **(62)** MICROSOFT IT ACADEMY COORDINATOR. Designate one individual to serve as the coordinator of the Microsoft IT Academy program.

SECTION 3187m. 115.29 (4) (a) of the statutes is amended to read:

115.29 **(4)** (a) Grant ~~declarations~~ a declaration of equivalency of high school graduation to ~~persons,~~ an individual if the individual has successfully completed the civics test required under s. 118.33 (1m) (a) and if, in the state superintendent's judgment ~~they have~~, the individual has presented satisfactory evidence of having completed a recognized high school course of study or its equivalent. The state superintendent may establish the standards by which high school graduation equivalency is determined. Such standards may consist of evidence of high school courses completed in high schools recognized by the proper authorities as accredited, results of examinations given by or at the request of the state superintendent, successful completion of correspondence study courses given by acceptable correspondence study schools, a general educational development certificate of high school equivalency issued by an agency of the U.S. government, course credits received in schools meeting the approval of the state superintendent, or other standards established by the state superintendent.

SECTION 3188. 115.29 (8) of the statutes is created to read:

115.29 **(8)** ALTERNATIVE DATA COLLECTION METHOD; LOW-INCOME PUPILS. Use an alternative data collection method established by the department to identify pupils who satisfy the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

SECTION 3189. 115.293 of the statutes is created to read:

115.293 Smarter Balanced Assessment Consortium; Common Core State Standards Initiative; prohibition. (1) Beginning on the effective date of

this subsection .... [LRB inserts date], the state superintendent shall cease all participation in the Smarter Balanced Assessment Consortium.

(2) The state superintendent may not give effect to any academic standard developed by the Common Core State Standards Initiative and adopted and implemented in this state before the effective date of this subsection .... [LRB inserts date]. The state superintendent may not require any school board to give effect to any such academic standard.

(3) Beginning on the effective date of this subsection .... [LRB inserts date], the state superintendent may not take any action to adopt or implement any academic standard developed by the Common Core State Standards Initiative, and may not direct any school board to adopt or implement any such standard.

SECTION 3191. 115.297 (5) (b) of the statutes is amended to read:

115.297 **(5)** (b) Failure of any of the agencies to enter into a written agreement under sub. (3) does not affect the powers and duties conferred upon the other agencies under this section or under s. ~~36.11 (31) or~~ 38.04 (19).

SECTION 3191r. 115.34 (2) of the statutes is amended to read:

115.34 **(2)** The state superintendent shall make payments to school districts, private schools, charter schools under s. 118.40 (2r) <u>and (2x)</u>, tribal schools, the program under s. 115.52, and the center under s. 115.525 for school lunches served to children in the prior year as determined by the state superintendent from the appropriation under s. 20.255 (2) (cn). Payments shall equal the state's matching obligation under 42 USC 1751 et seq. Payments in the current year shall be determined by prorating the state's matching obligation based on the number of school lunches served to children in the prior year. In this subsection, "private

school" means any school defined in s. 115.001 (3r) which complies with the requirements of 42 USC 2000d.

SECTION 3192. 115.343 (2) (b) of the statutes is amended to read:

115.343 **(2)** (b) The child meets the income eligibility standard for a free or reduced–price lunch in the federal school lunch program under 42 USC 1758 (b) (1).

SECTION 3193b. 115.367 (title) of the statutes is renumbered 106.273 (title).

SECTION 3193bc. 115.367 (intro.) of the statutes is repealed.

SECTION 3193be. 115.367 (1) of the statutes is renumbered 106.273 (1) and amended to read:

106.273 **(1)** ~~Annually~~ The department shall annually confer with the department of ~~workforce development~~ public instruction and the Wisconsin technical college system to identify industries and occupations within this state that face workforce shortages or shortages of adequately trained, entry–level workers. The state superintendent of public instruction shall annually notify school districts of the identified industries and occupations and make this information available on the Internet site of the department of public instruction.

SECTION 3193bg. 115.367 (2) of the statutes is renumbered 106.273 (2) and amended to read:

106.273 **(2)** ~~Approve~~ The department shall approve industry–recognized certification programs designed to mitigate workforce shortages in any of the industries or occupations identified under sub. (1).

SECTION 3193bi. 115.367 (3) of the statutes is renumbered 106.273 (3) and amended to read:

106.273 **(3)** (a) ~~Beginning in the 2014–15 school year, from~~ From the appropriation under s. ~~20.255 (2) (ct), annually award~~ 20.445 (1) (b), the department

shall allocate not less than $3,000,000 in each fiscal year for incentive grants to school districts ~~in the amount of~~ under this section. From that allocation, the department shall annually award to a school district $1,000 per pupil for each pupil in the school district who, in the prior school year, obtained a high school diploma or a technical education high school diploma from a school in the school district, if all of the following apply:

1. The school district has an industry–recognized certification program approved by the department under sub. (2).

2. The pupil successfully completed the school district's industry–recognized certification program under subd. 1. in any school year in which the program was approved by the department under sub. (2).

(b) If the ~~appropriation under s. 20.255 (2) (ct)~~ amount allocated under par. (a) in any fiscal year is insufficient to pay the full amount per pupil under par. (a), the department ~~shall~~ may prorate the amount of its payments among school districts eligible for an incentive grant under this section.

SECTION 3193p. 115.383 (3) (a) of the statutes is amended to read:

115.383 **(3)** (a) If the student information system is established under sub. (1), the state superintendent shall ensure that within 5 years of the establishment of the system, every school district and every charter school, other than a charter school established under s. 118.40 (2r) or (2x), is using the system.

SECTION 3193r. 115.383 (3) (b) of the statutes is amended to read:

115.383 **(3)** (b) Beginning in the 2015–16 school year, the state superintendent shall ensure that every charter school established under s. 118.40 (2r) or (2x) and every private school participating in a parental choice program under s. 118.60 or 119.23 is either using the system under sub. (1) or is using a system that is

commercially available and able to obtain pupil identification numbers under sub. (5).

SECTION 3193s. 115.384 of the statutes is created to read:

115.384 Virtual marketplace for digital educational resources. (1) The state superintendent shall enter into a contract under sub. (2) with one or more vendors to develop and add educational content to a digital marketplace and resource center through which authorized personnel of a school district, a charter school established under s. 118.40 (2r) or (2x), a private school, and a provider of a home–based private educational program may purchase or license digital educational resources, including the following:

(a) Electronic textbooks.

(b) Individual sections or chapters of electronic textbooks.

(c) Supplemental resources, including worksheets, chapter reviews, quizzes, and study sheets.

(d) Other digital offerings, including videos, from educational publishers or content providers.

(2) Under the contract:

(a) The department shall serve as the Internet host for the marketplace and resource center.

(b) The vendor shall ensure that the marketplace and resource center software runs and displays properly on any computer, mobile phone, or other device with Internet capability.

(c) The vendor shall ensure that any educational content specified under sub. (1) for purchase or license from the marketplace and resource center runs and displays properly on the most common and up–to–date personal computing and

mobile operating systems, including Microsoft Windows, Google Android, and Apple computer operating systems or their equivalents.

(d) The department shall ensure that more than one educational publisher makes available the educational content described under sub. (1) on the marketplace and resource center.

(e) The authorized personnel of a school district, a charter school established under s. 118.40 (2r) or (2x), a private school, and a provider of a home–based private educational program shall be permitted to license educational content described under sub. (1) at a tiered rate for 1 year, 3 years, or 6 years or to purchase the content under a permanent license.

SECTION 3194. 115.385 (1) (a) (intro.) of the statutes is amended to read:

115.385 **(1)** (a) (intro.) Multiple measures to determine a school's performance or a school district's improvement, including all of the following categorized by English language proficiency, disability, income level, and race or ethnicity:

SECTION 3195. 115.385 (1) (a) 1. of the statutes is amended to read:

115.385 **(1)** (a) 1. Pupil achievement ~~and growth~~ in reading and mathematics.

SECTION 3196. 115.385 (1) (a) 1m. of the statutes is created to read:

115.385 **(1)** (a) 1m. Growth in pupil achievement in reading and mathematics, calculated using a value–added methodology.

SECTION 3197. 115.385 (1) (a) 2. of the statutes is repealed.

SECTION 3198. 115.385 (1) (a) 3. of the statutes is amended to read:

115.385 **(1)** (a) 3. ~~Gaps~~ Gap closure in pupil achievement in reading and mathematics and, when available, rates of graduation~~, categorized by race, English language proficiency, disability, and income level~~.

SECTION 3199. 115.385 (1) (a) 4. of the statutes is created to read:

115.385 **(1)** (a) 4. Rates of attendance or of high school graduation.

SECTION 3200. 115.385 (1) (b) of the statutes is renumbered 115.385 (1) (b) (intro.) and amended to read:

115.385 **(1)** (b) (intro.) An index system to identify a school's level of performance and a school district's level of improvement and to annually ~~place~~ assign to each school ~~into~~ and school district one of ~~5~~ the following performance categories~~.~~:

SECTION 3201. 115.385 (1) (b) 1. of the statutes is created to read:

115.385 **(1)** (b) 1. "Five stars out of 5 — Significantly Exceeds Expectations."

SECTION 3202. 115.385 (1) (b) 2. of the statutes is created to read:

115.385 **(1)** (b) 2. "Four stars out of 5 — Exceeds Expectations."

SECTION 3203. 115.385 (1) (b) 3. of the statutes is created to read:

115.385 **(1)** (b) 3. "Three stars out of 5 — Meets Expectations."

SECTION 3204. 115.385 (1) (b) 4. of the statutes is created to read:

115.385 **(1)** (b) 4. "Two stars out of 5 — Meets Few Expectations."

SECTION 3205. 115.385 (1) (b) 5. of the statutes is created to read:

115.385 **(1)** (b) 5. "One star out of 5 — Fails to Meet Expectations."

SECTION 3206. 115.385 (1) (c) of the statutes is created to read:

115.385 **(1)** (c) A qualitative definition for each of the 5 performance categories in par. (b).

SECTION 3207. 115.385 (1m) of the statutes is created to read:

115.385 **(1m)** For purposes of determining a school's performance or a school district's improvement under sub. (1) all of the following apply:

(a) The department may not include the following pupils or pupil examination scores:

1. A pupil who attended a private school under the program under s. 118.60 or 119.23 in the 8th grade and who transfers to a public school, including a charter school, for the 9th grade.

2. A pupil who was enrolled in a public school, including a charter school, in the 8th grade and who transfers to a private school under the program under s. 118.60 or 119.23 for the 9th grade.

3. A pupil, other than a pupil enrolled in the 9th grade, who was enrolled in the school or school district for less than one year prior to taking the pupil examination.

(b) 1. Subject to subd. 2., if the department uses pupil examination scores to determine a school's performance or a school district's improvement, the department shall account for the length of time a pupil was enrolled in the school or school district prior to taking the pupil examination by weighting pupil examination scores as follows:

a. For a pupil who was enrolled in the school or school district for at least one year but less than 2 years prior to taking the pupil examination, multiply by 1.

b. For a pupil who was enrolled in the school or school district for at least 2 years but less than 3 years prior to taking the pupil examination, multiply by 2.

c. For a pupil who was enrolled in the school or school district for more than 3 years prior to taking the pupil examination, multiply by 3.

2. The department may not, for purposes of determining a school's performance, account for the length of time a 9th grade pupil was enrolled in the school.

(c) The department shall consider the impact of poverty on pupil achievement and growth by adjusting the importance given to the measures under sub. (1) (a) 1. and 1m. based on the percentage of pupils in the school or school district who are

economically disadvantaged. In this paragraph, an economically disadvantaged pupil is a pupil that satisfies either the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1) or other measures of poverty, as determined by the department. Of the total weight the department allocates to the measures under sub. (1) (a) 1. and 1m. for the purpose of determining a school's performance or a school district's improvement, the department shall do as follows:

1. If 5 percent or less of the school or school district membership is comprised of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 90 percent and the measure under sub. (1) (a) 1m. at 10 percent.

2. If 65 percent or more of the school or school district membership is comprised of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 10 percent and the measure under sub. (1) (a) 1m. at 90 percent.

3. If the percentage of economically disadvantaged pupils in the school or school district membership is more than 5 percent but less than 65 percent, the department shall determine the weight of the measures under sub. (1) (a) 1m. as follows:

a. Divide 80 by 60.

b. Multiply the quotient determined under subd. 3. a. by the percentage of economically disadvantaged pupils in the school or school district membership.

c. Add 3.35 to the result under subd. 3. b.

4. If the percentage of economically disadvantaged pupils in the school or school district membership is more than 5 percent but less than 65 percent, the department shall determine the weight of the measures under sub. (1) (a) 1. by subtracting the weight given to the measures under sub. (1) (a) 1m. as determined under subd. 3. from 100.

(d) For purposes of measuring a school district's improvement, the department may not include data derived from a virtual charter school that is considered to be located in the school district under s. 118.51 (18) if at least 50 percent of the pupils attending the virtual charter school are attending under s. 118.51.

SECTION 3208. 115.385 (2) of the statutes is amended to read:

115.385 **(2)** Beginning ~~one year after a charter school established under s. 118.40 (2r) or a private school participating in a parental choice program under s. 118.60 or 119.23 begins using the student information system under s. 115.28 (12) (b), or begins using a system that is interoperable with that system, the~~ with the accountability report published for the 2015–16 school year, the department shall include ~~the school~~ in its annual school accountability report under sub. (1) charter schools established under s. 118.40 (2r) or (2x) and private schools participating in a parental choice program under s. 118.60 or 119.23. The department shall use the same criteria to measure the performance of all schools included in the annual school accountability report.

SECTION 3209. 115.385 (3) of the statutes is created to read:

115.385 **(3)** On an accountability report published for a private school participating in a program under s. 118.60 or 119.23, the department shall specify the percentage of pupils attending the private school under the program and comply with one of the following:

(a) For a private school that submits achievement data only for those pupils attending the private school under the program, assign to the private school a performance category derived from data about those pupils attending the private school under the program.

(b) For a private school that submits achievement data for those pupils attending the private school under s. 118.60 or 119.23 and achievement data for all other pupils attending the private school, assign to the private school a performance category derived from data about pupils attending the school under s. 118.60 or 119.23 and identify the performance category as the choice pupil performance category. The department shall also assign a 2nd performance category, derived from data about all pupils attending the private school including pupils attending the private school under s. 118.60 or 119.23, as the private school performance category.

SECTION 3210. 115.385 (4) of the statutes is created to read:

115.385 **(4)** Annually, each public school, including a charter school, and each private school participating in a parental choice program under s. 118.60 or 119.23 shall provide a copy of the school's accountability report to the parent or guardian of each pupil enrolled in or attending the school. Each school shall simultaneously provide to the parent or guardian of each pupil enrolled in the school a list of the educational options available to children who reside in the pupil's resident school district, including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full–time open enrollment, youth options, course options, and options for pupils enrolled in a home–based private educational program.

SECTION 3211. 115.385 (5) of the statutes is created to read:

115.385 **(5)** Beginning in the 2017–18 school year and biennially thereafter, the appropriate standing committee of each house of the legislature shall conduct a review of school and school district accountability reports published under this section.

SECTION 3211p. 115.415 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 20, is amended to read:

115.415 **(1)** (a) The department shall develop an educator effectiveness evaluation system and an equivalency process aligned with the department's evaluation system for the evaluation of teachers and principals of public schools, including teachers and principals of a charter school established under s. 118.40 (2r) <u>or (2x)</u>, as provided in this section. Subject to par. (b), each school board and the operator of each charter school established under s. 118.40 (2r) <u>or (2x)</u> shall evaluate teachers and principals in the school district or charter school beginning in the 2014–15 school year.

SECTION 3211r. 115.415 (2) (intro.) of the statutes is amended to read:

115.415 (**2)** (intro.) The department shall develop an educator effectiveness evaluation system according to the following framework, and may charge a fee to a school district and the governing ~~body~~ <u>board</u> of a charter school established under s. 118.40 (2r) <u>or (2x)</u> to use the system developed under this subsection:

SECTION 3211t. 115.415 (3) (a) (intro.) of the statutes is amended to read:

115.415 **(3)** (a) (intro.) The department shall promulgate by rule an equivalency process aligned with the evaluation system established under sub. (2) for a school district, a charter school under contract with a school board that is not an instrumentality of the school district, or a charter school established under s. 118.40 (2r) <u>or (2x)</u> seeking to utilize an alternative process for the evaluation of teacher and principal practice. The process under this subsection shall be based on the criteria established in the 2011 Interstate Teacher Assessment and Support Consortium and the 2008 Interstate School Leaders Licensure Consortium Educational Leadership Policy Standards, and a school district, charter school under contract with a school

board that is not an instrumentality of the school district, or charter school established under s. 118.40 (2r) or (2x) that uses the process under this subsection shall evaluate the performance of teachers in the following domains:

SECTION 3211v. 115.415 (4) of the statutes is amended to read:

115.415 **(4)** From the appropriation under s. 20.255 (2) (ek), the department may award grants to school districts and the governing ~~body~~ board of a charter school established under s. 118.40 (2r) or (2x) to implement an educator effectiveness evaluation system developed under sub. (2) or an equivalency process established by rule under sub. (3).

SECTION 3212. 115.42 (2) (c) of the statutes is amended to read:

115.42 **(2)** (c) The amount of each grant under par. (a) shall be $5,000 in any school year in which the recipient is employed in a school in which at least 60 percent of the pupils enrolled ~~are eligible~~ satisfy the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

SECTION 3213. 115.43 (1) of the statutes is amended to read:

115.43 **(1)** DEFINITION. In this section, " economically disadvantaged pupil" means a pupil who ~~is eligible~~ satisfies the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

SECTION 3215. 115.436 (2) (b) of the statutes is repealed.

SECTION 3215d. 115.437 (1) of the statutes is amended to read:

115.437 **(1)** In this section, "number of pupils enrolled" has the meaning given in s. 121.90 (1) (intro.) and includes 40 percent of the summer enrollment. "Number of pupils enrolled" does not include pupils described in the exception under s. 121.90 (1) (f).

SECTION 3216d. 115.437 (2) of the statutes is renumbered 115.437 (2) (a) and amended to read:

115.437 **(2)** (a) ~~Annually~~ Except as provided in par. (b), annually on the 4th Monday of March, the department shall pay to each school district an amount equal to the average of the number of pupils enrolled in the school district in the current and 2 preceding school years multiplied by $75 in the 2013–14 school year ~~and~~, by $150 in the 2014–15 and 2015–16 school years, and by $250 in each school year thereafter. The department shall make the payments from the appropriation under s. 20.255 (2) (aq).

SECTION 3216f. 115.437 (2) (b) of the statutes is created to read:

115.437 **(2)** (b) 1. The department shall make the payment under par. (a) for the 2015–16 school year on the 2nd Monday of July 2016.

2. The department shall consider the amount paid from s. 20.255 (2) (aq) under subd. 1. to be money appropriated to s. 20.255 (2) (aq) in the 2015–16 school year for purposes of calculating the change in the amount of statewide categorical aid per pupil under s. 118.40 (2r) (e) 2p. from the 2014–15 school year to the 2015–16 school year, from the 2015–16 school year to the 2016–17 school year, and from the 2016–17 school year to the 2017–18 school year.

SECTION 3220. 115.77 (1) of the statutes is amended to read:

115.77 **(1)** In sub. (1m) (a) to (d), except as provided in s. 118.51 (12) ~~(a) and (b) 2.~~, if a child with a disability is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), "local educational agency" means the school district that the child is attending.

SECTION 3220m. 115.775 (1) of the statutes is amended to read:

115.775 **(1)** Except as provided in sub. (2), an operator of a charter school under s. 118.40 (2r) or (2x) is a local educational agency, as defined in 20 USC 1401 (19), and shall comply with 20 USC 1400 to 1482.

SECTION 3220p. 115.775 (2) of the statutes is amended to read:

115.775 **(2)** The board of directors of the school district operating under ch. 119 is a local educational agency under this section and shall comply with 20 USC 1400 to 1482 if the board of directors enters into a written agreement with an operator of a charter school under s. 118.40 (2r) or (2x) under which the board of directors agrees to serve as the local educational agency.

SECTION 3221. 115.777 (1) of the statutes is amended to read:

115.777 **(1)** (a) A physician, nurse, psychologist, social worker or administrator of a social agency who reasonably believes that a child brought to him or her for services has a disability shall refer the child to the local educational agency. If the local educational agency to whom the referral is made is the school district in which the child resides but the child is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school district in which the child resides shall provide the name of the child and related information to the school board of the school district that the child is attending.

(b) A person who is required to be licensed under s. 115.28 (7), who is employed by a local educational agency and who reasonably believes a child has a disability, shall refer the child to the local educational agency. If the local educational agency to whom the referral is made is the school district that the child is attending but the child is a nonresident attending a public school in that school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school district that the child

is attending shall provide the name of the child and related information to the school board of the child's school district of residence.

(c) Any person other than those specified under par. (a) or (b) who reasonably believes that a child is a child with a disability may refer the child to a local educational agency. If the local educational agency to whom the referral is made is the school district in which the child resides but the child is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school district in which the child resides shall provide the name of the child and related information to the school board of the school district that the child is attending.

SECTION 3222. 115.78 (1) of the statutes is amended to read:

115.78 **(1)** DEFINITION. In this section, for a child who is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), "local educational agency" means the school board of the school district that the child is attending.

SECTION 3223. 115.78 (1m) (h) of the statutes is amended to read:

115.78 **(1m)** (h) If the child is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), at least one person designated by the school board of the child's school district of residence who has knowledge or special expertise about the child.

SECTION 3224. 115.79 (1) (b) of the statutes is amended to read:

115.79 **(1)** (b) An educational placement is provided to implement a child's individualized education program. Except as provided in s. 118.51 (12) ~~(a) and (b) 2.~~, if a child with a disability is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school

district that the child is attending shall provide an educational placement for the child and shall pay tuition charges instead of the school district in which the child resides if required by the placement.

SECTION 3224g. 115.791 (4) of the statutes is amended to read:

115.791 **(4)** Subject to s. 115.77 (1m) (d) and (e), this section does not require a local educational agency to pay the cost of education, including special education and related services, of a child with a disability at a private school or facility, including a child with a disability attending a private school under s. 115.7915, if the local educational agency made a free appropriate public education available to the child and the child's parents elected to place the child in a private school or facility.

SECTION 3224m. 115.7915 of the statutes is created to read:

115.7915 Special Needs Scholarship Program. (1) DEFINITIONS. In this section:

(a) "Eligible school" means a private school located in this state.

(b) "Resident school board" means the school board of a resident school district.

(c) "Resident school district" means the school district in which a pupil resides.

(d) "Services plan" has the meaning given in 34 CFR 300.37.

(2) SCHOLARSHIP REQUIREMENTS. Beginning in the 2016–17 school year, the department shall provide to a child with a disability a scholarship under sub. (4m) (a) to attend an eligible school if all of the following apply:

(a) The child applied to attend a public school in one or more nonresident school districts under s. 118.51 for the same school year for which he or she is submitting an application under par. (f), and all of the following occurred:

1. The child was rejected by the school boards of all the nonresident school districts to which he or she applied under s. 118.51 (3) (a), (3m) (a), or (7); or was

prohibited from attending public school in all the nonresident school districts to which he or she applied under s. 118.51 (3m) (d), (7), or (12).

2. If the child's parent appealed any school board decision under subd. 1., the department affirmed the decision.

(b) The governing body of the eligible school notified the department of its intent to participate in the program under this section.

(c) The eligible school has been approved as a private school by the state superintendent under s. 118.165 (2) or is accredited by the Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, the Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, as of the August 1 preceding the school term for which the scholarship is awarded.

(d) An individualized education program or services plan has been completed for the child.

(e) The child attended a public school in this state for the entire school year immediately preceding the school year for which the child first receives a scholarship under this section.

(f) The child, or the child's parent on behalf of the child, submitted an application for a scholarship under this section, on a form prepared by the department that includes the document developed by the department under sub. (4) (a) to the eligible school that the child will attend. A child, or child's parent, may apply for a scholarship and a child may begin attending an eligible school under this section at any time during the school year.

(g) The eligible school has accepted the child's application to attend the eligible school under a scholarship awarded under this section.

(3) PARTICIPATING SCHOOLS; SELECTION OF PUPILS. (a) The governing body of an eligible school that intends to participate in the program under this section shall notify the department of its intent. The governing body of the eligible school shall include in the notice under this paragraph the number of spaces the eligible school has available for children receiving a scholarship under this section.

(b) If a private school participating in the program under this section receives more applications for scholarships under sub. (2) (f) than the number of children specified in the notice under par. (a), it shall select children on a random basis except that it may give preference to siblings of pupils who are already attending the private school.

(c) The governing body of a private school participating in the program under this section shall notify the department when it accepts a child's application to attend the private school under a scholarship awarded under this section.

(4) DEPARTMENT DUTIES. (a) 1. The department shall develop a document for inclusion with an application under sub. (2) (f), and revise it as necessary, comparing the rights of a child with a disability and of his or her parent under this subchapter, other than this section, and 20 USC 1400 to 1482, with the rights of a child with a disability and of his or her parent under this section and 20 USC 1400 to 1482.

2. Receipt by an applicant of the document developed under subd. 1., acknowledged in a format prescribed by the department, constitutes notice that the applicant has been informed of his or her rights under this section and 20 USC 1400 to 1482. Subsequent acceptance of a scholarship under this section constitutes the applicant's informed acknowledgment of the rights specified in the document.

(b) Upon being notified under sub. (3) (c), the department shall notify the child's resident school board that the child has been awarded a scholarship under this section. The child's resident school board shall, within 3 days of receiving the notice, provide the department and the governing body of the private school that accepted the child with a copy of the child's individualized education program.

(4m) SCHOLARSHIP PAYMENTS; STATE AID REDUCTION. (a) Subject to par. (c), from the appropriation under s. 20.255 (2) (az), the department shall pay the private school a child attends under the scholarship program under this section, on behalf of a child's parent or guardian, the following amount:

1. In the 2016–17 school year, $12,000.

2. Beginning in the 2017–18 school year, the sum of the scholarship amount under this paragraph for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

(b) The department shall pay 25 percent of the total amount under par. (a) in September, 25 percent in November, 25 percent in February, and 25 percent in May. Each installment may consist of a single check for all children attending the private school who are receiving a scholarship under par. (a).

(c) The department may not make a scholarship payment under par. (a) to a private school on behalf of a child's parent or guardian unless the child's parent or guardian has acknowledged receiving the private school's profile under sub. (6) (g) in the manner provided by the department.

(d) Except as provided in par. (e), a scholarship awarded to a child for the child to attend a private school under par. (a) continues until the child graduates from high school or until the end of the school term in which the child attains the age of 21, whichever comes first.

(e) 1. If an individualized education program team, upon reevaluation of a child under sub. (5) (c), unanimously determines that a child receiving a scholarship under par. (a) is no longer a child with a disability, the child is not eligible to receive a scholarship under par. (a) beginning in the school term following the determination.

2. If a child who has been determined to be ineligible under subd. 1. continues to attend the private school he or she attended under a scholarship awarded under par. (a), for each school year the child attends the private school beginning with the school year following the determination under subd. 1., the department shall pay, from the appropriation under s. 20.255 (2) (az), to the private school, on behalf of the child's parent or guardian, an amount equal to the appropriate per pupil amount paid to a private school participating in a parental choice program under s. 118.60 or 119.23 in that school year. The department shall make scholarship payments under this paragraph in accordance with payment schedule specified in s. 119.23 (4) (c).

(f) 1. Beginning in the 2016–17 school year, subject to s. 121.085 (1), the department shall decrease a school district's state aid payment under s. 121.08 by an amount calculated as follows:

a. Determine the number of pupils residing in the school district for whom a payment is made under par. (a) in that school year.

b. Multiply the number of pupils under subd. 1. a. by the per pupil amount calculated under par. (a) for that school year.

c. Determine the number of pupils residing in the school district for whom a payment is made under par. (e) in that school year.

d. Multiply the number of pupils under subd. 1. c. by the per pupil amount paid under par. (e) for that school year.

e. Sum the amounts calculated under subd. 1. b. and d.

2. If the state aid payment under s. 121.08 is insufficient to cover the reduction under subd. 1., as determined under s. 121.085 (2), the department shall decrease other state aid payments made by the department to the school district by the remaining amount.

3. The department shall ensure that the decrease under subd. 1. does not affect the amount determined to be received by a school district as state aid under s. 121.08 for any other purpose.

(5) SCHOOL BOARD DUTIES. (a) Annually, each school board shall notify the parents of each child with a disability enrolled in the school district of the program under this section.

(b) Upon the request of a parent of a child receiving a scholarship under this section, the child's resident school board shall administer the appropriate examinations under s. 118.30 to the child at no cost if the private school the child attends does not administer them.

(c) The resident school board of a child receiving a scholarship under this section shall ensure that the child's individualized education program team reevaluates the child as provided in s. 115.782 (4).

(6) PRIVATE SCHOOL DUTIES. Each private school participating in the program under this section or receiving a payment under sub. (4m) shall do all of the following:

(a) Comply with all health and safety laws or codes that apply to private schools.

(b) Hold a valid certificate of occupancy, if required by the municipality in which the school is located. If the municipality in which the school is located does not issue certificates of occupancy, the private school shall obtain a certificate of occupancy issued by the local or regional governmental unit with authority to issue certificates of occupancy or submit to the department a letter or form from the municipality in which the private school is located that explains that the municipality does not issue certificates of occupancy.

(c) Comply with 42 USC 2000d.

(d) Conduct criminal background investigations of its employees and exclude from employment any person not permitted to hold a teaching license as the result of an offense and any person who might reasonably be believed to pose a threat to the safety of others.

(e) Annually submit to the department a school financial information report, prepared by a certified public accountant, that complies with uniform financial accounting standards established by the department by rule. The report shall be accompanied by an auditor's statement that the report is free of material misstatements and fairly represents pupil costs. The report shall be limited in scope to those records that are necessary for the department to make payments to the private school.

(f) If the private school expects to receive at least $50,000 in scholarships under this section during a school year, do one of the following before the beginning of the school year:

1. File with the department a surety bond payable to the state in an amount equal to 25 percent of the total amount of scholarships expected to be received by the private school during the school year under this section.

2. File with the department financial information demonstrating that the private school has the ability to pay an amount equal to the total amount of scholarships expected to be received by the private school during the school year under this section.

(g) Provide to each applicant under sub. (2) (f) a profile of the private school's special education program, in a form prescribed by the department, that includes the methods of instruction that will be used by the school to provide special education and related services to the child and the qualifications of the teachers and other persons who will be providing special education and related services to the child.

(h) 1. Implement the child's most recent individualized education program or services plan, as modified by agreement between the private school and the child's parent, and related services agreed to by the private school and the child's parent that are not included in the child's individualized education program or services plan.

2. Provide a record of the implementation of the child's individualized education program or services plan under subd. 1., including an evaluation of the child's progress, to the school board of the school district in which the child resides in the form and manner prescribed by the department.

(i) Regularly report to the parent of a child attending the private school and receiving a scholarship under this section on the child's progress.

(7) TRANSPORTATION. Section 121.54 applies to the transportation of a child to and from the private school he or she is attending under a scholarship awarded under this section.

(8) PENALTIES. (a) The department may bar a private school from participating in the program under this section if the department determines that the private school has done any of the following:

1. Intentionally and substantially misrepresented information required under sub. (6).

2. Routinely failed to comply with the standards under sub. (6) (e) or (f).

3. Used a child's scholarship for any purpose other than educational purposes or rebated, refunded, or shared a child's scholarship with a child or a child's parent or guardian.

4. Failed to refund to the state, within 60 days, any scholarship overpayments.

(b) If the department bars a private school from participating in the program under this section, it shall notify all children eligible to participate in the program and their parents as quickly as possible. A child who is receiving a scholarship and attending a private school barred from the program may continue to receive the scholarship if the child attends another participating private school.

(9) STUDY. (a) The legislative audit bureau shall contract for a study of the program under this section with one or more researchers who have experience evaluating school choice programs. The study shall evaluate all of the following:

1. The level of satisfaction with the program expressed by participating children and their parents.

2. The percentage of participating children who were victimized because of their special needs at their resident school district and the percentage of such children at their participating school.

3. The percentage of participating children who exhibited behavioral problems at their resident school district and the percentage of such children at their participating school.

4. The average class size at participating children's resident school districts and at their participating schools.

5. The fiscal impact of the program on the state and on resident school districts.

(b) The contract under par. (a) shall require the researchers who conduct the study to do all of the following:

1. Apply appropriate analytical and behavioral science methodologies to ensure public confidence in the study.

2. Protect the identity of participating schools and children.

(c) The contract under par. (a) shall require that the results of the study be reported to the appropriate standing committees of the legislature under s. 13.172 (3) by January 9, 2019.

(10) RULES. The department shall promulgate rules to implement and administer this section, including rules relating to all of the following:

(a) The eligibility and participation of eligible schools, including timelines that maximize child and school participation.

(b) The calculation and distribution of scholarships.

(c) The application and approval procedures for children and eligible schools.

SECTION 3225. 115.792 (1) (b) of the statutes is amended to read:

115.792 **(1)** (b) The local educational agency shall establish and maintain procedures to ensure that a child's parents are provided prior written notice whenever the local educational agency proposes to initiate or change, or refuses to initiate or change, the identification, evaluation or educational placement of the child, or the provision of a free appropriate public education to the child. In this paragraph, "local educational agency" includes the nonresident school district that a child is attending under s. 118.50, 118.51, or 121.84 (1) (a) or (4).

SECTION 3226. 115.792 (3) (a) of the statutes is amended to read:

115.792 **(3)** (a) In this subsection, "local educational agency" includes the nonresident school district that a child is attending under s. 118.50, 118.51, or 121.84 (1) (a) or (4).

SECTION 3227. 115.80 (8) of the statutes is amended to read:

115.80 **(8)** Except as provided in 20 USC 1415 (k), during the pendency of any proceedings under this section, the local educational agency may not change the educational placement of a child unless the child's parents agree to the change. If the child is applying for initial admission to a public school, the child shall, with the consent of the child's parents, be placed in the public school program until all proceedings under this section have been completed. In this subsection, "local educational agency" includes the nonresident school district that a child is attending under s. 118.50, 118.51, or 121.84 (1) (a) or (4).

SECTION 3228. 115.82 (2) (c) of the statutes is created to read:

115.82 **(2)** (c) If the child is attending a public school in a nonresident school district under s. 118.50, the school district specified to do so in the whole grade sharing agreement shall provide transportation.

SECTION 3228g. 115.88 (1m) (am) of the statutes is amended to read:

115.88 **(1m)** (am) Subject to par. (b), if the operator of a charter school established under s. 118.40 (2r) or (2x) operates a special education program and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for salaries of full–time or part–time licensed teachers, licensed coordinators of special education, school nurses, licensed school social workers, licensed school psychologists, licensed school counselors, paraprofessionals, licensed consulting teachers to work with any teacher of regular education programs who has a child with a disability in a class and any other personnel, as determined by the state superintendent, as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b). The state superintendent may audit costs under this paragraph and adjust reimbursement to cover only actual, eligible costs.

SECTION 3228k. 115.88 (2m) of the statutes is amended to read:

115.88 **(2m)** OTHER TRANSPORTATION AID. If the operator of a charter school established under s. 118.40 (2r) or (2x) or established as a noninstrumentality charter school under s. 118.40 (2m) transports children with disabilities and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for transportation under this subsection as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b). The state superintendent may audit

costs under this subsection and adjust reimbursement to cover only actual, eligible costs.

SECTION 3229. 115.88 (8) of the statutes is amended to read:

115.88 **(8)** ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in a public special education program located in another state and the state superintendent is satisfied that the program in which the child is enrolled complies with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district in which the child resides or the school district attended by the child under s. 118.50, 118.51, or 121.84 (1) (a) or (4) a sum equal to the amount expended by the school district during the preceding year for the additional costs associated with the child's special education program as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

SECTION 3229c. 115.88 (9) of the statutes is amended to read:

115.88 **(9)** DISTRIBUTION SCHEDULE. Each county, cooperative educational service agency, operator of a charter school established under s. 118.40 (2r) or (2x) and school district entitled to state aid under this section shall receive 15% of its total aid entitlement in each month from November to March and 25% of its total entitlement in June.

SECTION 3229f. 115.881 (1) of the statutes is amended to read:

115.881 **(1)** A school board, board of control of a cooperative educational service agency, county children with disabilities education board, or operator of a charter school established under s. 118.40 (2r) or (2x) may apply to the department for aid under this section if the applicant incurred, in the previous school year, more than $30,000 of nonadministrative costs for providing special education and related

services to a child and those costs were not eligible for reimbursement under s. 115.88, 115.93, or 118.255, 20 USC 1400 et seq., or federal medicaid.

SECTION 3229h. 115.881 (2) of the statutes is amended to read:

115.881 **(2)** For each child whose costs exceeded $30,000 under sub. (1), the department shall, from the appropriation under s. 20.255 (2) (bd), pay an eligible applicant in the current school year an amount equal to ~~0.90~~ 0.70 multiplied by that portion of the cost under sub. (1) that exceeded $30,000.

SECTION 3229j. 115.883 (1m) of the statutes is created to read:

115.883 **(1m)** If, in the 2015–16 school year, a school district is not eligible for aid under sub. (1), the department shall, from the appropriation under s. 20.255 (2) (be) and in the manner specified under sub. (2) (a) for school districts eligible for aid under sub. (1), pay supplemental special education aid to the school district if all of the following apply:

(a) In the 2014–15 school year, the school district's revenue authority per pupil under subch. VII of ch. 121 was below the statewide average.

(b) In the 2014–15 school year, the school district's membership, as defined in s. 121.004 (5), was less than 2,000 pupils.

(c) The school district qualified for aid under this section in the 2013–14 school year.

(d) In the 2013–14 school year, the school district experienced a natural disaster, including a fire, that caused the school district's total costs to increase such that the school district's expenditures for special education constituted less than 16 percent of the school district's total expenditures in the 2014–15 school year.

SECTION 3229m. 115.883 (2) of the statutes is renumbered 115.883 (2) (a) and amended to read:

115.883 **(2)** (a) In the 2008–09 school year, the department shall pay each school district eligible for aid under this section the same amount. In each school year thereafter, the department shall distribute aid under this section to eligible school districts proportionally based upon each school district's expenditures for special education in the previous school year, except that in any school year a school district, other than a school district described in par. (b), may receive not less than $50,000, and not more than $150,000 or an amount equal to 50 percent of the school district's expenditures for special education in the previous school year, whichever is less.

SECTION 3229n. 115.883 (2) (b) of the statutes is created to read:

115.883 **(2)** (b) If, at the end of the 2014–15 fiscal year and after distributing aid to eligible school districts in the manner specified under par. (a), there are any moneys remaining in the appropriation under s. 20.255 (2) (be), the department shall distribute the balance of the funds remaining in that appropriation to a school district to which all of the following apply:

1. In the 2013–14 school year, the school district's revenue authority per pupil under subch. VII of ch. 121 was below the statewide average.

2. In the 2013–14 school year, the school district's membership, as defined in s. 121.004 (5), was less than 2,000 pupils.

3. The school district qualified for aid under this section in the 2013–14 school year.

4. In the 2013–14 school year, the school district experienced a natural disaster, including a fire, that caused the school district's total costs to increase such that the school district's expenditures for special education constituted less than 16 percent of the school district's total expenditures in that school year.

SECTION 3229p. 115.884 of the statutes is created to read:

115.884 Special education transition grants. (1) In the 2016–17 school year, from the appropriation under s. 20.255 (2) (bf), the department shall award an incentive grant in the amount of $1,000 per individual to a school district, or to an operator of a charter school established under s. 118.40 (2r), that applies for a grant under this section and that demonstrates to the satisfaction of the department that the individual satisfies all of the following criteria:

(a) The individual was enrolled in a school in the school district or in the charter school in the 2014–15 or 2015–16 school year and, at the time of his or her enrollment, an individualized education program was in effect for the individual.

(b) At the time the school district or the operator of the charter school applies to receive an incentive grant under this section, one of the following criteria applies to the individual described in par. (a):

1. The individual had enrolled in a higher education program within one year of leaving high school. In this subdivision, "higher education program" means a 4–year program at a college or university, a 2–year program at a college or community college, or a 2–year program at a technical college.

2. The individual had enrolled in other postsecondary education or training within one year of leaving high school. In this subdivision, "other postsecondary education or training" includes a high school completion or equivalency program, a vocational school, an apprenticeship or short–term training program, an on–the–job training program, an adult education program, and a program, other than a 2–year program, at a vocational or technical school.

3. The individual had been, or remains, competitively employed within one year of leaving high school. In this subdivision, "competitively employed" means 90

days or more of cumulative or consecutive work paying minimum wage or greater for an average of at least 20 hours per week in a setting with others who are not disabled.

(2) If the appropriation under s. 20.255 (2) (bf) in the 2016–17 school year is insufficient to pay the full amount under sub. (1), the department shall prorate the amount of its payments among school districts and operators of charter schools established under s. 118.40 (2r) that are eligible for an incentive grant under this section.

SECTION 3229q. 115.997 (2) (h) of the statutes is amended to read:

115.997 **(2)** (h) "Local education agency" means a school district or the operator of a charter school under s. 118.40 (2r) <u>or (2x)</u>.

SECTION 3229r. Subchapter IX of chapter 115 [precedes 115.999] of the statutes is created to read:

CHAPTER 115

SUBCHAPTER IX

OPPORTUNITY SCHOOLS AND

PARTNERSHIP PROGRAM

SECTION 3229s. 115.999 of the statutes is created to read:

115.999 Opportunity schools and partnership program. (1) DEFINITIONS. In this subchapter:

(a) "Commissioner" means the individual in charge of the opportunity schools and partnership program under this subchapter.

(b) "County executive" means the chief elected official of the county within which all or the majority of the territory of an eligible school district lies.

(c) "Eligible school" means a public school in an eligible school district identified on the annual report submitted by the state superintendent under s. 115.28 (10m) (b).

(d) "Eligible school district" means a school district that satisfies all of the following:

1. The school district was assigned to the lowest performance category on the accountability reports published for the district under s. 115.385 (1) in the 2 most recent school years.

2. The membership of the school district is greater than 15,000. In this subdivision, "membership" has the meaning given in s. 121.004 (5).

3. The school district received intradistrict transfer aid under s. 121.85 (6) (a) in the 2 school years described under subd. 1.

(e) "Mayor" means the mayor of the city within which all or the majority of the territory of an eligible school district lies.

(2) GENERAL PROVISIONS; COMMISSIONER; OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM. (a) Within 120 days after receiving notice under s. 115.28 (10o) (b), the governor, the mayor, and the county executive shall compile a list of candidates for commissioner. The county executive shall select a commissioner using the procedure under s. 119.9001 (2) (a).

(b) The opportunity schools and partnership program in any eligible school district comprises individual eligible schools transferred by the commissioner of that opportunity schools and partnership program in the manner provided under s. 119.9002 (2).

(3) COMMISSIONER; POWERS AND DUTIES. Upon selection by the county executive under sub. (2), the commissioner shall establish an opportunity schools and

partnership program that is substantially similar to the opportunity schools and partnership program established under subch. II of ch. 119. The commissioner shall have all of the powers and duties granted to the commissioner of the opportunity schools and partnership program under subch. II of ch. 119.

(4) PAYMENTS ON BEHALF OF PUPILS ATTENDING SCHOOLS TRANSFERRED TO THE OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM; STATE AID ADJUSTMENTS. The state superintendent shall, from the appropriation under s. 20.255 (2) (fs), make payments on behalf of pupils attending schools transferred to an opportunity schools and partnership program under this subchapter in the same manner as payments are made under s. 119.9005 (1) to (3), and shall make adjustments to the amount of state aid received by the eligible school district in the manner provided in s. 119.9005 (4) and (5).

SECTION 3230. 116.01 of the statutes is amended to read:

116.01 Purpose. The organization of school districts in Wisconsin is such that the legislature recognizes the ~~need for~~ <u>benefit of</u> a service unit between the school district and the state superintendent. The cooperative educational service agencies are designed to serve educational needs in all areas of Wisconsin by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership, coordination, and education services to school districts, University of Wisconsin System institutions, and technical colleges. Cooperative educational service agencies may facilitate communication and cooperation among all public, private, and tribal schools, and all public and private agencies and organizations, that provide services to pupils.

SECTION 3231. 116.03 (2) of the statutes is repealed.

SECTION 3233. 116.03 (11) of the statutes is amended to read:

116.03 **(11)** Establish the salaries of the agency administrator and other professional and nonprofessional employees. ~~State reimbursement for the cost of the salary of the agency administrator shall be equal to the actual salary paid or the maximum of the salary range for public instruction supervisors under the state superintendent, whichever is less.~~

SECTION 3234. 116.065 (1) of the statutes is amended to read:

116.065 **(1)** The school board of a school district ~~in cooperative educational service agency no. 1, as designated on April 1, 1985,~~ may adopt a resolution to withdraw from ~~the~~ an agency. The school board shall immediately notify the board of control and the state superintendent ~~of its intention~~ that the school board has adopted a resolution under this subsection.

SECTION 3235. 116.065 (2) of the statutes is amended to read:

116.065 **(2)** A resolution adopted under sub. (1) or (3) prior to January 15 in any school year shall be effective the next succeeding July 1. A resolution adopted under sub. (1) or (3) on or after January 15 in any school year shall be effective on the 2nd succeeding July 1.

SECTION 3236. 116.065 (3) of the statutes is amended to read:

116.065 **(3)** A school district that has withdrawn from ~~the~~ an agency ~~described~~ under sub. (1) may rejoin the agency~~. The procedures under subs. (1) and (2) apply to readmissions~~ by adopting a resolution and immediately notifying the board of control and state superintendent of the resolution to rejoin.

SECTION 3236m. 116.065 (5) of the statutes is created to read:

116.065 **(5)** The board of control of an agency may not assess any cost against a school district that withdraws from the agency under this section for expenses the board incurs while the school district is not in the agency.

SECTION 3237. 116.07 (4) of the statutes is amended to read:

116.07 **(4)** No such plan is valid if it permits any territory of this state to be outside an agency area, unless the territory is part of a school district that has withdrawn from an agency under s. 116.065.

SECTION 3238. 116.08 (title) of the statutes is amended to read:

116.08 (title) ~~**State**~~ **Loans and local aid.**

SECTION 3239. 116.08 (1) of the statutes is amended to read:

116.08 **(1)** An amount not to exceed $25,000 annually shall be paid to each agency ~~for the maintenance and operation of the office of the board of control and agency administrator and~~ to match any federal funds received by the agency for vocational education administration. ~~No state aid may be paid unless the agency submits by August 1 an annual report which includes a detailed certified statement of its expenses for the prior year to the state superintendent, and such statement reveals that the state aid was expended as provided by this section. In no case may the state aid exceed the actual expenditures for the prior year as certified in such statement.~~

SECTION 3240. 116.08 (3m) of the statutes is renumbered 116.065 (4) and amended to read:

116.065 **(4)** The school board of a school district that has withdrawn from ~~cooperative educational service~~ an agency ~~no. 1 under s. 116.065~~ under this section and is not in any other agency may contract with the department for other programs and services the school district would be receiving if it were in an agency.

SECTION 3242. 116.08 (5) of the statutes is repealed.

SECTION 3243. 117.05 (5) (a) of the statutes is amended to read:

117.05 **(5)** (a) *Territory in district.* All territory within this state shall be included in a school district operating elementary school grades and a school district operating high school grades or in a school district operating both elementary and high school grades, except for territory located in a school district that is not operating certain grades as a result of entering into a whole grade sharing agreement under s. 118.50. No territory may be detached from a school district unless by the same order it is attached to another school district or included in a new school district created by the order. No territory may be detached from a school district that operates high school grades unless by the same order it is attached to or included in another school district that operates high school grades.

SECTION 3244. 117.30 (1) (a) of the statutes is amended to read:

117.30 **(1)** (a) Except as provided under pars. (b) ~~and (c)~~ to (d), if a school district for 2 or more successive years has failed to operate sufficient classes at each grade level to provide all pupils who reside in the school district an opportunity to attend class at the appropriate grade level, the board shall attach the territory of the school district to one or more school districts that do so. Within 60 days of the date on which a school district becomes subject to this section, the state superintendent shall so notify the school district clerk and the clerk of each municipality in which part of the school district lies. Prior to August 30 of the year in which the school district becomes subject to this section, the board shall issue an order of school district reorganization attaching the school district to one or more operating school districts. Orders issued under this section take effect upon being filed as provided in s. 117.17 (2). The school board of each district to which any territory is attached under this section shall levy and collect a special tax against the property in the territory so attached for such amount as is payable for tuition and transportation, at the time of the attachment,

by the school district in which the attached territory was located prior thereto, in the proportion that the equalized valuation of the attached territory bears to the total equalized valuation of the school district in which such territory was located prior to such attachment.

SECTION 3245. 117.30 (1) (d) of the statutes is created to read:

117.30 **(1)** (d) Paragraph (a) does not apply if the school district fails to operate one or more grades but provides for their operation by another school district pursuant to a whole grade sharing agreement under s. 118.50.

SECTION 3245c. 118.016 (1) of the statutes is renumbered 118.016 (1) (a) and amended to read:

118.016 **(1)** (a) ~~In the 2013–14 school year, each school board and the governing body of each charter school established under s. 118.40 (2r) shall, using the appropriate, valid, and reliable assessment of literacy fundamentals selected by the department, annually assess each pupil enrolled in 4–year–old kindergarten to first grade in the school district or in the charter school for reading readiness. Beginning in~~ In the 2014–15 and 2015–16 school ~~year~~ years, each school board and the ~~governing body~~ operator of each charter school established under s. 118.40 (2r) or (2x) shall, using the appropriate, valid, and reliable assessment of literacy fundamentals selected by the department, annually assess each pupil enrolled in 4–year–old kindergarten to ~~second~~ 2nd grade in the school district or in the charter school for reading readiness. The department shall ensure that the assessment evaluates whether a pupil possesses phonemic awareness and letter sound knowledge.

SECTION 3245g. 118.016 (1) (b) of the statutes is created to read:

118.016 **(1)** (b) Beginning in the 2016–17 school year, each school board and the operator of each charter school established under s. 118.40 (2r) or (2x) shall, using

the appropriate, valid, and reliable assessment of literacy fundamentals selected by the school board or operator, annually assess each pupil enrolled in 4–year–old kindergarten to 2nd grade in the school district or in the charter school for reading readiness. The school board or operator shall ensure that the assessment evaluates whether a pupil possesses phonemic awareness and letter sound knowledge. A school board or operator may administer computer adaptive assessments.

SECTION 3245h. 118.016 (1) (c) of the statutes is created to read:

118.016 **(1)** (c) The department shall pay to the school board or operator, from the appropriation under s. 20.255 (1) (f), the per pupil cost of the selected assessment. If the appropriation under s. 20.255 (1) (f) in any fiscal year is insufficient to pay the full amount of aid under this paragraph, the state superintendent shall prorate state aid payments among the school boards and operators of charter schools entitled to the aid.

SECTION 3245j. 118.016 (1g) of the statutes is amended to read:

118.016 **(1g)** If a pupil is enrolled in a special education program under subch. V of ch. 115, the school board or operator of the charter school under s. 118.40 (2r) <u>or (2x)</u> shall comply with s. 115.77 (1m) (bg).

SECTION 3245k. 118.016 (1r) of the statutes is amended to read:

118.016 **(1r)** The school board or ~~governing body~~ <u>operator</u> of the charter school shall report the results of a pupil's assessment under sub. (1) to the pupil's parent or guardian.

SECTION 3245L. 118.016 (2) of the statutes is amended to read:

118.016 **(2)** The school board of the school district or ~~governing body~~ <u>operator</u> of the charter school in which the pupil is enrolled shall provide a pupil whose

assessment under sub. (1) indicates that he or she is at risk of reading difficulty with interventions or remedial reading services, as described under s. 121.02 (1) (c).

SECTION 3245m. 118.035 (1) of the statutes is amended to read:

118.035 **(1)** In this section, "school" means a public school and includes a charter school other than a charter school under s. 118.40 (2r) <u>or (2x)</u>.

SECTION 3245p. 118.076 (2) (intro.) of the statutes is amended to read:

118.076 **(2)** (intro.) Beginning in the 2011–12 school year, each school board operating high school grades, the operator of each charter school established under s. 118.40 (2r) <u>or (2x)</u> that operates high school grades, and the governing body of each private school that operates high school grades shall do all of the following:

SECTION 3245s. 118.125 (4) of the statutes is amended to read:

118.125 **(4)** TRANSFER OF RECORDS. Within 5 working days, a school district ~~and~~, a private school participating in the program under s. 118.60 or in the program under s. 119.23<u>, and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119</u> shall transfer to another school, including a private or tribal school, or school district all pupil records relating to a specific pupil if the transferring school district or private school has received written notice from the pupil if he or she is an adult or his or her parent or guardian if the pupil is a minor that the pupil intends to enroll in the other school or school district or written notice from the other school or school district that the pupil has enrolled or from a court that the pupil has been placed in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential care center for children and youth, as defined in s. 938.02 (15g). In this subsection, "school" and

"school district" include any juvenile correctional facility, secured residential care center for children and youth, adult correctional institution, mental health institute, or center for the developmentally disabled that provides an educational program for its residents instead of or in addition to that which is provided by public, private, and tribal schools.

SECTION 3245t. 118.133 of the statutes is created to read:

118.133 Participation in interscholastic athletics and extracurricular activities. (1) INTERSCHOLASTIC ATHLETICS. (a) A school board shall permit a pupil who resides in the school district and is enrolled in a home–based private educational program to participate in interscholastic athletics in the school district on the same basis and to the same extent that it permits pupils enrolled in the school district to participate.

(b) Upon request, the home–based educational program in which the pupil is enrolled shall provide the school board with a written statement that the pupil meets the school board's requirements for participation in interscholastic athletics based on age and academic and disciplinary records. No person may provide a false statement under this paragraph. The school board may not question the accuracy or validity of the statement or request additional information.

(c) A school district may not be a member of an athletic association unless the association requires member school districts to comply with par. (a).

(2) EXTRACURRICULAR ACTIVITIES. A school board shall permit a pupil who resides in the school district and is enrolled in a home–based private educational program to participate in extracurricular activities in the school district on the same basis and to the same extent that it permits pupils enrolled in the school district to participate.

(3) PARTICIPATION FEES. A school board may charge a pupil who participates in interscholastic athletics or extracurricular activities as permitted under this section participation fees, including fees for uniforms, equipment, and musical instruments, on the same basis and to the same extent that it charges these fees to a pupil who is enrolled in the school district.

SECTION 3246. 118.134 (3m) of the statutes is amended to read:

118.134 **(3m)** A pupil attending a public school in a nonresident school district under s. 118.50 or 118.51 may not file a complaint under sub. (1) in which the pupil objects to the use of a race–based nickname, logo, mascot, or team name by the school board of the nonresident school district.

SECTION 3247. 118.153 (1) (a) 5. of the statutes is amended to read:

118.153 **(1)** (a) 5. Eighth grade pupils whose score in each subject area on the examination administered under s. 118.30 (1m) (am) 1. or 118.301 (3) was below the basic level, 8th grade pupils who failed the examination administered under s. 118.30 (1m) (am) 2. or 118.301 (3), and 8th grade pupils who failed to be promoted to the 9th grade.

SECTION 3247e. 118.19 (3) (a) of the statutes is amended to read:

118.19 **(3)** (a) No license to teach in any public school may be issued unless the applicant possesses a bachelor's degree including such professional training as the department by rule requires, except as permitted under par. (b) and ss. 115.28 (17) (a) ~~and~~, 118.191, 118.192, 118.193, and 118.194. Notwithstanding s. 36.11 (16), no teacher preparatory program in this state may be approved by the state superintendent under s. 115.28 (7) (a), unless each student in the program is required to complete student teaching consisting of full days for a full semester following the daily schedule and semester calendar of the cooperating school. No

license to teach in any public school may be granted to an applicant who completed a professional training program outside this state unless the applicant completed student teaching consisting of full days for a full semester following the daily schedule and semester calendar of the cooperating school or the equivalent, as determined by the state superintendent. The state superintendent may grant exceptions to the student teaching requirements under this paragraph when the midyear calendars of the institution offering the teacher preparatory program and the cooperating school differ from each other and would prevent students from attending classes at the institution in accordance with the institution's calendar. The state superintendent shall promulgate rules to implement this subsection. <u>If for the purpose of granting a license to teach or for approving a teacher preparatory program the state superintendent requires that an institution of higher education be accredited, the state superintendent shall accept accreditation by a regional or national institutional accrediting agency recognized by the U.S. department of education or by a programmatic accrediting organization.</u>

SECTION 3247g. 118.19 (7) of the statutes is renumbered 118.19 (7) (a).

SECTION 3247gb. 118.19 (7) (b) of the statutes is created to read:

118.19 **(7)** (b) The state superintendent may issue a permit to teach industrial arts subjects if the applicant is certified by the technical college system board to teach an industrial arts or similar subject.

SECTION 3247h. 118.19 (17) of the statutes is created to read:

118.19 **(17)** If the department requires an individual to earn credits from an institution of higher education to renew his or her license to teach, the department shall accept credits earned at any institution of higher education, as defined in 20 USC 1001 (a) and (b).

SECTION 3247p. 118.191 of the statutes is created to read:

118.191 Experience-based licensure for technical education. (1) In this section, "technical education subject" includes technology education, and any technology related occupation.

(2) Notwithstanding s. 118.19 (7) to (9), the department shall grant an initial teaching license to teach a technical education subject to an individual who is eligible for licensure under s. 118.19 (4) and (10), who scores at least 100 points on the point system under sub. (5), of which at least 25 points are from sub. (5) (a) 1. and at least 25 points are from sub. (5) (a) 2., and who agrees to complete during the term of the license a curriculum determined by the school board of the school district in which the individual will teach.

(3) An initial teaching license issued under sub. (2) is valid for 3 years.

(4) Upon expiration of an initial teaching license issued under sub. (2), the department shall issue to the license holder a professional teaching license to teach the technical education subject if the individual successfully completed the curriculum that the individual agreed to under sub. (2), as determined by the school board of the school district that established the curriculum.

(5) (a) The department shall use the following point system to evaluate an applicant for an initial teaching license under sub. (2):

1. The following for experience in a technical field:

a. For a bachelor's degree in any science, technology, engineering, or mathematics field and any teaching license or permit, 100 points.

b. For a bachelor's degree in any science, technology, engineering, or mathematics field, 75 points.

c. For a bachelor's degree in a field other than those described in subd. 1. a. or 2. a., 65 points.

d. For industry certification, 90 points.

e. For industry experience in a trade or technical field, 5 points per 40 hours worked up to a maximum of 90 points.

f. For an internship in a trade or technical field, 25 points.

g. For being mentored in a trade or technical skill by a colleague or a Wisconsin Technology Education Association approved mentor, 25 points.

h. For an apprenticeship in a trade or technical field, 5 points per 40 hours worked up to a maximum of 90 points.

2. The following for pedagogical experience:

a. For a bachelor's degree in technical or technology education, 100 points.

b. For a bachelor's degree in a field other than those described in subd. 1. a. or 2. a. and any teaching license or permit, 75 points.

c. For credit earned at an accredited institution of higher education or technical college, 3 points per credit up to a maximum of 75 points for technical or technology education courses and science, technology, engineering, or mathematics courses and 3 points per credit up to a maximum of 75 points for education and pedagogical courses.

d. For completing at least 100 hours of training in pedagogy, 5 points per 50 hours up to a maximum of 75 points.

(b) The department shall verify the information in par. (a) using only the following:

1. For par. (a) 1. a. to c. and 2. a. to c., the applicant's transcript for the applicable degree or credits.

2. For par. (a) 1. d., the applicant's industry certificate.

3. For par. (a) 1. e. to h., the signature of a supervisor, employer, or other reliable observer.

4. For par. (a) 2. d., verification by a course instructor, a transcript, or a certificate.

5. If the applicant is unable to provide the verification required under subds. 1. to 4., any other proof of the applicant's experience approved by the department.

(6) The department shall approve or deny an application for a license under sub. (2) no later than 45 business days after receipt of the application. If the department denies the application, it shall provide, in writing, the reason for the denial. If the department does not act within 45 business days of receiving an application for a license under sub. (2), the application shall be considered approved and the applicant considered a licensed teacher until the department approves or denies the application.

(7) Nothing in this section prohibits the department from granting a teaching license to teach a technical education subject under s. 118.19.

SECTION 3247r. 118.193 of the statutes is created to read:

118.193 Licenses based on reciprocity. (1) In this section, an "administrator license" means a license in a school administrator category under s. PI 34.32, Wis. Adm. Code.

(2) Notwithstanding s. 118.19 (4m), (6) to (9), and (12) to (14), the department shall grant an initial license to teach to an individual who is eligible for licensure under s. 118.19 (4) and (10) and who satisfies all of the following:

(a) The individual holds a license to teach granted by the proper authority of another state and is in good standing with the proper authority of that state.

(b) The individual taught for at least one year under the license granted by another state.

(c) The individual has received an offer of employment to teach in a school located in this state.

(3) Notwithstanding s. 118.19 (9) and (11), the department shall grant an initial administrator license to an individual who is eligible for licensure under s. 118.19 (4) and (10) and who satisfies all of the following:

(a) The individual holds a license granted by the proper authority of another state that is equivalent to an administrator license and the individual is in good standing with the proper authority of that state.

(b) The individual worked as an administrator under the license granted by another state for at least one year.

(c) The individual has received an offer of employment to be an administrator for a school or school district located in this state.

(4) (a) An application for a license under sub. (2) or (3) shall be made jointly by the applicant and the school or school board that made the offer of employment required for the license.

(b) 1. The department shall determine the subjects and grades that a license issued under sub. (2) authorizes an individual to teach based on the subjects and grades the individual is authorized to teach under his or her license granted by another state and the individual's teaching experience.

2. The department shall determine the school administrator category under s. PI 34.32, Wis. Adm. Code, for a license issued under sub. (3) and the grades to which the license applies based on the individual's license granted by another state and the individual's experience as an administrator.

SECTION 3247s. 118.194 of the statutes is created to read:

118.194 Initial license to teach; Montessori. (1) Notwithstanding s. 118.19 (4m), (6) to (9), and (12) to (14), the department shall grant an initial license to teach to an individual who is eligible for licensure under s. 118.19 (4) and (10) and who satisfies all of the following:

(a) Possesses a bachelor's degree.

(b) Successfully completed a teacher education program accredited by the Montessori Accreditation Council for Teacher Education.

(c) Successfully completed an introductory course in special education for which the individual earned at least 3 postsecondary credits.

(d) Earned a passing score on any standardized examinations required by the state superintendent for a license to teach the same educational levels and subjects issued in accordance with s. 118.19 and on an examination identical to the Foundations of Reading test administered in 2012 as part of the Massachusetts Tests for Educator Licensure.

(2) A license under sub. (1) authorizes an individual to teach the educational levels for which the individual has successfully completed a teacher education program accredited by the Montessori Accreditation Council for Teacher Education at a school that uses the Montessori method as its primary method of instruction. The department shall treat an initial license to teach granted under sub. (1) in the same manner the state superintendent treats an initial license to teach granted in accordance with s. 118.19.

SECTION 3247v. 118.22 (1) (am) of the statutes is created to read:

118.22 **(1)** (am) "Notification deadline" means one of the following:

1. For a school year ending in an odd–numbered calendar year, 15 days after the effective date of the biennial budget act for the biennium beginning in that calendar year.

2. For a school year ending in an even–numbered calendar year, May 15.

SECTION 3247w. 118.22 (2) of the statutes is amended to read:

118.22 **(2)** On or before ~~May 15 of~~ the notification deadline for the school year during which a teacher holds a contract, the board by which the teacher is employed or an employee at the direction of the board shall give the teacher written notice of renewal or refusal to renew the teacher's contract for the ensuing school year. If no such notice is given on or before ~~May 15~~ the notification deadline, the contract then in force shall continue for the ensuing school year. A teacher who receives a notice of renewal of contract for the ensuing school year, or a teacher who does not receive a notice of renewal or refusal to renew the teacher's contract for the ensuing school year on or before ~~May 15~~ the notification deadline, shall accept or reject in writing such contract not later than ~~the following June 15~~ 30 days after the notification deadline. No teacher may be employed or dismissed except by a majority vote of the full membership of the board. Nothing in this section prevents the modification or termination of a contract by mutual agreement of the teacher and the board. No such board may enter into a contract of employment with a teacher for any period of time as to which the teacher is then under a contract of employment with another board.

SECTION 3247x. 118.24 (6) of the statutes is amended to read:

118.24 **(6)** The employment contract of any person described under sub. (1) shall be in writing and filed with the school district clerk. ~~At least 4 months prior to the expiration of the employment contract, the employing school board shall give notice in writing of either renewal of the contract or of refusal to renew such person's~~

~~contract. If no such notice is given, the contract then in force shall continue in force for 2 years. Any such person who receives notice of renewal or who does not receive notice of renewal or refusal to renew the person's contract at least 4 months before the contract expiration shall accept or reject the contract in writing on or before a date 3 months prior to the contract expiration.~~ No ~~such~~ person described under sub. (1) may be employed or dismissed except by a majority vote of the full membership of the school board. Nothing in this section prevents the modification or termination of an employment contract by mutual agreement of the parties. No school board may enter into a contract of employment with any such person for a period of time as to which such person is then under a contract of employment with another school board.

SECTION 3247y. 118.24 (6m) of the statutes is created to read:

118.24 **(6m)** (a) In this subsection, "notification deadline" has the meaning given in s. 118.22 (1) (am).

(b) By no later than the notification deadline for the school year in which an employment contract for a person described in sub. (1) is set to expire, the employing school board shall give notice in writing either of renewal of the contract or of refusal to renew such person's contract. If no notice is given, the contract then in force shall continue in force for 2 years. Any person who receives notice of renewal, or who does not receive notice of renewal or refusal to renew the person's contract by the notification deadline, shall accept or reject the contract in writing no later than 30 days after the notification deadline.

SECTION 3248b. 118.30 (1) of the statutes is renumbered 118.30 (1) (a) and amended to read:

118.30 **(1)** (a) The state superintendent shall adopt or approve examinations designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,

10th, and 11th grades. Beginning in the 2015–16 school year, the state superintendent may not adopt or approve assessments developed by the Smarter Balanced Assessment Consortium.

SECTION 3248c. 118.30 (1) (b) of the statutes is created to read:

118.30 **(1)** (b) The state superintendent shall review and adopt or approve a summative examination system consisting of examinations to be administered beginning in the 2015–16 school year to pupils in each of the grades 3 through 10 and in each of the subject areas of English, reading, writing, science, and mathematics. Beginning in the 2015–16 school year, the state superintendent shall replace the examinations adopted or approved under par. (a) for grades 4 and 8 in each of the subject areas of English, reading, writing, science, and mathematics with the examinations adopted or approved under this paragraph. The state superintendent shall either replace the examinations adopted or approved under par. (a) for grades 9 and 10 and in any of the subject areas identified under this paragraph with the examinations adopted or approved for those grades under this paragraph or use the examinations adopted or approved under par. (a) for grades 9 and 10 and in any of those subject areas to satisfy the requirements under this paragraph. The state superintendent shall:

1. Ensure that each examination adopted or approved under the summative examination system satisfies the assessment and accountability requirements under federal law.

2. Ensure that the summative examination system adopted or approved under this paragraph satisfies the following criteria:

a. The system is vertically scaled and standards–based.

b. The system documents pupil progress toward national college and career readiness benchmarks derived from empirical research and state academic standards.

c. The system measures individual pupil performance in the subject areas of English, reading, writing, science, and mathematics.

d. The system provides for the administration of examinations primarily in a computer–based format but permits examinations to be administered with pencil and paper in certain limited circumstances.

e. Pupil performance on examinations adopted or approved under the system serves as a predictive measure of pupil performance on college readiness assessments used by institutions of higher education.

SECTION 3248g. 118.30 (1g) (a) 2. of the statutes is amended to read:

118.30 **(1g)** (a) 2. By January 1, 2000, or by January 1 of the 1st school year of operation, whichever is later, each operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> shall adopt pupil academic standards in mathematics, science, reading and writing, geography and history. The operator of the charter school may adopt the pupil academic standards issued by the governor as executive order no. 326, dated January 13, 1998.

SECTION 3248h. 118.30 (1g) (a) 3. of the statutes is amended to read:

118.30 **(1g)** (a) 3. The governing body of each private school participating in the program under s. 119.23 <u>and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119</u> shall adopt pupil academic standards in mathematics, science, reading and writing,

geography, and history. The governing body of the private school may adopt the pupil academic standards issued by the governor as executive order no. 326, dated January 13, 1998.

SECTION 3248k. 118.30 (1g) (c) of the statutes is amended to read:

118.30 **(1g)** (c) Each school board operating elementary grades and each operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> that operates elementary grades may develop or adopt its own examination designed to measure pupil attainment of knowledge and concepts in the 4th grade and may develop or adopt its own examination designed to measure pupil attainment of knowledge and concepts in the 8th grade. If the school board or operator of the charter school develops or adopts an examination under this paragraph, it shall notify the department.

SECTION 3249. 118.30 (1m) (ar) of the statutes is amended to read:

118.30 **(1m)** (ar) Except as provided in sub. (7), beginning in the 2014–15 school year, administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the <u>spring session of</u> 9th grade. ~~The school board shall administer the examination once in the fall session and once in the spring session.~~

SECTION 3250. 118.30 (1m) (d) of the statutes is created to read:

118.30 **(1m)** (d) If the school board maintains an Internet site for the school district, annually publish information on that Internet site about the examinations administered under this subsection to pupils in the school district.

SECTION 3250r. 118.30 (1r) (intro.) of the statutes is amended to read:

118.30 **(1r)** (intro.) Annually ~~each~~ <u>the</u> operator of ~~a~~ <u>each</u> charter school under s. 118.40 (2r) <u>or (2x)</u> shall do all of the following:

SECTION 3251. 118.30 (1r) (ar) of the statutes is amended to read:

118.30 **(1r)** (ar) Beginning in the 2014–15 school year, administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the charter school in spring session of the 9th grade. ~~The charter school shall administer the examination once in the fall session and once in the spring session.~~

SECTION 3252. 118.30 (1r) (d) of the statutes is created to read:

118.30 **(1r)** (d) If the operator of the charter school maintains an Internet site for the school, annually publish information on that Internet site about the examinations administered under this subsection to pupils in the school.

SECTION 3253. 118.30 (1s) (intro.) of the statutes is amended to read:

118.30 **(1s)** (intro.) Annually, the governing body of each private school participating in the program under s. 119.23, other than a private school at which fewer than 20 pupils are attending the school under the program under s. 119.23, and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 shall do all of the following:

SECTION 3254. 118.30 (1s) (bm) of the statutes is amended to read:

118.30 **(1s)** (bm) Beginning in the 2014–15 school year, in the spring session administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 9th grade in the private school under s. 119.23. ~~The private school shall administer the examination once in the fall session and once in the spring session.~~

SECTION 3255. 118.30 (1s) (e) of the statutes is created to read:

118.30 **(1s)** (e) If the governing body of the private school maintains an Internet site for the school, annually publish information on that Internet site about the examinations administered under this subsection to pupils in the school.

SECTION 3256. 118.30 (1t) (intro.) of the statutes is amended to read:

118.30 **(1t)** (intro.) Annually, the governing body of each private school participating in the program under s. 118.60, other than a private school at which fewer than 20 pupils are attending the school under the program under s. 118.60, shall do all of the following:

SECTION 3257. 118.30 (1t) (bm) of the statutes is amended to read:

118.30 **(1t)** (bm) Beginning in the 2014–15 school year, in the spring session administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 9th grade in the private school under s. 118.60. ~~The private school shall administer the examination once in the fall session and once in the spring session.~~

SECTION 3258. 118.30 (1t) (e) of the statutes is created to read:

118.30 **(1t)** (e) If the governing body of the private school maintains an Internet site for the school, annually publish information on that Internet site about the examinations administered under this subsection to pupils in the school.

SECTION 3258r. 118.30 (2) (b) 1. of the statutes is amended to read:

118.30 **(2)** (b) 1. If a pupil is enrolled in a special education program under subch. V of ch. 115, the school board, operator of the charter school under s. 118.40 (2r) or (2x), governing body of the private school participating in the program under s. 118.60, or governing body of the private school participating in the program under s. 119.23 shall comply with s. 115.77 (1m) (bg).

SECTION 3258t. 118.30 (2) (b) 2. of the statutes is amended to read:

118.30 **(2)** (b) 2. According to criteria established by the state superintendent by rule, the school board, operator of the charter school under s. 118.40 (2r) or (2x), governing body of the private school participating in the program under s. 118.60, or governing body of the private school participating in the program under s. 119.23 may determine not to administer an examination under this section to a limited–English speaking pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language, or may modify the format and administration of an examination for such pupils.

SECTION 3259. 118.30 (2) (b) 3. of the statutes is amended to read:

118.30 **(2)** (b) 3. Upon the request of a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered under sub. (1m) or s. 118.301 (3).

SECTION 3260. 118.30 (2) (b) 4. of the statutes is amended to read:

118.30 **(2)** (b) 4. Upon the request of a pupil's parent or guardian, the operator of a charter school under s. 118.40 (2r) or (2x) shall excuse the pupil from taking an examination administered under sub. (1r) or s. 118.301 (3).

SECTION 3261. 118.30 (2) (b) 5. of the statutes is amended to read:

118.30 **(2)** (b) 5. Upon the request of a pupil's parent or guardian, the governing body of a private school participating in the program under s. 119.23 shall excuse the pupil from taking an examination administered under sub. (1s) (a) to (cm) or s. 118.301 (3).

SECTION 3262. 118.30 (2) (b) 6. of the statutes is amended to read:

118.30 **(2)** (b) 6. Upon the request of a pupil's parent or guardian, the governing body of a private school participating in the program under s. 118.60 shall excuse the

pupil from taking an examination administered under sub. (1t) (a) to (cm) or s. 118.301 (3).

SECTION 3263. 118.30 (5m) of the statutes is amended to read:

118.30 **(5m)** When determining the percentage of pupils participating in the program under s. 119.23 who performed at designated proficiency levels on the examinations administered as required under sub. (1s) or s. 118.301 (3), the department shall consider only the pupils participating in the program under s. 119.23 to whom the examinations were administered at each grade level, and shall exclude from consideration those pupils participating in the program under s. 119.23 who were excused from taking the examinations under sub. (2) (b) 5.

SECTION 3264. 118.30 (6) of the statutes is amended to read:

118.30 **(6)** A school board and an operator of a charter school under s. 118.40 (2r) or (2x) is not required to administer the 4th and 8th grade examinations adopted or approved by the state superintendent under sub. (1) or authorized under s. 118.301 (3) if the school board or the operator of the charter school administers its own 4th and 8th grade examinations, the school board or operator of the charter school ~~provides the state superintendent with~~ submits the examination results to the University of Wisconsin–Madison Value–Added Research Center to conduct statistical correlations of those examinations with the examinations adopted or approved by the state superintendent under sub. (1), the University of Wisconsin–Madison Value–Added Research Center provides the statistical correlations to the state superintendent, and the federal department of education approves.

SECTION 3265. 118.30 (7) of the statutes is amended to read:

118.30 **(7)** If a school board enters into an agreement with a federally recognized American Indian tribe or band in this state to establish a charter school, that school board shall administer the examinations under sub. (1m) or s. 118.301 (3) regardless of the location of the charter school.

SECTION 3266. 118.301 of the statutes is created to read:

118.301 Alternative pupil assessments. (1) In this section, "research center" means the University of Wisconsin–Madison Value–Added Research Center.

(2) (a) Within 30 days after the release of funds under s. 115.28 (9m) (b), the department shall request from the research center a list of nationally recognized, norm–referenced alternative examinations determined by the research center to be acceptable for statistical comparison with examinations adopted or approved under s. 118.30 (1). Within 180 days of the release of funds under s. 115.28 (9m) (b), the research center shall evaluate and approve at least 3 and no more than 5 of the examinations and shall submit the list of approved examinations to the department. The research center shall submit under this paragraph only those examinations that are consistent with the following parameters:

1. The examination aligns sufficiently with content standards established for examinations adopted or approved under s. 118.30 (1).

2. The examination is comprised of a variety of testing methodologies, including multiple choice and short answer, to assess a range of student skills.

3. The examination includes accommodations or alternative assessments for students enrolled in a special education program under subch. V of ch. 115.

4. The examination provider makes available translations for limited–English proficient pupils, as defined in s. 115.955 (7).

5. The examination may be administered in a variety of modes, including with paper and pencil, in an online format, in a fixed form format, and in an adaptive format.

6. The examination has internal consistency reliability coefficients of at least 0.8.

(b) An examination approved under this subsection may be administered only by a school that notifies the department of its intent to administer the examination.

(3) (a) Notwithstanding s. 118.30 (1m), beginning in the first full school year following the date on which the research center submitted the list of approved examinations to the department under sub. (2) (a), a school board is not required to administer an examination adopted or approved by the state superintendent under s. 118.30 (1) in any grade for which an examination is required to be administered under s. 118.30 if the school board administers in that grade an alternative examination approved by the research center under sub. (2). If the school board elects to administer an alternative examination under this paragraph, the school board shall notify the department of its intent to administer the examination and shall publish that fact and information about the examination on the school's Internet site.

(b) Notwithstanding s. 118.30 (1r), beginning in the first full school year following the date on which the research center submitted the list of approved examinations to the department under sub. (2) (a), an operator of a charter school under s. 118.40 (2r) or (2x) is not required to administer an examination adopted or approved by the state superintendent under s. 118.30 (1) in any grade for which an examination is required to be administered under s. 118.30 if the operator administers in that grade an alternative examination approved by the research

center under sub. (2). If the operator of the charter school elects to administer an alternative examination under this paragraph, the operator shall notify the department of its intent to administer the examination and shall publish that fact and information about the examination on the school's Internet site.

(c) Notwithstanding s. 118.30 (1s), beginning in the first full school year following the date on which the research center submitted the list of approved examinations to the department under sub. (2) (a), the governing body of each private school participating in the program under s. 119.23 that is required to administer an examination under s. 118.30 (1s) is not required to administer an examination adopted or approved by the state superintendent under s. 118.30 (1) in any grade for which an examination is required to be administered under s. 118.30 if the governing body administers in that grade an alternative examination approved by the research center under sub. (2). If the governing body of the private school elects to administer an alternative examination under this paragraph, the governing body shall notify the department of its intent to administer the examination and shall publish that fact and information about the examination on the school's Internet site.

(d) Notwithstanding s. 118.30 (1t), beginning in the first full school year following the date on which the research center submitted the list of approved examinations to the department under sub. (2) (a), the governing body of a private school participating in a program under s. 118.60 that is required to administer an examination under s. 118.30 (1t) is not required to administer an examination adopted or approved by the state superintendent under s. 118.30 (1) in any grade for which an examination is required to be administered under s. 118.30 if the governing body administers in that grade an alternative examination approved by the research center under sub. (2). If the governing body of the private school elects to administer

an alternative examination under this paragraph, the governing body shall notify the department of its intent to administer the examination and shall publish that fact and information about the examination on the school's Internet site.

(e) If a school administers an alternative examination in any grade under this subsection, and if the cost of the alternative examination exceeds the cost of the examination adopted or approved by the state superintendent for that grade, the school board, operator, or governing body of the school is responsible for the difference between the cost of the examination adopted or approved by the state superintendent for that grade and the cost of the alternative examination for that grade.

(4) (a) If a school board, an operator of a charter school under s. 118.40 (2r) or (2x), or the governing body of a private school participating in a program under s. 118.60 or 119.23 administers an alternative examination under sub. (3), the school board, operator, or governing body shall submit the examination results to the research center.

(b) The research center shall review all examination results received under par. (a) and statistically equate them to the pupil examinations required under s. 118.30. The research center shall provide the examination data, as statistically equated, to the school board, operator, or governing body and to the department. The department shall use data received under this subsection to determine a school's performance or school district's improvement under s. 115.385.

SECTION 3266am. 118.305 (1) (h) of the statutes is amended to read:

118.305 **(1)** (h) "School" means a public school, including a charter school<u>, and a private school participating in the program under s. 115.7915</u>.

SECTION 3266b. 118.33 (1) (a) (intro.) of the statutes is amended to read:

118.33 **(1)** (a) (intro.) Except as provided in pars. (d), (e), ~~and~~ (em), and (es), a school board may not grant a high school diploma to any pupil unless the pupil satisfies the requirement under sub. (1m) (a) and has earned:

SECTION 3266c. 118.33 (1) (b) of the statutes is amended to read:

118.33 **(1)** (b) ~~A~~ Except as provided in par. (es), a school board may not grant a high school diploma to any pupil unless, during the high school grades, the pupil has been enrolled in a class or has participated in an activity approved by the school board during each class period of each school day, or the pupil has been enrolled in an alternative education program, as defined in s. 115.28 (7) (e) 1. Nothing in this paragraph prohibits a school board from establishing a program that allows a pupil enrolled in the high school grades who has demonstrated a high level of maturity and personal responsibility to leave the school premises for up to one class period each day if the pupil does not have a class scheduled during that class period.

SECTION 3266e. 118.33 (1) (d) 3. of the statutes is created to read:

118.33 **(1)** (d) 3. The pupil satisfies the requirement under sub. (1m) (a).

SECTION 3266f. 118.33 (1) (es) of the statutes is created to read:

118.33 **(1)** (es) 1. A school board may adopt a resolution to allow pupils in the high school grades to earn high school credits in a subject area by demonstrating a level of proficiency in that subject area or by creating a learning portfolio related to that subject area. If a school board adopts a resolution under this paragraph, the school board shall develop and implement written policies and procedures for awarding credits under this paragraph. The school board shall include in its policies and procedures the manner in which a pupil may qualify for high school credit under this paragraph. A pupil may earn not more than one–half of the total number of credits required for a high school diploma under this paragraph.

2. For a pupil who earns credit under this paragraph, a school board may waive the requirement under par. (b) that requires a pupil, during the high school grades, to be enrolled in a class or participate in an activity approved by the school board during each class period of each school day.

3. Nothing in this paragraph affects a school board's obligations to administer examinations under s. 118.30.

4. A nonprofit, for–profit, or public educational institution that provides an educational program for which it awards a bachelor's or higher degree, or provides a program that is acceptable for full credit toward such a degree or a program of training to prepare students for gainful employment in a recognized occupation, and admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate, shall treat a high school diploma awarded based, in part, on credits earned under this paragraph in the same manner as it treats a high school diploma awarded based on credits earned by enrolling in class.

SECTION 3266g. 118.33 (1) (f) 1. of the statutes is amended to read:

118.33 **(1)** (f) 1. ~~By September 1, 2004, each~~ Each school board operating high school grades shall develop and periodically review and revise a written policy specifying criteria for granting a high school diploma that are in addition to the requirements under par. (a). The criteria shall include the pupil's academic performance, successful completion of the civics test under sub. (1m) (a), and the recommendations of teachers. Except as provided in subds. 2. and 4., the criteria apply to pupils enrolled in charter schools located in the school district.

SECTION 3266h. 118.33 (1) (f) 2. of the statutes is amended to read:

118.33 **(1)** (f) 2. ~~By September 1, 2004, each~~ The operator of a charter school under s. 118.40 (2r) or (2x) that operates high school grades and an individual or group or a person that, pursuant to s. 115.999 (3), 119.33 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 and that operates high school grades shall develop and periodically review and revise a policy specifying criteria for granting a high school diploma. The criteria shall include the pupil's academic performance, successful completion of the civics test under sub. (1m) (a), and the recommendations of teachers.

SECTION 3266m. 118.33 (1) (f) 2m. of the statutes is amended to read:

118.33 **(1)** (f) 2m. The governing body of each private school participating in the program under s. 119.23 and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 shall develop and periodically review and revise a policy specifying criteria for granting a high school diploma to pupils attending the private school under s. 119.23 or the school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119. The criteria shall include the pupil's academic performance, successful completion of the civics test under sub. (1m) (a), and the recommendations of teachers.

SECTION 3266n. 118.33 (1) (f) 2r. of the statutes is amended to read:

118.33 **(1)** (f) 2r. The governing body of each private school participating in the program under s. 118.60 shall develop and periodically review and revise a policy

specifying criteria for granting a high school diploma to pupils attending the private school under s. 118.60. The criteria shall include the pupil's academic performance, successful completion of the civics test under sub. (1m) (a), and the recommendations of teachers.

SECTION 3266o. 118.33 (1) (f) 3. of the statutes is amended to read:

118.33 **(1)** (f) 3. Neither a school board nor an operator of a charter school under s. 118.40 (2r) or (2x) nor an individual or group or person that, pursuant to s. 115.999 (3), 119.33 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 may grant a high school diploma to any pupil unless the pupil has satisfied the criteria specified in the school board's or charter school's policy under subd. 1. or 2. ~~The~~ Neither the governing body of a private school participating in the program under s. 119.23 nor a governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 may ~~not~~ grant a high school diploma to any pupil attending the private school under s. 119.23 or the school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 unless the pupil has satisfied the criteria specified in the governing body's policy under subd. 2m. The governing body of a private school participating in the program under s. 118.60 may not grant a high school diploma to any pupil attending the private school under s. 118.60 unless the pupil has satisfied the criteria specified in the governing body's policy under subd. 2r.

SECTION 3266p. 118.33 (1) (g) 1. d. of the statutes is created to read:

118.33 **(1)** (g) 1. d. Satisfies the requirement under sub. (1m) (a).

SECTION 3266r. 118.33 (1m) of the statutes is created to read:

118.33 **(1m)** (a) 1. Beginning in the 2016–17 school year, no school board, operator of a charter school under s. 118.40 (2r) or (2x), or governing body of a private school participating in a program under s. 118.60 or 119.23 may, except as provided in subd. 2. and subject to the policies under sub. (2) (m), grant a high school diploma to any pupil unless the pupil takes, during the high school grades, a civics test comprised of 100 questions that are identical to the 100 questions that may be asked of an individual during the process of applying for U.S. citizenship by the United States Citizenship and Immigration Services and the pupil correctly answers at least 60 of those questions.

2. A school board, operator of a charter school under s. 118.40 (2r) or (2x), and governing body of a private school participating in a program under s. 118.60 or 119.23 shall require a pupil for whom an individualized education program under s. 115.787 is in effect to complete the civics test described under subd. 1. but shall not condition graduation on the successful completion of the test.

3. A school board, operator of a charter school under s. 118.40 (2r) or (2x), and governing body of a private school participating in a program under s. 118.60 or 119.23 shall permit a limited–English proficient pupil, as defined in s. 115.955 (7), to take the civics test described under subd. 1. in the pupil's language of choice.

4. A pupil may retake the civics test described under subd. 1. until the pupil obtains the passing score required under subd. 1.

(b) A school board, operator of a charter school under s. 118.40 (2r) or (2x), and governing body of a private school participating in a program under s. 118.60 or

119.23 may determine the format of the civics test required under this subsection and when in the school year to administer the test.

SECTION 3266t. 118.33 (2) (c) of the statutes is amended to read:

118.33 **(2)** (c) Establish course requirements under sub. (1) (a) and approve any school board's high school graduation standards policy that is equivalent to the requirements under ~~sub.~~ subs. (1) and (1m) (a).

SECTION 3266v. 118.33 (3m) of the statutes is amended to read:

118.33 **(3m)** A course taken at a technical college by a child attending the school part–time or in lieu of high school under s. 118.15 (1) (b), or attending the school under s. 118.15 (1) (cm), does not fulfill any of the high school graduation requirements under sub. (1) (a) unless the state superintendent has approved the course for that purpose. If a pupil satisfies all of the high school graduation requirements under ~~sub.~~ subs. (1) and (1m) (a), the school board shall grant a high school diploma to the pupil regardless of whether the pupil satisfied all or a portion of the requirements while attending an institution of higher education under s. 118.55 or a technical college.

SECTION 3267. 118.33 (6) (a) 1. of the statutes is amended to read:

118.33 **(6)** (a) 1. Each school board shall adopt a written policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1m) (a) or (am) or s. 118.301 (3), unless the pupil has been excused from taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers, which shall be based solely on the pupil's academic performance; and any other academic criteria specified by

the school board. Except as provided in par. (b) 1. and 3., the criteria apply to pupils enrolled in charter schools located in the school district.

SECTION 3268. 118.33 (6) (b) 1. of the statutes is amended to read:

118.33 **(6)** (b) 1. Each operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> shall adopt a written policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am) <u>or s. 118.301 (3)</u>, unless the pupil has been excused from taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers, which shall be based solely on the pupil's academic performance; and any other academic criteria specified by the operator of the charter school.

SECTION 3268g. 118.33 (6) (b) 2. of the statutes is amended to read:

118.33 **(6)** (b) 2. Beginning on September 1, 2002, an operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> may not promote a 4th grade pupil to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless the pupil satisfies the criteria for promotion specified in the charter school operator's policy under subd. 1.

SECTION 3269. 118.33 (6) (c) 1. of the statutes is amended to read:

118.33 **(6)** (c) 1. The governing body of each private school participating in the program under s. 119.23 shall adopt a written policy specifying criteria for promoting a pupil who is attending the private school under s. 119.23 from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1s) (a) or (b) <u>or s. 118.301 (3)</u>, unless the pupil has been excused from taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,

which shall be based solely on the pupil's academic performance; and any other academic criteria specified by the governing body of the private school.

SECTION 3269d. 118.33 (6) (cm) 4. of the statutes is amended to read:

118.33 **(6)** (cm) 4. Except as provided in subds. 5. and 6., beginning on September 1, 2011, the operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> may not enroll a child in the first grade in the school unless the child has completed 5–year–old kindergarten. Each operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> that operates a 5–year–old kindergarten program shall adopt a written policy specifying the criteria for promoting a pupil from 5–year–old kindergarten to the first grade.

SECTION 3269g. 118.33 (6) (cm) 5. of the statutes is amended to read:

118.33 **(6)** (cm) 5. Each operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> that operates a 5–year–old kindergarten program shall establish procedures, conditions, and standards for exempting a child from the requirement that the child complete kindergarten as a prerequisite to enrollment in the first grade and for reviewing the denial of an exemption upon the request of the pupil's parent or guardian.

SECTION 3269k. 118.33 (6) (cm) 6. (intro.) of the statutes is amended to read:

118.33 **(6)** (cm) 6. (intro.) The operator of a charter school under s. 118.40 (2r) <u>or (2x)</u> that operates a 5–year–old kindergarten program shall enroll in the first grade a child who has not completed kindergarten but who is otherwise eligible to be admitted to and to enroll in first grade as a new or continuing pupil at the time the child moves into this state if one of the following applies:

SECTION 3270. 118.33 (6) (cr) 1. of the statutes is amended to read:

118.33 **(6)** (cr) 1. The governing body of each private school participating in the program under s. 118.60 shall adopt a written policy specifying criteria for promoting a pupil who is attending the private school under s. 118.60 from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1t) (a) or (b) <u>or s. 118.301 (3)</u>, unless the pupil has been excused from taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers, which shall be based solely on the pupil's academic performance; and any other academic criteria specified by the governing body of the private school.

SECTION 3270d. 118.40 (1) of the statutes is amended to read:

118.40 **(1)** NOTICE TO STATE SUPERINTENDENT. Whenever a school board intends to establish a charter school, it shall notify the state superintendent of its intention. Whenever one of the entities under sub. (2r) (b) <u>or the director under sub. (2x)</u> intends to establish a charter school, it shall notify the state superintendent of its intention by February 1 of the previous school year. A notice under this subsection shall include a description of the proposed school.

SECTION 3270g. 118.40 (2r) (a) of the statutes is renumbered 118.40 (2r) (a) (intro.) and amended to read:

118.40 **(2r)** (a) (intro.) In this subsection~~, "instructional~~<u>:</u>

<u>1. "Instructional</u> staff" has the meaning given in the rules promulgated by the department under s. 121.02 (1) (a) 2.

SECTION 3270k. 118.40 (2r) (a) 2. of the statutes is created to read:

118.40 **(2r)** (a) 2. "Resident school board" means the school board of the school district in which a pupil resides.

SECTION 3271. 118.40 (2r) (b) 1. (intro.) of the statutes is amended to read:

118.40 **(2r)** (b) 1. (intro.) All of the following entities may ~~establish by charter and operate a charter school or, on behalf of their respective entities, may initiate a~~ contract with ~~an individual or group~~ a person to operate a ~~school as a~~ charter school:

SECTION 3272d. 118.40 (2r) (b) 1. e. of the statutes is created to read:

118.40 **(2r)** (b) 1. e. The Gateway technical college district board.

SECTION 3272g. 118.40 (2r) (b) 1. f. of the statutes is created to read:

118.40 **(2r)** (b) 1. f. The county executive of Waukesha County.

SECTION 3272k. 118.40 (2r) (b) 1. g. of the statutes is created to read:

118.40 **(2r)** (b) 1. g. The college of Menominee Nation.

SECTION 3272L. 118.40 (2r) (b) 1. h. of the statutes is created to read:

118.40 **(2r)** (b) 1. h. The Lac Courte Orielles Ojibwa community college.

SECTION 3273. 118.40 (2r) (b) 2. of the statutes is renumbered 118.40 (2r) (b) 2. (intro.) and amended to read:

118.40 **(2r)** (b) 2. (intro.) A charter shall include all of the provisions specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract shall also include all of the following provisions and may include other provisions agreed to by the parties. ~~The chancellor of the University of Wisconsin–Milwaukee or of the University of Wisconsin–Parkside may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.~~:

SECTION 3274. 118.40 (2r) (b) 2. a. to k. of the statutes are created to read:

118.40 **(2r)** (b) 2. a. A requirement that the charter school governing board adhere to specified annual academic and operational performance standards developed in accordance with the performance framework of the entity with which it is contracting.

b. Provisions detailing the corrective measures the charter school governing board will take if the charter school fails to meet performance standards.

c. A provision allowing the governing board to open one or more additional charter schools if all of the charter schools operated by the governing board were assigned to one of the top 2 performance categories in the most recent school and school district accountability report published under s. 115.385. If the charter school governing board opens one or more additional charter schools, the existing contract applies to the new school or schools unless the parties agree to amend the existing contract or enter into a new contract.

d. The methodology that will be used by the charter school governing board to monitor and verify pupil enrollment, credit accrual, and course completion.

e. A requirement that the entity under subd. 1. have direct access to pupil data.

f. A description of the administrative relationship between the parties to the contract.

g. A requirement that the charter school governing board hold parent–teacher conferences at least annually.

h. A requirement that if more than one charter school is operated under the contract, the charter school governing board reports to the entity under subd. 1. on each charter school separately.

i. A requirement that the charter school governing board provide the data needed by the entity under subd. 1. for purposes of making the report required under sub. (3m) (a) 6.

j. A requirement that the charter school governing board participate in any training provided by the entity under subd. 1.

k. A description of all fees that the entity under subd. 1. will charge the charter school governing board.

SECTION 3275. 118.40 (2r) (b) 3. of the statutes is repealed and recreated to read:

118.40 **(2r)** (b) 3. If an entity specified in subd. 1. a. to d. was operating a charter school itself immediately prior to the effective date of this subdivision .... [LRB inserts date], it may continue to do so.

SECTION 3276d. 118.40 (2r) (bm) of the statutes is repealed and recreated to read:

118.40 **(2r)** (bm) 1. The Gateway technical college district board may contract for the establishment of a charter school located only in the Gateway technical college district.

2. The county executive of Waukesha County may contract for the establishment of a charter school located only in Waukesha County.

SECTION 3277d. 118.40 (2r) (c) of the statutes is repealed and recreated to read:

118.40 **(2r)** (c) Only pupils who reside within the boundaries of the Gateway technical college district or in a county adjacent to the Gateway technical college district may attend a charter school established under a contract with the Gateway technical college district board.

SECTION 3278. 118.40 (2r) (cm) of the statutes is repealed.

SECTION 3278g. 118.40 (2r) (cp) of the statutes is created to read:

118.40 **(2r)** (cp) The Gateway technical college district board may contract for the establishment of a charter school under this section only if the charter school operates only high school grades and provides a curriculum focused on science, technology, engineering, and mathematics, or occupational education and training.

SECTION 3278j. 118.40 (2r) (cq) of the statutes is created to read:

118.40 **(2r)** (cq) The sum of the number of charter schools operating under a contract with the college of Menominee Nation and the number of charter schools operating under a contract with the Lac Courte Orielles Ojibwa community college may not exceed 6.

SECTION 3279. 118.40 (2r) (d) 2. of the statutes is amended to read:

118.40 **(2r)** (d) 2. Administer the examinations under ~~ss.~~ s. 118.30 (1r) or 118.301 (3) and s. 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

SECTION 3280. 118.40 (2r) (dm) of the statutes is created to read:

118.40 **(2r)** (dm) The operator of a charter school authorized under this subsection may provide transportation to pupils attending the charter school and may claim transportation aid under s. 121.58 for pupils so transported.

SECTION 3282g. 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

118.40 **(2r)** (e) 2p. (intro.) In the 2015–16 school year and in each school year thereafter, for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1. a. to f., from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the

current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, if positive. The change in the statewide categorical aid per pupil shall be determined as follows:

SECTION 3284m. 118.40 (2r) (e) 2p. a. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

118.40 **(2r)** (e) 2p. a. Add the amounts appropriated in the current fiscal year under s. 20.255 (2), except s. 20.255 (2) (ac), (bb), (fm), (fr), (fu), (k), and (m); ~~s. 20.285 (1) (r) and (rc);~~ and 20.505 (4) (es); and the amount, as determined by secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated for payments to telecommunication providers under contracts with school districts and cooperative educational service agencies under s. 16.971 (13) and for grants to school district consortia under s. 16.997 (7).

SECTION 3284n. 118.40 (2r) (f) of the statutes is created to read:

118.40 **(2r)** (f) 1. In the 2016–17 school year and in each school year thereafter, for a pupil attending a charter school established under a contract with an entity under par. (b) 1. g. or h., from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the per pupil academic base funding the bureau of Indian education in the federal department of the interior provided to tribal schools under 25 CFR 39.1 to 39.1203 in the previous school year.

2. The department shall pay 25 percent of the total amount due to an operator of a charter school in September, 25 percent in December, 25 percent in February, and 25 percent in June. The department shall send the check to the operator of the charter school.

SECTION 3284p. 118.40 (2r) (g) of the statutes is created to read:

118.40 **(2r)** (g) 1. Beginning in the 2016–17 school year, subject to s. 121.085 (1), the department shall decrease a school district's state aid payment under s. 121.08 by an amount calculated as follows:

a. Determine the number of pupils residing in the school district for whom a payment is made under par. (e) to an operator of a charter school established under contract with an entity under par. (b) 1. e. or f. in that school year.

b. Multiply the number of pupils under subd. 1. a. by the per pupil amount calculated under par. (e) 2p. for that school year.

c. Determine the number of pupils residing in the school district for whom a payment is made under par. (f) in that school year.

d. Multiply the number of pupils under subd. 1. c. by the per pupil amount calculated under par. (f) 1. for that school year.

e. Sum the amounts determined under subd. 1. b. and d.

2. If a school district's state aid payment under s. 121.08 is insufficient to cover the reduction under subd. 1., as determined under s. 121.085 (2), the department shall decrease other state aid payments made by the department to the school district by the remaining amount.

3. The department shall ensure that the decrease under subd. 1. does not affect the amount determined to be received by a school district as state aid under s. 121.08 for any other purpose.

SECTION 3285. 118.40 (2r) (h) of the statutes is created to read:

118.40 **(2r)** (h) A charter school established under this subsection is a local educational agency under 20 USC 6301 to 6578 and as such is eligible for funding as a local educational agency, and shall comply with all requirements of local educational agencies, under 20 USC 6301 to 6578.

SECTION 3286m. 118.40 (2x) of the statutes is created to read:

118.40 **(2x)** OFFICE OF EDUCATIONAL OPPORTUNITY. (a) In this subsection:

1. "Director" means the special assistant to the president of the University of Wisconsin System appointed under s. 36.09 (2) (c).

2. "Instructional staff" has the meaning given in the rules promulgated by the department under s. 121.02 (1) (a) 2.

3. "Resident school board" means the school board of the school district in which a pupil resides.

(b) 1. The director may contract with a person to operate a charter school.

2. A contract to operate a charter school shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the University of Wisconsin System under this paragraph. The contract shall also include all of the following provisions and may include other provisions agreed to by the parties:

a. A requirement that the charter school governing board adhere to specified annual academic and operational performance standards developed in accordance with the performance framework of the person with which it is contracting.

b. Provisions detailing the corrective measures the charter school governing board will take if the charter school fails to meet performance standards.

d. The methodology that will be used by the charter school governing board to monitor and verify pupil enrollment, credit accrual, and course completion.

e. A requirement that the director have direct access to pupil data.

f. A description of the administrative relationship between the parties to the contract.

g. A requirement that the charter school governing board hold parent–teacher conferences at least annually.

h. A requirement that if more than one charter school is operated under the contract, the charter school governing board reports to the director on each charter school separately.

i. A requirement that the charter school governing board provide the data needed by the director for purposes of making the report required under sub. (3m) (f).

j. A requirement that the charter school governing board participate in any training provided by the director.

k. A description of all fees that the director will charge the charter school governing board.

3. a. A contract may include grounds for expelling a pupil from the charter school.

b. If the contract includes grounds for expelling a pupil from the charter school as permitted under subd. 3. a., the contract shall include the procedures to be followed by the charter school prior to expelling a pupil.

4. The director may not contract for the establishment of a virtual charter school.

(c) The director may contract for the establishment of a charter school located only in a school district whose membership, as defined in s. 121.004 (5), is more than 25,000 pupils.

(d) The director shall do all of the following:

1. Ensure that all instructional staff of charter schools established under this subsection hold a license or permit to teach issued by the department.

2. Administer the examinations under ss. 118.30 (1r) and 121.02 (1) (r) to pupils enrolled in charter schools established under this subsection.

(e) 1. Beginning in the 2016–17 school year, from the appropriation under s. 20.255 (2) (fp), for each pupil attending a charter school established under this subsection, the department shall pay to the operator of a charter school established under this subsection an amount equal to the per pupil amount paid to an operator of a charter school under sub. (2r) (e) in that school year.

2. The department shall pay 25 percent of the total amount in September, 25 percent in December, 25 percent in February, and 25 percent in June. The department shall send the check to the operator of the charter school.

(f) 1. Beginning in the 2016–17 school year, subject to s. 121.085 (1), the department shall decrease a school district's state aid payment under s. 121.08 by an amount calculated as follows:

a. Determine the number of pupils residing in the school district for whom a payment is made under par. (e) 1. in that school year.

b. Multiply the number of pupils under subd. 1. a. by the per pupil amount calculated under par. (e) 1. for that school year.

2. If a school district's state aid payment under s. 121.08 is insufficient to cover the reduction under subd. 1., as determined under s. 121.085 (2), the department shall decrease other state aid payments made by the department to the school district by the remaining amount.

3. The department shall ensure that the decrease under subd. 1. does not affect the amount determined to be received by a school district as state aid under s. 121.08 for any other purpose.

SECTION 3286p. 118.40 (3) (b) of the statutes is amended to read:

118.40 **(3)** (b) A contract under par. (a) or under ~~subs.~~ sub. (2m) ~~or~~, (2r), or (2x) may be for any term not exceeding 5 school years and may be renewed for one or more terms not exceeding 5 school years. The contract shall specify the amount to be paid to the charter school during each school year of the contract.

SECTION 3287. 118.40 (3) (d) of the statutes is renumbered 118.40 (3m) (c) and amended to read:

118.40 **(3m)** (c) ~~A school board or an entity under sub. (2r) (b) shall give~~ Give preference in awarding contracts for the operation of charter schools to those charter schools that serve children at risk, as defined in s. 118.153 (1) (a).

SECTION 3288. 118.40 (3) (e) of the statutes is renumbered 118.40 (3m) (b) and amended to read:

118.40 **(3m)** (b) When ~~establishing or~~ contracting for the establishment of a charter school under this section, ~~a school board or entity specified under sub. (2r) (b) shall consider~~ adhere to the principles and standards for quality charter schools established by the National Association of Charter School Authorizers.

SECTION 3289. 118.40 (3) (f) of the statutes is created to read:

118.40 **(3)** (f) A contract with a school board, an entity under sub. (2r) (b), or the director under sub. (2x) may provide for the establishment of more than one charter school, and a charter school governing board may enter into more than one contract with a school board, an entity under sub. (2r) (b), or the director under sub. (2x).

SECTION 3290. 118.40 (3) (g) of the statutes is created to read:

118.40 **(3)** (g) 1. Except as provided in subds. 2. and 3. and sub. (4) (ar) 1., a contract with a school board, an entity under sub. (2r) (b), or the director under sub.

(2x) shall require that if the capacity of the charter school is insufficient to accept all pupils who apply, the charter school shall accept pupils at random.

2. A charter school shall give preference in enrollment to pupils who were enrolled in the charter school in the previous school year and to siblings of pupils who are enrolled in the charter school.

3. A charter school may give preference in enrollment to the children of the charter school's founders, governing board members, and full–time employees, but the total number of such children given preference may constitute no more than 10 percent of the charter school's total enrollment.

SECTION 3291. 118.40 (3m) (intro.) of the statutes is created to read:

118.40 **(3m)** AUTHORIZING ENTITY DUTIES. (intro.) A school board, an entity under sub. (2r) (b), and the director under sub. (2x) shall do all of the following:

SECTION 3292. 118.40 (3m) (a) and (d) to (f) of the statutes are created to read:

118.40 **(3m)** (a) Solicit and evaluate charter school applications.

(d) Approve only high–quality charter school applications that meet identified educational needs and promote a diversity of educational choices.

(e) In accordance with the terms of each charter school contract, monitor the performance and compliance with this section of each charter school with which it contracts.

(f) Annually, submit to the state superintendent and to the legislature under s. 13.172 (2) a report that includes all of the following:

1. An identification of each charter school operating under contract with it, each charter school that operated under a contract with it but had its contract nonrenewed or revoked or that closed, and each charter school under contract with it that has not yet begun to operate.

2. The academic and financial performance of each charter school operated under contract with it.

3. The operating costs the school board, entity under sub. (2r) (b), or director under sub. (2x) incurred under pars. (a) to (e), detailed in an audited financial statement prepared in accordance with generally accepted accounting principles.

4. The services the school board, entity under sub. (2r) (b), or director under sub. (2x) provided to the charter schools under contract with it and an itemized accounting of the cost of the services.

SECTION 3294. 118.40 (4) (title) of the statutes is amended to read:

118.40 **(4)** (title) CHARTER SCHOOL GOVERNING BOARD; DUTIES, POWERS, AND RESTRICTIONS.

SECTION 3295. 118.40 (4) (a) of the statutes is renumbered 118.40 (4) (ar), and 118.40 (4) (ar) (intro.), as renumbered, is amended to read:

118.40 **(4)** (ar) *Duties.* (intro.) A charter school governing board shall do all of the following:

SECTION 3296. 118.40 (4) (ag) of the statutes is created to read:

118.40 **(4)** (ag) *Governing board.* Each charter school shall be governed by a governing board that is a party to the contract with the authorizing entity. No more than a minority of the governing board's members may be employees of the charter school or employees or officers of the school district in which the charter school is located.

SECTION 3297. 118.40 (4) (b) (intro.) of the statutes is amended to read:

118.40 **(4)** (b) *Restrictions.* (intro.) A charter school governing board may not do any of the following:

SECTION 3298. 118.40 (4) (b) 2. of the statutes is amended to read:

118.40 **(4)** (b) 2. Except as provided in ~~par. (c)~~ sub. (3) (h), discriminate in admission or deny participation in any program or activity on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

SECTION 3299. 118.40 (4) (c) of the statutes is renumbered 118.40 (3) (h) and amended to read:

118.40 **(3)** (h) ~~*Single-sex schools and courses.*~~ A school board ~~may enter into a contract for, and~~, an entity under sub. (2r), or the director under sub. (2x) may ~~establish or enter into a~~ contract for~~,~~ the establishment of a charter school that enrolls only one sex or that provides one or more courses that enroll only one sex if the school board ~~or~~, entity under sub. (2r), or the director under sub. (2x) makes available to the opposite sex, under the same policies and criteria of admission, schools or courses that are comparable to each such school or course.

SECTION 3300. 118.40 (4) (d) of the statutes is created to read:

118.40 **(4)** (d) *Powers.* Subject to the terms of its contract, a charter school governing board has all the powers necessary to carry out the terms of its contract, including all of the following:

1. To receive and disburse funds for school purposes.

2. To secure appropriate insurance.

3. To enter into contracts, including contracts with a University of Wisconsin institution or college campus, technical college district board, or private college or university, for technical or financial assistance, academic support, curriculum review, or other services.

4. To incur debt in reasonable anticipation of the receipt of funds.

5. To pledge, assign, or encumber its assets to be used as collateral for loans or extensions of credit.

6. To solicit and accept gifts or grants for school purposes.

7. To acquire real property for its use.

8. To sue and be sued in its own name.

SECTION 3300g. 118.40 (5) (intro.) of the statutes is amended to read:

118.40 **(5)** CHARTER REVOCATION. (intro.) A charter may be revoked by the school board ~~or~~, the entity under sub. (2r) (b), or the director under (2x) that contracted with the charter school if the school board or, if applicable, the entity under sub. (2r) (b) or the director under sub. (2x) finds that any of the following occurred:

SECTION 3300k. 118.40 (5) (a) of the statutes is amended to read:

118.40 **(5)** (a) The charter school violated its contract with the school board ~~or~~, the entity under sub. (2r) (b), or the director under sub. (2x).

SECTION 3300v. 118.40 (7) (am) 2. of the statutes is amended to read:

118.40 **(7)** (am) 2. A charter school established under sub. (2r) or (2x) or a private school located in the school district operating under ch. 119 that is converted to a charter school is not an instrumentality of any school district and no school board may employ any personnel for the charter school. If the chancellor of the University of Wisconsin–Parkside contracts for the establishment of a charter school under sub. (2r), the board of regents of the University of Wisconsin System may employ instructional staff for the charter school. If the Gateway technical college district board contracts for the establishment of a charter school under sub. (2r), Gateway technical college may employ instructional staff for the charter school.

SECTION 3302. 118.43 (1) (b) of the statutes is amended to read:

118.43 **(1)** (b) "Low income" means ~~the measure of low income that is used by the school district under 20 USC 2723~~ pupils who satisfy the income eligibility criteria under 42 USC 1758 (b) (1).

SECTION 3303. 118.50 of the statutes is created to read:

118.50 Whole grade sharing. (1) AGREEMENT. The school boards of 2 or more school districts may enter into a whole grade sharing agreement that provides for all or a substantial portion of the pupils enrolled in one or more grades, including 4–year–old and 5–year–old kindergarten and prekindergarten classes, in any of the school districts to attend school in one or more of the other school districts for all or a substantial portion of a school day. School boards shall include in a whole grade sharing agreement all of the following:

(a) The term of the agreement, which shall be for one or more entire school years.

(am) The date by which each school board must notify the other participating school boards of its intent to renew the agreement.

(b) The grade levels in each school district that are subject to the agreement.

(c) Subject to sub. (2m), the annual amount that the school board of a pupil's resident school district pays to the school board of the school district that the pupil attends under the agreement.

(d) Which school board grants diplomas to pupils who, under the agreement, graduate from high school in a school district other than the pupil's resident school district.

(e) Which school board is responsible for pupil records, as defined in s. 118.125 (1) (d), for pupils, who under the agreement, attend school in a school district other than the pupil's resident school district.

(2) PROCEDURE. (a) A school board may not enter into, extend, or renew a whole grade sharing agreement after January 10 of the school year preceding the school year in which the agreement, extension, or renewal takes effect.

(b) At least 150 days before entering into, extending, or renewing a whole grade sharing agreement, the school board shall adopt a resolution stating its intention to do so. Within 10 days after adoption of the resolution, the school district clerk shall publish notice of the adoption of the resolution as a class 1 notice under ch. 985 in a newspaper published in the school district or post a notice of the adoption of the resolution as provided in s. 10.05.

(c) Within 30 days after publication or posting, a petition signed by at least 20 percent of the electors residing in the school district may be filed with the school board requesting a feasibility study of the agreement. Upon receiving the petition, the school board shall contract with an organization approved by the department to conduct the feasibility study. If a feasibility study is required under this paragraph, the school board may not enter into, extend, or renew a whole grade sharing agreement until it receives the results of the study. The school board shall post the results of the feasibility study on the school district's Internet site.

(d) At least 30 days before entering into, extending, or renewing a whole grade sharing agreement, the school board shall hold a public hearing in the school district at which the proposed agreement is described and at which any school district elector may comment on the proposed agreement. Two or more school boards that will be parties to the agreement may hold a joint public hearing in one of the school districts.

(e) No later than 10 days after entering into, extending, or renewing a whole grade sharing agreement, the school district clerk shall file with the state superintendent a certified copy of the whole grade sharing agreement.

(2m) PUPILS WITH DISABILITIES. (a) Under a whole grade sharing agreement, for each pupil with an individualized education program that is in effect, the school board of the school district in which the pupil resides shall pay the school board of the nonresident school district in which the pupil attends school under the whole grade sharing agreement the following amount:

1. In the 2016–17 school year, $12,000.

2. Beginning in the 2017–18 school year, the sum of the per pupil amount under this paragraph for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

(b) If a pupil with an individualized education program that is in effect attends school in a nonresident school district under a whole grade sharing agreement for less than a full school term, the resident school board shall prorate the payment amount under par. (a) based on the number of days that school is in session during that school term and number of days the pupil attends school in the nonresident school district during that school term.

(3) TRANSPORTATION. (a) A pupil's resident school board is responsible for transporting the pupil to and from the school the pupil attends during the school term under a whole grade sharing agreement, unless the whole grade sharing agreement provides otherwise.

(b) 1. Subject to subd. 2., a whole grade sharing agreement shall specify which participating school board is responsible for transporting pupils to attend summer school classes.

2. If a school board provides transportation to attend summer school classes in the school district to pupils who reside in the school district, the school board shall provide transportation to attend summer school classes in the school district to pupils who do not reside in the school district who are attending summer school classes in the school district under a whole grade sharing agreement.

(c) If, under a whole grade sharing agreement, a school board provides transportation for fewer than all pupils, there shall be reasonable uniformity in the minimum and maximum distances pupils are transported.

(4) ATTENDANCE AREAS. If a school board enters into a whole grade sharing agreement that designates more than one school district for the attendance of its pupils, the school board shall establish attendance areas within the school district for determining the school districts of attendance of the pupils.

(5) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS; PARTICIPATION IN PROGRAMS. (a) Except as provided in s. 118.134 (3m), a pupil attending a public school in a nonresident school district under this section has all of the rights and privileges of pupils residing in that school district and is subject to the same rules and regulations as pupils residing in that school district.

(b) A pupil attending a public school in a nonresident school district under this section is considered a resident of the nonresident school district for the purposes of participating in programs of a cooperative educational service agency or a county children with disabilities education board.

(6) FULL-TIME OPEN ENROLLMENT IN A PARTICIPATING NONRESIDENT SCHOOL DISTRICT. If a whole grade sharing agreement provides for a pupil to attend a grade in a nonresident school district in which the pupil is attending school under s. 118.51, the pupil's status as a pupil attending the nonresident school district under s. 118.51

is suspended for the school year the pupil is enrolled in the grade that is subject to the whole grade sharing agreement. This subsection does not prevent a pupil from continuing to attend the nonresident school district in succeeding school years without reapplying, as provided under s. 118.51 (3) (c).

(7) SCHOOL DISTRICT REORGANIZATION. A whole grade sharing agreement entered into under this section is not an order of school district reorganization under ch. 117.

(8) The department may promulgate rules to implement and administer this section.

SECTION 3304. 118.51 (1) (a) of the statutes is renumbered 118.51 (1) (ag).

SECTION 3305. 118.51 (1) (ad) of the statutes is created to read:

118.51 **(1)** (ad) "Charter school" excludes a school under contract with an entity under s. 118.40 (2r) (b) or the director under s. 118.40 (2x).

SECTION 3306. 118.51 (2) of the statutes is amended to read:

118.51 **(2)** APPLICABILITY. ~~A~~ <u>Except as provided in s. 118.50 (6), a</u> pupil may attend a public school, including a charter school, prekindergarten, 4–year–old kindergarten, or early childhood or school–operated child care program, in a nonresident school district under this section, except that a pupil may attend a prekindergarten, 4–year–old kindergarten, or early childhood or school–operated child care program in a nonresident school district only if the pupil's resident school district offers the same type of program that the pupil wishes to attend and the pupil is eligible to attend that program in his or her resident school district.

SECTION 3306e. 118.51 (3) (a) 4. of the statutes is amended to read:

118.51 **(3)** (a) 4. On or before the 2nd Friday following the first Monday in June following receipt of a copy of the application, if a resident school board denies a pupil's enrollment in a nonresident school district under sub. (6)~~,~~ <u>or</u> (7) ~~or (12) (b) 1.~~, the

resident school board shall notify the applicant and the nonresident school board, in writing, that the application has been denied and include in the notice the reason for the denial.

SECTION 3306g. 118.51 (3m) (d) (intro.) and 1. of the statutes are consolidated, renumbered 118.51 (3m) (d) and amended to read:

118.51 **(3m)** (d) A resident school district may notify an applicant under par. (a) that the pupil may not attend a school or program in the nonresident school district only ~~for the following reasons: 1. The~~ <u>if the</u> resident school district determines that the criteria relied on by the applicant under par. (b) does not apply to the pupil.

SECTION 3306h. 118.51 (3m) (d) 2. of the statutes is repealed.

SECTION 3306m. 118.51 (9) of the statutes is amended to read:

118.51 **(9)** APPEAL OF REJECTION. If the nonresident school board rejects an application under sub. (3) (a) or (7), the resident school board prohibits a pupil from attending public school in a nonresident school district under sub. (3m) (d), (6), <u>or</u> (7) ~~or (12) (b) 1.~~, or the nonresident school board prohibits a pupil from attending public school in the nonresident school district under sub. (11), the pupil's parent may appeal the decision to the department within 30 days after the decision. If the nonresident school board provides notice that the special education or related service is not available under sub. (12) ~~(a)~~, the pupil's parent may appeal the required transfer to the department within 30 days after receipt of the notice. ~~If the resident school board provides notice of transfer under sub. (12) (b) 2., the pupil's parent may appeal the required transfer to the department within 30 days after receipt of the notice.~~ The department shall affirm the school board's decision unless the department finds that the decision was arbitrary or unreasonable.

SECTION 3306p. 118.51 (12) (a) of the statutes is renumbered 118.51 (12).

SECTION 3306r. 118.51 (12) (am) of the statutes is repealed.

SECTION 3306t. 118.51 (12) (b) of the statutes is repealed.

SECTION 3307. 118.51 (14) (b) of the statutes is amended to read:

118.51 **(14)** (b) *Low-income assistance.* The parent of a pupil who ~~is eligible~~ satisfies the income eligibility criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1) and who will be attending public school in a nonresident school district in the following school year under this section may apply to the department, on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by the parent for the transportation of the pupil to and from the pupil's residence and the school that the pupil will be attending. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cy). The reimbursement amount may not exceed the actual transportation costs incurred by the parent or 3 times the statewide average per pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2) (cy) in any one year is insufficient to pay the full amount of approved claims under this paragraph, payments shall be prorated among the parents entitled thereto. By the 2nd Friday following the first Monday in May following receipt of the parent's application under sub. (3) (a), the department shall provide to each parent requesting reimbursement under this paragraph an estimate of the amount of reimbursement that the parent will receive if the pupil attends public school in the nonresident school district in the following school year.

SECTION 3307p. 118.51 (16) (a) 1. of the statutes is amended to read:

118.51 **(16)** (a) 1. For each school district, the number of nonresident pupils attending public school in the school district under this section, other than pupils for whom ~~tuition is paid~~ a payment is made under sub. (17) (a) or (c).

SECTION 3308d. 118.51 (16) (a) 2. of the statutes is amended to read:

118.51 **(16)** (a) 2. For each school district, the number of resident pupils attending public school in a nonresident school district under this section, other than pupils for whom ~~tuition is paid~~ a payment is made under sub. (17) (a) or (c).

SECTION 3309c. 118.51 (16) (c) of the statutes is amended to read:

118.51 **(16)** (c) If a pupil attends public school in a nonresident school district under this section for less than a full school term, the department shall prorate the state aid adjustments under this subsection and sub. (17) (c) based on the number of days that school is in session and the pupil attends public school in the nonresident school district.

SECTION 3309d. 118.51 (16) (d) of the statutes is amended to read:

118.51 **(16)** (d) The department shall ensure that the aid ~~adjustment~~ adjustments under par. (b) ~~does~~ and sub. (17) (c) do not affect the amount determined to be received by a school district as state aid under s. 121.08 for any other purpose.

SECTION 3309e. 118.51 (17) (title) of the statutes is repealed and recreated to read:

118.51 **(17)** (title) STATE AID ADJUSTMENTS AND TUITION; CHILDREN WITH DISABILITIES.

SECTION 3309f. 118.51 (17) of the statutes is renumbered 118.51 (17) (a) and amended to read:

118.51 **(17)** (a) ~~The~~ In the 2015–16 school year, the resident school board shall pay to the nonresident school board, for each child who is attending public school in

the nonresident school district under this section and is receiving special education or related services under subch. V of ch. 115, tuition calculated using the daily tuition rate under s. 121.83 for such children enrolled in the nonresident school district, or an amount agreed to by the school boards of the 2 school districts.

SECTION 3309g. 118.51 (17) (b) of the statutes is created to read:

118.51 **(17)** (b) 1. Beginning in the 2016–17 school year, the department shall determine all of the following:

a. For each school district, the number of nonresident pupils attending public school in the school district under this section who are receiving special education or related services under subch. V of ch. 115.

b. For each school district, the number of resident pupils attending public school in a nonresident school district under this section who are receiving special education or related services under subch. V of ch. 115 in the nonresident school district.

2. a. In the 2016–17 school year, the per pupil transfer amount is $12,000.

b. Beginning in the 2017–18 school year, the per pupil transfer amount is the sum of the per pupil transfer amount for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 3309h. 118.51 (17) (c) of the statutes is created to read:

118.51 **(17)** (c) 1. If the number determined in par. (b) 1. a. is greater than the number determined in par. (b) 1. b. for a school district, beginning in the 2016–17 school year, the department shall increase that school district's state aid payment

under s. 121.08 by an amount equal to the difference multiplied by the amount under par. (b) 2.

2. If the number determined in par. (b) 1. a. is less than the number determined in par. (b) 1. b. for a school district, beginning in the 2016–17 school year, the department shall decrease that school district's state aid payment under s. 121.08 by an amount equal to the difference multiplied by the amount under par. (b) 2. If the state aid payment under s. 121.08 is insufficient to cover the reduction, the department shall decrease other state aid payments made by the department to the school district by the remaining amount. If the state aid payment under s. 121.08 and other state aid payments made by the department to the school district are insufficient to cover the reduction, the department shall use the moneys appropriated under s. 20.255 (2) (cg) to pay the balance to school districts under subd. 1.

SECTION 3309i. 118.52 (3) (a) of the statutes is amended to read:

118.52 **(3)** (a) The parent of a pupil who wishes to attend an educational institution for the purpose of taking a course under this section shall submit an application, on a form provided by the department, to the educational institution at which the pupil wishes to attend a course not later than 6 weeks prior to the date on which the course is scheduled to commence. The application shall specify the course that the pupil wishes to attend and may specify the school or schools at which the pupil wishes to attend the course. The educational institution shall send a copy of the application to the pupil's resident school board<u>, except that if the pupil is attending a school in a school district other than the pupil's resident school district pursuant to a whole grade sharing agreement under s. 118.50, the educational</u>

institution shall send a copy of the application to the school board of the district in which the pupil is attending school.

SECTION 3309j. 118.52 (3) (c) of the statutes is amended to read:

118.52 **(3)** (c) No later than one week prior to the date on which the course is scheduled to commence, the educational institution shall notify the applicant and the resident school board, in writing, whether the application has been accepted and, if the application is accepted, the school at which the pupil may attend the course. If the applicant pupil is attending a school in a school district other than the pupil's resident school district pursuant to a whole grade sharing agreement under s. 118.50, the educational institution shall provide the notice required under this paragraph to the school board of the district in which the pupil is attending school. The acceptance applies only for the following semester, school year or other session in which the course is offered. If the educational institution rejects an application, it shall include in the notice the reason for the rejection.

SECTION 3309L. 118.52 (3) (d) (intro.) of the statutes is amended to read:

118.52 **(3)** (d) (intro.) No later than one week prior to the date on which the course is scheduled to commence, the resident school board, or, in the case of a pupil attending a school in a school district other than the pupil's resident school district pursuant to a whole grade sharing agreement under s. 118.50, the school board of the district in which the pupil is attending school, shall do all of the following:

SECTION 3309p. 118.52 (3) (e) of the statutes is amended to read:

118.52 **(3)** (e) Following receipt of a notice of acceptance but prior to the date on which the course is scheduled to commence, the pupil's parent shall notify the resident school board, or, if the pupil is attending school in a school district other than the pupil's resident school district pursuant to a whole grade sharing agreement

under s. 118.50, the school board of the district in which the pupil is attending school, and the educational institution of the pupil's intent to attend the course at the educational institution.

SECTION 3309t. 118.52 (6) (a) of the statutes is amended to read:

118.52 **(6)** (a) 1. The school board of a pupil's resident school district, or, if the pupil is attending school in a school district other than the pupil's resident school district pursuant to a whole grade sharing agreement under s. 118.50, the school board of the district in which the pupil is attending school, shall reject a pupil's application to attend a course at an educational institution if the resident school board or the school board of the district in which the pupil is attending school, respectively, determines that the course conflicts with the individualized education program for the pupil under s. 115.787 (2).

SECTION 3309x. 118.52 (6) (c) of the statutes is amended to read:

118.52 **(6)** (c) *Pupil plan; high school graduation requirements*. The school board of a pupil's resident school district, or, in the case of a pupil attending school in a district other than the pupil's resident school district pursuant to a whole grade sharing agreement under s. 118.50, the school board of the district in which the pupil is attending school, may reject an application by a pupil to attend a course at an educational institution if the resident school board or the school board of the district in which the pupil is attending school, respectively, determines that any of the following apply:

SECTION 3310. 118.52 (11) (b) of the statutes is amended to read:

118.52 **(11)** (b) *Low-income assistance.* The parent of a pupil who is attending a course at an educational institution under this section may apply to the department for reimbursement of the costs incurred by the parent for the

transportation of the pupil to and from the pupil's residence or school in which the pupil is enrolled and the educational institution that the pupil is attending for the course if the pupil and parent are unable to pay the cost of such transportation. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cy). The department shall give preference under this paragraph to those pupils who ~~are eligible~~ satisfy the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

SECTION 3310g. 118.52 (12) of the statutes is renumbered 118.52 (12) (a) and amended to read:

118.52 **(12)** TUITION. (a) The resident school board shall pay to the educational institution, for each resident pupil attending a course at the educational institution under this section, an amount equal to the cost of providing the course to the pupil, calculated in a manner determined by the department. ~~The~~ Except as provided in par. (b), the educational institution may not charge to or receive from the pupil or the pupil's resident school board any additional payment for a pupil attending a course at the educational institution under this section.

SECTION 3310r. 118.52 (12) (b) of the statutes is created to read:

118.52 **(12)** (b) An educational institution that is an institution of higher education may charge a pupil, or the parent or guardian of a minor pupil, additional tuition and fees for attending a course at the institution of higher education under this section, but only if the pupil will receive post–secondary credit for the successful completion of the course. The school board and the educational institution under this paragraph shall determine the amount of tuition and fees the educational institution may charge a pupil for attending such a course.

SECTION 3311. 118.55 (7g) of the statutes is amended to read:

118.55 **(7g)** TRANSPORTATION. The parent or guardian of a pupil who is attending an institution of higher education or technical college under this section and is taking a course for high school credit may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school in which the pupil is enrolled and the institution of higher education or technical college that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cw). The state superintendent shall give preference under this subsection to those pupils who ~~are eligible~~ satisfy the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

SECTION 3311m. 118.56 (intro.) of the statutes is amended to read:

118.56 Work based learning programs. (intro.) A school board, a governing ~~body~~ board of a charter school established under s. 118.40 (2r) or (2x), or a governing body of a private school may create a work based learning program for pupils in grades 9 to 12. A school board or governing body that creates a work based learning program under this section shall create the program to do all of the following:

SECTION 3312. 118.57 of the statutes is created to read:

118.57 Notice of educational options; accountability report performance category; pupil assessments. (1) Annually, by January 31, each school board shall publish as a class 1 notice, under ch. 985, and post on its Internet site a description of the educational options available to the child, including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full–time open enrollment, youth options, and course options.

(2) The school board shall include in the notice under sub. (1) the most recent performance category assigned under s. 115.385 (2) to each school within the school district boundaries, including charter schools established under s. 118.40 (2r) or (2x) and private schools participating in a parental choice program under s. 118.60 or 119.23. The notice published by the school board shall inform parents that the full school and school district accountability report is available on the school board's Internet site.

SECTION 3313. 118.60 (1) (b) of the statutes is repealed.

SECTION 3314. 118.60 (1) (e) of the statutes is repealed.

SECTION 3315. 118.60 (1) (f) of the statutes is repealed.

SECTION 3317. 118.60 (2) (a) 1. a. of the statutes is amended to read:

118.60 **(2)** (a) 1. a. Except as provided in par. (bm), the pupil is a member of a family that has a total family income that does not exceed an amount equal to 3.0 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget. In this subdivision and sub. (3m), family income includes income of the pupil's parents or legal guardians. ~~The~~ <u>Except as provided in subd. 1. c., the</u> family income of the pupil shall be verified as provided in subd. 1. b. A pupil attending a private school under this section whose family income increases may continue to attend a private school under this section.

SECTION 3318. 118.60 (2) (a) 1. c. of the statutes is created to read:

118.60 **(2)** (a) 1. c. The family income of a pupil does not need to be verified under subd. 1. b. for a pupil who resided in a school district other than an eligible school district or a 1st class city school district in a school year, attended a participating private school in a school district other than an eligible school district or a 1st class city school district under the program under this section in that school

year, and applies to attend a participating private school in any other school district in the school year immediately following that school year.

SECTION 3319. 118.60 (2) (a) 2m. of the statutes is created to read:

118.60 **(2)** (a) 2m. For a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, that begins participating in the program under this section in the 2016–17 school year or any school year thereafter, the pupil satisfies one or more of the following:

a. The pupil was enrolled in a public school in the school district in which the pupil resides during the previous school year.

b. The pupil was not enrolled in school in the previous school year.

c. The pupil attended a private school under this section in the previous school year.

d. The pupil is applying to kindergarten, first grade, or 9th grade in a private school participating in the program under this section.

SECTION 3320. 118.60 (2) (a) 3. a. of the statutes is amended to read:

118.60 **(2)** (a) 3. a. Except as provided in subd. 3. b. and c. and ~~sub. (2)~~ par. (ag) 1., the private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 119.23, and paid the nonrefundable fee, set by the department as required under s. 119.23 (2) (a) 3., by ~~February 1~~ January 10 of the previous school year. The notice shall specify the number of pupils participating in the program under this section and in the program under s. 119.23 for which the school has space.

SECTION 3321. 118.60 (2) (a) 6. a. of the statutes is amended to read:

118.60 **(2)** (a) 6. a. Except as provided in subd. 6. c. and d., all of the private school's teachers have a teaching license issued by the department or a bachelor's

degree or a degree or educational credential higher than a bachelor's degree, including a masters or doctorate, from ~~an~~ a nationally or regionally accredited institution of higher education.

SECTION 3322. 118.60 (2) (a) 6. b. of the statutes is amended to read:

118.60 **(2)** (a) 6. b. All of the private school's administrators have at least a bachelor's degree from ~~an~~ a nationally or regionally accredited institution of higher education or a teaching license or administrator's license issued by the department.

SECTION 3323m. 118.60 (2) (be) of the statutes is repealed and recreated to read:

118.60 **(2)** (be) 1. In this paragraph:

a. "Applicable percentage" means, for the 2015–16 and 2016–17 school years, 1 percent, and for each school year beginning with the 2017–18 school year and ending with the 2025–26 school year, the applicable percentage for the previous school year plus one percentage point.

b. "Membership" has the meaning given in s. 121.004 (5).

c. "Pupil participation limit" means a school district's membership in the previous school year multiplied by the applicable percentage for the current school year.

2. Beginning with the 2015–16 school year and ending with the 2025–26 school year, the total number of pupils residing in a school district, other than an eligible school district or a 1st class city school district, who may attend a private school under this section during a school year may not exceed the school district's pupil participation limit for that school year.

3. Beginning with the 2026–27 school year, there is no limit on the number of pupils who may attend private schools under this section.

SECTION 3323p. 118.60 (2) (bs) of the statutes is amended to read:

118.60 **(2)** (bs) ~~In the 2013–14 and 2014–15 school years, a~~ A private school may accept pupils who reside in a school district, other than an eligible school district or a 1st class city school district, under this section only if the private school ~~was~~ has been continually operating as a private school ~~on~~ since May 1, 2013.

SECTION 3324. 118.60 (3) (a) (intro.) and 1. (intro.) of the statutes are consolidated, renumbered 118.60 (3) (a) (intro.) and amended to read:

118.60 **(3)** (a) (intro.) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same family applies to attend the same private school, the pupils may use a single application. Within 60 days after receiving the application, the private school shall notify each applicant, in writing, whether his or her application has been accepted. If the private school rejects an application, the notice shall include the reason. Subject to ~~pars. (ag) and~~ par. (ar), a private school may reject an applicant only if it has reached its maximum general capacity or seating capacity. Except as provided in ~~pars. (ag) and~~ par. (ar), the state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that~~: 1. The~~ the private school may give preference to the following in accepting applications ~~to any of the following~~, in the order of preference listed:

SECTION 3325. 118.60 (3) (a) 1. a. to c. and 2. of the statutes are repealed.

SECTION 3326. 118.60 (3) (a) 1m., 2m., 3., 4. and 5. of the statutes are created to read:

118.60 **(3)** (a) 1m. Pupils who attended the private school under this section during the previous school year.

2m. Siblings of pupils described in subd. 1m.

3. Pupils who attended a different private school under this section or s. 119.23 during the previous school year.

4. Siblings of pupils described under subd. 3.

5. Siblings of those pupils who have been randomly accepted to attend the private school under this section and who did not attend a private school under this section or s. 119.23 during the previous school year.

SECTION 3327. 118.60 (3) (ag) of the statutes is repealed.

SECTION 3328m. 118.60 (3) (ar) of the statutes is repealed and recreated to read:

118.60 **(3)** (ar) 1. In the 2015–16 school year and any school year thereafter, a private school that has submitted a notice of intent to participate under sub. (2) (a) 3. a. may accept applications for the following school year between February 1 and April 20 from pupils who reside in a school district, other than an eligible school district or a 1st class city school district.

2. By May 1, 2015, and by May 1 of any school year thereafter, each private school that received applications under subd. 1. shall report to the department the number of pupils who have applied under subd. 1. to attend the private school under this section and the names of those applicants that have siblings who have also applied under subd. 1. to attend the private school under this section.

3. Annually, upon receipt of the information under subd. 2., the department shall, for each school district, determine the sum of all applicants for pupils residing in that school district under this paragraph. In determining the sum, the department shall count a pupil who has applied to attend more than one private

school under the program only once. After determining the sum of all applicants for pupils residing in a school district, the department shall do one of the following:

a. If the total number of applicants does not exceed the school district's pupil participation limit under sub. (2) (be), the department shall immediately notify the private schools that all applicants reported under subd. 2. may be accepted into the private schools under the program for the next school year.

b. If the total number of applicants exceeds the school district's pupil participation limit under sub. (2) (be), the department shall determine which applications to accept on a random basis, except that the department shall give preference to the applications of pupils described in s. 118.60 (3) (a) 1m. to 5., in the order of preference listed in that paragraph.

4. For each school district in which private schools received applications under subd. 1. that exceeded the school district's pupil participation limit under sub. (be), the department shall establish a waiting list in accordance with the preferences required under subd. 3. b.

5. A private school that has accepted a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. If, upon receiving notice under this subdivision, the department determines that the number of pupils attending private schools under this section falls below a school district's pupil participation limit under sub. (2) (be), the department shall fill any available slot in that school district with a pupil selected from the school district's waiting established under subd. 4., if such a waiting list exists.

SECTION 3330. 118.60 (3) (d) of the statutes is created to read:

118.60 **(3)** (d) By the 3rd Friday in September, a pupil or a pupil's parent or guardian shall notify, using a form provided by the department, the department that the pupil is currently participating in the program under this section. The form provided by the department under this paragraph shall require a pupil or a pupil's parent or guardian to indicate the school year during which the pupil first began participating in the program under this section.

SECTION 3331. 118.60 (4) (a) of the statutes is amended to read:

118.60 **(4)** (a) Annually, on or before October ~~15~~ 1, a private school participating in the program under this section shall file with the department a report stating its summer ~~average~~ daily ~~membership equivalent and its summer choice average daily membership equivalent~~ attendance for each day of summer school for the purpose of sub. (4m).

SECTION 3333. 118.60 (4) (bg) 3. (intro.) and 118.60 (4) (bg) 3. b. of the statutes are consolidated, renumbered 118.60 (4) (bg) 3. and amended to read:

118.60 **(4)** (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), ~~the lesser of the following: b. Except as provided in subd. 5.,~~ an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide

categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 3334. 118.60 (4) (bg) 3. a. of the statutes is repealed.

SECTION 3335. 118.60 (4) (bg) 5. (intro.) of the statutes is amended to read:

118.60 **(4)** (bg) 5. (intro.) If the pupil described in subd. 3. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 3. ~~b.~~ the amount determined under subd. 4. a. to d., with the following modifications:

SECTION 3340. 118.60 (4) (d) of the statutes is repealed.

SECTION 3340g. 118.60 (4d) of the statutes is created to read:

118.60 **(4d)** (a) In this subsection, "incoming choice pupil" means a pupil who resides in a school district, other than a 1st class city school district, who begins participating in the program under this section in the 2015–16 school year or any school year thereafter, and who is enrolled in a private school under this section.

(b) 1. Beginning in the 2015–16 school year, subject to s. 121.085 (1), the department shall decrease a school district's state aid payment under s. 121.08 by an amount calculated as follows:

a. Identify the incoming choice pupils residing in the school district for whom a payment is made under sub. (4) (bg) in that school year.

b. Sum the payments made under sub. (4) (bg) for all of the pupils identified under subd. 1. a. for that school year.

c. Identify the incoming choice pupils residing in the school district for whom a payment is made under sub. (4m) in that school year.

d. Sum the payments made under sub. (4m) (a) for all of the pupils identified under subd. 1. c. for that school year.

e. Sum the amounts calculated under subd. 1. b. and d.

2. If a school district's state aid payment under s. 121.08 is insufficient to cover the reduction under subd. 1., as determined under s. 121.085 (2), the department shall decrease other state aid payments made by the department to the school district by the remaining amount.

3. The department shall ensure that the aid adjustment under subd. 1. does not affect the amount determined to be received by a school district as state aid under s. 121.08 for any other purpose.

SECTION 3351g. 118.60 (4s) of the statutes is created to read:

118.60 **(4s)** Notwithstanding subs. (4), (4d), (4m), and (4r), a pupil attending a private school participating in the program under this section who is receiving a scholarship under s. 115.7915 shall not be counted as a pupil attending the private school under this section under sub. (4), (4d), (4m), or (4r).

SECTION 3352. 118.60 (6m) (b) 1. of the statutes is amended to read:

118.60 **(6m)** (b) 1. The number of pupils attending the private school under this section in the previous school year <u>who began participating in the program under this section in the 2015–16 school year or any school year thereafter and the number of pupils attending the private school under this section in the previous school year who began participating in the program under this section before the 2015–16 school year</u>.

SECTION 3353. 118.60 (6m) (b) 3. (intro.) and d. of the statutes are consolidated, renumbered 118.60 (6m) (b) 3. and amended to read:

118.60 **(6m)** (b) 3. For each of the previous 5 school years in which the private school has participated in the program under this section, ~~all of the following information: d. To~~ to the extent permitted under 20 USC 1232g and 43 CFR part 99, pupil scores on all standardized tests administered under ~~sub. (7) (e)~~ s. 118.30 (1t).

SECTION 3354. 118.60 (6m) (b) 3. a. to c. of the statutes are repealed.

SECTION 3355c. 118.60 (7) (am) of the statutes is renumbered 118.60 (7) (am) 2m. and amended to read:

118.60 **(7)** (am) 2m. Each private school participating in the program under this section is subject to uniform financial accounting standards established by the department. Annually by ~~September 1~~ October 15 following a school year in which a private school participated in the program under this section, the private school shall submit to the department all of the following:

a. An independent financial audit of the private school conducted by an independent certified public accountant, accompanied by the auditor's statement that the report is free of material misstatements and fairly presents ~~pupil costs under sub. (4) (bg). The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m)~~ the private school's eligible education expenses, and beginning in the 2nd school year a private school participates in the program under this section, a copy of a management letter prepared by the auditor. The audit shall be prepared in accordance with generally accepted accounting principles with allowable modifications for long–term fixed assets acquired before 2014. The audit shall include a calculation of the private school's net eligible education expenses and a calculation of the balance of the private school's fund for future eligible education expenses. The auditor shall conduct his or her audit, including determining sample

sizes and evaluating financial viability, in accordance with the auditing standards established by the American Institute of Certified Public Accountants. The department may not require an auditor to comply with standards that exceed the scope of the standards established by the American Institute of Certified Public Accountants. If a private school participating in a program under this section is part of an organization and the private school and the organization share assets, liabilities, or eligible education expenses, the private school may submit an audit of the private school or of the organization of which it is a part. If a private school that is part of an organization with which it shares assets, liabilities, or eligible education expenses submits an audit of only the private school, the independent auditor shall use his or her professional judgment to allocate any shared assets, liabilities, and eligible education expenses between the organization and the private school. If a private school participating in the program under this section also accepts pupils under s. 119.23, the private school may submit one comprehensive financial audit to satisfy the requirements of this subdivision and s. 119.23 (7) (am) ~~1.~~ 2m. The private school shall include in the comprehensive financial audit the information specified under s. 119.23 (7) (am) ~~1.~~ 2m.

b. Evidence of sound fiscal and internal control practices, as prescribed by the department by rule. An independent auditor engaged to evaluate the private school's fiscal and internal control practices shall conduct his or her evaluation, including determining sample sizes, in accordance with attestation standards established by the American Institute of Certified Public Accountants. The independent auditor engaged to evaluate the private school's fiscal and internal control practice shall also review any concerns raised in the private school's management letter submitted under subd. 2m. a. The fact that a private school reports a negative reserve balance

alone is not evidence that the private school does not have the financial ability to continue operating or that the private school does not follow sound fiscal and internal control practices.

SECTION 3355e. 118.60 (7) (am) 1m. of the statutes is created to read:

118.60 **(7)** (am) 1m. In this paragraph, "eligible education expenses" means all direct and indirect costs associated with a private school's educational programming for pupils enrolled in grades kindergarten to 12 that are reasonable for the private school to achieve its educational purposes, as determined by the governing body of the private school and reviewed by an independent auditor. "Eligible education expenses" include expenses related to management, insurance, transportation, extracurricular programming and activities, facility and equipment costs, development expenses, and programming that provides child care services before school, after school, or both before and after school.

SECTION 3355g. 118.60 (7) (am) 2m. c. of the statutes is created to read:

118.60 **(7)** (am) 2m. c. If an independent auditor engaged to evaluate the private school's fiscal and internal control practice determines that the governing body of the private school has not taken reasonable actions to remedy any concerns raised in the management letter submitted under subd. 2m. a. in the previous school year, a report prepared by the independent auditor that includes the auditor's findings related to the governing body's actions to remedy any concerns raised in the management letter for the previous school year.

SECTION 3355m. 118.60 (7) (an) of the statutes is created to read:

118.60 **(7)** (an) If a private school participating in the program under this section has a cash or investment reserve balance that is greater than 50 percent of the total amount the private school received under this section in the previous school

year, the governing body of the private school shall approve a plan for how it will use the amount of the cash or investment reserve that exceeds 50 percent of the total amount the private school received under this section in the previous school year.

SECTION 3355r. 118.60 (7) (b) 3. of the statutes is amended to read:

118.60 **(7)** (b) 3. Ensure that any teacher's aide employed by the private school has graduated from high school, been granted a declaration of equivalency of high school graduation, <u>been granted a high school diploma by the administrator of a home–based private educational program,</u> or been issued a general educational development certificate of high school equivalency, or has obtained a degree or educational credential higher than a high school diploma, declaration of equivalency of high school graduation, or general educational development certificate of high school equivalency.

SECTION 3355s. 118.60 (7) (d) 1. b. of the statutes is amended to read:

118.60 **(7)** (d) 1. b. A copy of the school's current certificate of occupancy issued by the municipality within which the school is located. If the private school moves to a new location, the private school shall submit a copy of the new certificate of occupancy issued by the municipality within which the school is located to the department before the attendance of pupils at the new location and before the next succeeding date specified in s. 121.05 (1) (a). If the municipality within which the private school is located does not issue certificates of occupancy, the private school may submit a certificate of occupancy issued by the local or regional governmental unit with authority to issue certificates of occupancy or a letter or form from the municipality within which the private school is located that explains that the municipality does not issue certificates of occupancy. A temporary certificate of

occupancy does not meet the requirement of this subdivision. This subdivision applies only to a private school located in an eligible school district.

SECTION 3355t. 118.60 (7) (dr) of the statutes is created to read:

118.60 **(7)** (dr) A private school participating in the program under this section may elect to maintain an electronic copy of any application submitted on behalf of and any correspondence to or about a pupil attending the private school under this section instead of a paper copy of the application and correspondence. The private school shall maintain electronic copies of pupil applications and correspondence for a period of at least 5 years.

SECTION 3356. 118.60 (7) (e) of the statutes is amended to read:

118.60 **(7)** (e) Each private school participating in the program under this section shall administer the examinations required under s. 118.30 (1t) or examinations permitted under s. 118.301 (3) to pupils attending the school under the program. The private school may administer additional standardized tests to such pupils.

SECTION 3357. 118.60 (8) of the statutes is repealed.

SECTION 3358. 118.60 (10) (a) 3. of the statutes is amended to read:

118.60 **(10)** (a) 3. Failed to refund to the state any overpayment made under s. 118.60 (4) ~~(b), 2011 stats., or s. 118.60 (4) (bg), 2011 stats., or under sub. (4) (bg)~~ or (4m) by the date specified by department rule.

SECTION 3358am. 118.60 (11) (bm) of the statutes is created to read:

118.60 **(11)** (bm) No later than 90 days after receiving a financial audit under sub (7) (am), certify the financial audit. During the 90–day period between receipt and certification, the department's contact with the auditor shall be limited to a single written communication. The department's single written communication to

the auditor may include only matters that individually impact the private school's financial statement by an amount that is greater than 1 percent of the total amount the private school received under this section for the previous school year. An auditor who receives a written communication under this paragraph shall respond to the department within 15 days of receiving the written communication.

SECTION 3358b. Subchapter I of chapter 119 [precedes 119.01] of the statutes is created to read:

CHAPTER 119

SUBCHAPTER I

FIRST CLASS CITY SCHOOL DISTRICT

SECTION 3358d. 119.02 (1) of the statutes is amended to read:

119.02 **(1)** "Board" means the board of school directors in charge of the public schools of a city of the 1st class <u>other than those public schools transferred to the opportunity schools and partnership programs under s. 119.33 or subch. II</u>.

SECTION 3358f. 119.02 (2g) of the statutes is created to read:

119.02 **(2g)** "Commissioner" means the individual in charge of the opportunity schools and partnership program under subch. II.

SECTION 3358h. 119.02 (4) of the statutes is created to read:

119.02 **(4)** "Opportunity schools and partnership program" means the program under s. 119.33 or the program under subch. II.

SECTION 3358j. 119.04 (1) of the statutes is amended to read:

119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145

(4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (6m), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board but not, unless explicitly provided in this chapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program.

SECTION 3358L. 119.12 (6) of the statutes is renumbered 119.12 (6) (a) (intro.) and amended to read:

119.12 **(6)** (a) (intro.) The city attorney of the city shall be the legal adviser of and attorney for the board, except that the board ~~may~~ shall retain an attorney to represent the board in any matter if any of the following applies:

1. The mayor, the common council, the city attorney, or the board determines that ~~it~~ the board requires specialized legal expertise not possessed by the city attorney~~, the~~.

2. The mayor, the common council, the city attorney, or the board determines that the city attorney does not have sufficient staff to adequately represent the interests of the board ~~or~~.

3. The mayor, the common council, the city attorney, or the board determines that a conflict of interest exists.

(b) The city attorney shall notify the board as soon as a determination is made under par. (a) that the city attorney is unable to represent the board. The board shall

provide the city attorney with reasonable notice of any board meeting at which the board will consider retention of an attorney.

SECTION 3358n. 119.16 (1n) of the statutes is created to read:

119.16 **(1n)** CONTRACT WITH THE SUPERINTENDENT OF SCHOOLS OR WITH THE COMMISSIONER. Notwithstanding sub. (1m), immediately upon the transfer of a public school to an opportunity schools and partnership program under s. 119.33 or subch. II, the board shall make the superintendent of schools or the commissioner, respectively, an agent of the board under any lease between the board and the city and shall transfer to the superintendent of schools or the commissioner, respectively, the possession, care, control, and management of all land, buildings, facilities, and other property that is part of the school being transferred.

SECTION 3358p. 119.16 (2) of the statutes is amended to read:

119.16 **(2)** ESTABLISH SCHOOLS AND DISTRICTS. The board shall maintain the public schools in the city<u>, other than those public schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II,</u> and shall establish, organize and maintain such schools as the board determines are necessary to accommodate the children entitled to instruction therein. The board shall divide the city into attendance districts for such schools.

SECTION 3358q. 119.16 (8) of the statutes is amended to read:

119.16 **(8)** BUDGET. (a) Annually before adopting its budget for the ensuing school year and at least 5 days before transmitting its completed budget under par. (b), the board shall hold a public hearing on the proposed school budget at a time and place fixed by the board. <u>At least 45 days before the public hearing, the board shall notify the superintendent of schools and the commissioner of the date, time, and</u>

place of the hearing. At least one week before the public hearing, the board shall publish a class 1 notice, under ch. 985, of the public hearing.

(b) The board shall transmit its completed budget to the common council on or before the first Monday in August of each year on forms furnished by the auditing officer of the city, and shall include in the budget the information specified under s. 119.46 (1) for all public schools in the city under this chapter, including the schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II. The board shall itemize those portions of the budget allocated to schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II. Such completed budget shall be published with the budget summary under s. 65.04 (2) or 65.20 and budget under s. 65.05 (7).

SECTION 3358r. 119.16 (9) of the statutes is amended to read:

119.16 **(9)** SCHOOL BUDGET. Annually, the board shall prepare a budget for each school in the school district operating under this chapter, other than the schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II.

SECTION 3358t. 119.16 (15) of the statutes is created to read:

119.16 **(15)** AGGREGATE ASSESSMENT DATA OF PUPILS ATTENDING A SCHOOL TRANSFERRED TO AN OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM. Upon receipt from the superintendent of schools of pupil assessment and achievement data under s. 119.33 (2) (d) or from the commissioner of pupil assessment and achievement data under s. 119.9002 (4) for pupils enrolled in schools transferred to an opportunity schools and partnership program, the board may not make any modifications to the data but shall transmit that data to the state superintendent along with the report submitted under s. 119.44.

SECTION 3358v. 119.18 (1r) of the statutes is renumbered 119.18 (1r) (a) and amended to read:

119.18 **(1r)** (a) ~~The~~ Subject to par. (b), the board may adopt and modify or repeal rules for its own government and for the organization, discipline and management of the public schools which shall promote the good order and public usefulness of the public schools.

SECTION 3358w. 119.18 (1r) (b) of the statutes is created to read:

119.18 **(1r)** (b) The board may not establish by rule any limit on the number of pupils who may enroll in a charter school that is not an instrumentality of the school district, as determined under s. 118.40 (7).

SECTION 3360. 119.23 (1) (ah) of the statutes is repealed.

SECTION 3361. 119.23 (1) (b) of the statutes is repealed.

SECTION 3362. 119.23 (1) (c) of the statutes is repealed.

SECTION 3363. 119.23 (2) (a) 1. a. of the statutes is amended to read:

119.23 **(2)** (a) 1. a. The pupil is a member of a family that has a total family income that does not exceed an amount equal to 3.0 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget. In this subdivision and sub. (3m), family income includes income of the pupil's parents or legal guardians. ~~The~~ Except as provided in subd. 1. d., the family income of the pupil shall be verified as provided in subd. 1. b. A pupil attending a private school under this section whose family income increases, including a pupil who attended a private school under this section in the 2010–11 school year and whose family income has increased, may continue to attend a private school under this section.

SECTION 3364. 119.23 (2) (a) 1. d. of the statutes is created to read:

119.23 **(2)** (a) 1. d. In this subd. 1. d., "eligible school district" has the meaning given in s. 118.60 (1) (am). The family income of a pupil does not need to be verified under subd. 1. b. for a pupil who resided in a school district other than an eligible school district and other than the school district operating under this chapter in a school year, attended a participating private school under the program under s. 118.60 in a school district other than an eligible school district in that school year, and applies to attend a participating private school in the program under this section in the school year immediately following that school year.

SECTION 3365. 119.23 (2) (a) 3. of the statutes is amended to read:

119.23 **(2)** (a) 3. Except as provided in ~~sub. (2)~~ par. (ag) 1., the private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 118.60, and paid the nonrefundable annual fee set by the department, by ~~February 1~~ January 10 of the previous school year. The notice shall specify the number of pupils participating in the program under this section and in the program under s. 118.60 for which the school has space. The department shall by rule set the fee charged under this subdivision at an amount such that the total fee revenue covers the costs of employing one full–time auditor to evaluate the financial information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

SECTION 3366. 119.23 (2) (a) 6. a. of the statutes is amended to read:

119.23 **(2)** (a) 6. a. Except as provided in subd. 6. c., all of the private school's teachers have a teaching license issued by the department or a bachelor's degree or a degree or educational credential higher than a bachelor's degree, including a masters or doctorate, from ~~an~~ a nationally or regionally accredited institution of higher education.

SECTION 3367. 119.23 (2) (a) 6. b. of the statutes is amended to read:

119.23 **(2)** (a) 6. b. All of the private school's administrators have at least a bachelor's degree from ~~an~~ a nationally or regionally accredited institution of higher education or a teaching license or administrator's license issued by the department.

SECTION 3368. 119.23 (3) (a) (intro.) of the statutes is amended to read:

119.23 **(3)** (a) (intro.) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same family applies to attend the same private school, the pupils may use a single application. Within 60 days after receiving the application, the private school shall notify each applicant, in writing, whether his or her application has been accepted. If the private school rejects an application, the notice shall include the reason. A private school may reject an applicant only if it has reached its maximum general capacity or seating capacity. The state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that the private school may give preference to the following in accepting applications ~~to any of the following~~, in order of preference listed:

SECTION 3369. 119.23 (3) (a) 1. of the statutes is amended to read:

119.23 **(3)** (a) 1. Pupils who attended the private school under this section during the previous school year ~~prior to the school year for which the application is being made~~.

SECTION 3370. 119.23 (3) (a) 2. of the statutes is amended to read:

119.23 **(3)** (a) 2. Siblings of pupils ~~who attended the private school during the school year prior to the school year for which the application is being made and to~~

~~siblings of pupils who have been accepted to the private school for the school year for which the application is being made~~ described in subd. 1.

SECTION 3371. 119.23 (3) (a) 3. of the statutes is amended to read:

119.23 **(3)** (a) 3. Pupils who attended ~~another~~ a different private school under this section or s. 118.60 during the previous school year ~~prior to the school year for which the application is being made~~.

SECTION 3372. 119.23 (3) (a) 4. of the statutes is created to read:

119.23 **(3)** (a) 4. Siblings of pupils described in subd. 3.

SECTION 3373. 119.23 (3) (a) 5. of the statutes is created to read:

119.23 **(3)** (a) 5. Siblings of those pupils who have been randomly accepted to attend the private school under this section and who did not attend a private school under this section or s. 118.60 during the previous school year.

SECTION 3374. 119.23 (4) (a) of the statutes is amended to read:

119.23 **(4)** (a) Annually, on or before October ~~15~~ 1, a private school participating in the program under this section shall file with the department a report stating its summer ~~average~~ daily ~~membership equivalent and its summer choice average daily membership equivalent~~ attendance for each day of summer school for the purpose of sub. (4m).

SECTION 3376. 119.23 (4) (bg) 3. (intro.) and 119.23 (4) (bg) 3. b. of the statutes are consolidated, renumbered 119.23 (4) (bg) 3. and amended to read:

119.23 **(4)** (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), ~~the~~

~~lesser of the following: b. Except as provided in subd. 5.,~~ an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 3377. 119.23 (4) (bg) 3. a. of the statutes is repealed.

SECTION 3378. 119.23 (4) (bg) 5. (intro.) of the statutes is amended to read:

119.23 **(4)** (bg) 5. (intro.) If the pupil described in subd. 3. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 3. ~~b.~~ the amount determined under subd. 4. a. to d., with the following modifications:

SECTION 3379. 119.23 (4) (d) of the statutes is repealed.

SECTION 3379g. 119.23 (4s) of the statutes is created to read:

119.23 **(4s)** Notwithstanding subs. (4), (4m), and (4r), a pupil attending a private school participating in the program under this section who is receiving a scholarship under s. 115.7915 shall not be counted as a pupil attending the private school under this section under sub. (4), (4m), or (4r).

SECTION 3380. 119.23 (6m) (b) 3. (intro.) and d. of the statutes are consolidated, renumbered 119.23 (6m) (b) 3. and amended to read:

119.23 **(6m)** (b) 3. For each of the previous 5 school years in which the private school has participated in the program under this section, ~~all of the following~~

~~information: d. To~~ to the extent permitted under 20 USC 1232g and 43 CFR part 99, pupil scores on all standardized tests administered under ~~sub. (7) (e)~~ s. 118.30 (1s).

SECTION 3381. 119.23 (6m) (b) 3. a. to c. of the statutes are repealed.

SECTION 3382c. 119.23 (7) (am) of the statutes is renumbered 119.23 (7) (am) 2m. and amended to read:

119.23 **(7)** (am) 2m. Each private school participating in the program under this section is subject to uniform financial accounting standards established by the department. Annually by ~~September 1~~ October 15 following a school year in which a private school participated in the program under this section, the private school shall submit to the department all of the following:

a. An independent financial audit of the private school conducted by an independent certified public accountant, accompanied by the auditor's statement that the report is free of material misstatements and fairly presents ~~pupil costs under sub. (4) (bg). The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m)~~ the private school's eligible education expenses, and beginning in the 2nd school year a private school participates in the program under this section, a copy of the management letter prepared by the auditor. The audit shall be prepared in accordance with generally accepted accounting principles with allowable modifications for long–term fixed assets acquired before 2014. The audit shall include a calculation of the private school net eligible education expenses and a calculation of the balance of the private school's fund for future eligible education expenses. The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m). The auditor shall conduct his or her audit, including determining sample sizes and

evaluating financial viability, in accordance with the auditing standards established by the American Institute of Certified Public Accountants. The department may not require an auditor to comply with standards that exceed the scope of the standards established by the American Institute of Certified Public Accountants. If a private school participating in a program under this section is part of an organization and the private school and the organization share assets, liabilities, or eligible education expenses, the private school may submit an audit of the private school or of the organization of which it is a part. If a private school that is part of an organization with which it shares assets, liabilities, or eligible education expenses submits an audit of only the private school, the independent auditor shall use his or her professional judgment to allocate any shared assets, liabilities, and eligible education expenses between the organization and the private school. If a private school participating in the program under this section also accepts pupils under s. 118.60, the private school may submit one comprehensive financial audit to satisfy the requirements of this subdivision and s. 118.60 (7) (am) ~~1.~~ 2m. The private school shall include in the comprehensive financial audit the information specified under s. 118.60 (7) (am) ~~1.~~ 2m.

b. Evidence of sound fiscal and internal control practices, as prescribed by the department by rule. An independent auditor engaged to evaluate the private school's fiscal and internal control practices shall conduct his or her evaluation, including determining sample sizes, in accordance with attestation standards established by the American Institute of Certified Public Accountants. The independent auditor engaged to evaluate the private school's fiscal and internal control practice shall also review any concerns raised in the private school's management letter submitted under subd. 2m. a. The fact that a private school reports a negative reserve balance

alone is not evidence that the private school does not have the financial ability to continue operating or that the private school does not follow sound fiscal and internal control practices.

SECTION 3382e. 119.23 (7) (am) 1m. of the statutes is created to read:

119.23 **(7)** (am) 1m. In this paragraph, "eligible education expenses" means all direct and indirect costs associated with a private school's educational programming for pupils enrolled in grades kindergarten to 12 that are reasonable for the private school to achieve its educational purposes, as determined by the governing body of the private school and reviewed by an independent auditor. "Eligible education expenses" include expenses related to management, insurance, transportation, extracurricular programming and activities, facility and equipment costs, development expenses, and programming that provides child care services before school, after school, or both before and after school.

SECTION 3382g. 119.23 (7) (am) 2m. c. of the statutes is created to read:

119.23 **(7)** (am) 2m. c. If an independent auditor engaged to evaluate the private school's fiscal and internal control practice determines that the governing body of the private school has not taken reasonable actions to remedy any concerns raised in the management letter submitted under subd. 2m. a. in the previous school year, a report prepared by the independent auditor that includes the auditor's findings related to the governing body's actions to remedy any concerns raised in the management letter for the previous school year.

SECTION 3382m. 119.23 (7) (an) of the statutes is created to read:

119.23 **(7)** (an) If a private school participating in the program under this section has a cash or investment reserve that is greater than 50 percent of the total amount the private school received under that section in the previous school year, the

governing body of the private school shall approve a plan for how it will use the amount of the cash or investment reserve that exceeds 50 percent of the total amount the private school received under this section in the previous school year.

SECTION 3382r. 119.23 (7) (b) 3. of the statutes is amended to read:

119.23 **(7)** (b) 3. Ensure that any teacher's aide employed by the private school has graduated from high school, been granted a declaration of equivalency of high school graduation, been granted a high school diploma by the administrator of a home–based private educational program, or been issued a general educational development certificate of high school equivalency, or has obtained a degree or educational credential higher than a high school diploma, declaration of equivalency of high school graduation, or general educational development certificate of high school equivalency.

SECTION 3382t. 119.23 (7) (dr) of the statutes is created to read:

119.23 **(7)** (dr) A private school participating in the program under this section may elect to maintain an electronic copy of any application submitted on behalf of and any correspondence to or about a pupil attending the private school under this section instead of a paper copy of the application or correspondence. The private school shall maintain electronic copies of pupil applications and correspondence for a period of at least 5 years.

SECTION 3383. 119.23 (7) (e) of the statutes is amended to read:

119.23 **(7)** (e) Each private school participating in the program under this section shall administer the examinations required under s. 118.30 (1s) or examinations permitted under s. 118.301 (3) to pupils attending the school under the program. The private school may administer additional standardized tests to such pupils.

SECTION 3384. 119.23 (8) of the statutes is repealed.

SECTION 3384b. 119.23 (11) (bm) of the statutes is created to read:

119.23 **(11)** (bm) No later than 90 days after receiving a financial audit under sub (7) (am), certify the financial audit. During the 90–day period between receipt and certification, the department's contact with the auditor shall be limited to a single written communication. The department's single written communication to the auditor may include only matters that individually impact the private school's financial statement by an amount that is greater than 1 percent of the total amount the private school received under this section for the previous school year. An auditor who receives a written communication under this paragraph shall respond to the department within 15 days of receiving the written communication.

SECTION 3384c. 119.33 of the statutes is created to read:

119.33 Superintendent of schools opportunity schools and partnership program. (1) LEGAL ENTITY. There is created within the school district operating under this chapter a superintendent of schools opportunity schools and partnership program under the management and control of the superintendent of schools.

(2) DUTIES. The superintendent of schools may establish an opportunity schools and partnership program under this section. If the superintendent of schools proceeds under this section, the superintendent of schools, the entities selected to operate and manage schools transferred to the program under this section, and each school transferred to the program under this section shall be subject to ss. 118.016, 118.13, 118.30 (1m), and 118.38, other than s. 118.38 (1) (a) 9., and to subch. V of ch. 115 and federal law applicable to children with disabilities. If the superintendent

of schools proceeds under this section, the superintendent of schools shall do all of the following:

(a) *Policies for identifying eligible schools to be transferred to the opportunity schools and partnership program; partnership initiatives.* 1. Establish policies for providing a qualitative analysis of each eligible school, identified in the annual report submitted by the state superintendent under s. 115.28 (10m) (a), to determine whether the school is suitable for transfer to the program under this section. The superintendent of schools may use the policies established by the commissioner under s. 119.9002 (1) (a) to select eligible schools to be transferred to the program under this section and may use the request–for–proposal process developed by the commissioner under s. 119.9002 (2) (b) for soliciting proposals from individuals, groups, persons, and governing bodies of private schools to operate and manage the eligible school upon transfer of the school to the program under this section. If the superintendent of schools does not use the policies established by the commissioner, the superintendent of schools shall include as a criterion in his or her policies the level of interest within the school and the school's community in transferring the school to the program, as determined from community engagement, and shall establish a method for evaluating community engagement.

2. Develop and manage partnership programs to more efficiently and effectively deploy wraparound services to residents of the county.

(b) *Selection of schools for transfer to the opportunity schools and partnership program and limit on the number of schools transferred in any one school year.* 1. a. During the 2015–16 school year, but after the commissioner has completed his or her selection under s. 119.9002 (2) (a), select from the report submitted by the state superintendent under s. 115.28 (10m) (a) at least one and not more than 3 eligible

schools to be transferred to the program under this section for the following school year.

b. During the 2016–17 school year, but after the commissioner has completed his or her selection under s. 119.9002 (2) (a), select from the report submitted by the state superintendent under s. 115.28 (10m) (a) not more than 3 additional eligible schools to be transferred to the program under this section for the following school year.

c. During the 2017–18 school year and any subsequent school year, but after the commissioner has completed his or her selection under s. 119.9002 (2) (a), select from the report submitted by the state superintendent under s. 115.28 (10m) (a) not more than 5 additional eligible schools to be transferred to the program under this section for the following school year.

2. After selecting one or more eligible schools to be transferred to the program as provided under subd. 1., initiate a request–for–proposal process for each selected school and make a determination regarding the entity that will operate the school. Upon receipt of proposals under subd. 1., the superintendent of schools may engage the families of pupils enrolled in the school and community members and organizations to cultivate support for the transfer of the school to the program under this section.

3. For each eligible school selected under subd. 1., determine which of the following will be responsible for the operation and general management of the school upon its transfer to the program under this section:

a. An individual or group not currently operating a school.

b. A person who is operating at least one charter school under s. 118.40 (2r) or (2x). The superintendent of schools may proceed under this subd. 3. b. only if one of

the following applies: the performance on examinations administered under s. 118.30 (1r) of pupils attending a school operated by the person exceeds the performance on examinations administered under s. 118.30 (1) of pupils attending the school being transferred to the person under this subdivision; or the performance category assigned to a school operated by the person on accountability reports published under s. 115.385 (1) for the school in each of the 3 preceding consecutive school years exceeds the performance category assigned to the school being transferred to the person under this subdivision in each of the 3 preceding consecutive school years. If fewer than 3 accountability reports have been published for a charter school described in this subd. 3. b., the superintendent of schools shall determine an alternative method for comparing the schools' performance.

c. The governing body of a nonsectarian private school participating in a program under s. 118.60 or 119.23. The superintendent of schools may proceed under this subd. 3. c. only if one of the following applies: the performance on examinations administered under s. 118.30 (1s) or (1t) of pupils attending a school operated by the governing body exceeds the performance on examinations administered under s. 118.30 (1) of pupils attending the school being transferred to the governing body under this subdivision; or the performance category assigned to a school operated by the governing body on accountability reports published under s. 115.385 (1) for the school in each of the 3 preceding consecutive school years exceeds the performance category assigned to the school being transferred to the governing body under this subdivision in each of the 3 preceding consecutive school years. If fewer than 3 accountability reports have been published for a private school described in this subd. 3. c., the superintendent of schools shall determine an alternative method for comparing the schools' performance.

4. Provide alternative public school attendance arrangements for pupils who do not wish to attend a school that has been transferred to the program under this section.

5. Annually submit to the board a report of the total number of pupils enrolled in all schools transferred to the program under this section in the current school year. For each school transferred to the program under this section, the superintendent of schools shall indicate the number of pupils enrolled in the school and whether the school is under the operation and general management of an individual or group under par. (c) 1., a person operating a charter school as described under par. (c) 2., or the governing body of a private school as described under par. (c) 3.

(c) *Transfer of schools to and supervision of schools transferred to the opportunity schools and partnership program.* Assume general supervision over the schools transferred to the program under this section and take one of the following actions regarding each school selected under par. (b) 1.:

1. Transfer the operation and general management of the school to an individual or group under par. (b) 3. a. If the superintendent of schools proceeds under this subdivision, neither the superintendent of schools nor the individual or group selected to be responsible for the operation and general management of the school may charge tuition to pupils attending the school.

2. Transfer the operation and general management of the school to a person under par. (b) 3. b. pursuant to a 5–school–year contract with the person. If the superintendent of schools proceeds under this subdivision, the superintendent of schools may contract only with a not–for–profit group. Under the terms of the contract:

a. The person, and schools operated by the person, shall be subject to the provisions of ss. 118.13 and 118.38, other than s. 118.38 (1) (a) 9.

b. The person shall submit achievement data of pupils attending the school directly to the superintendent of schools, who shall submit that achievement data to the board.

c. The person may not charge tuition to pupils attending a school under the contract.

d. The superintendent of schools shall evaluate the performance of the school at the end of the 3rd school year under the contract to determine whether the school is demonstrating adequate growth in pupil achievement. If the superintendent of schools determines that the school is not demonstrating adequate growth in pupil achievement, the superintendent of schools may either select an alternative person that qualifies under par. (b) 3. b. to be responsible for the operation and general management of the school or select a governing body of a private school that qualifies under par. (b) 3. c. to be responsible for the operation and general management of the school.

3. Transfer the operation and general management of the school to the governing body of a private school pursuant to a 5–school–year contract with the governing body. If the superintendent of schools proceeds under this subdivision, the superintendent of schools may contract only with a not–for–profit governing body of a private school. Under the terms of the contract:

a. The governing body of a private school, and schools in the opportunity schools and partnership program operated by the governing body, shall be subject to the provisions of ss. 118.13 and 118.38, other than s. 118.38 (1) (a) 9.

b. The governing body of a private school shall administer the examinations required under ss. 118.016 and 118.30 (1s) and shall submit achievement data of pupils attending the school directly to the superintendent of schools, who shall submit that achievement data to the board.

c. The governing body of a private school may not charge tuition to pupils attending a school under the contract.

d. The superintendent of schools shall evaluate the performance of the school at the end of the 3rd school year under the contract to determine whether the school is demonstrating adequate growth in pupil achievement. If the superintendent of schools determines that the school is not demonstrating adequate growth in pupil achievement, the superintendent of schools may either select an alternative governing body of a private school that qualifies under par. (b) 3. c. to be responsible for the operation and general management of the school or select a person that qualifies under par. (b) 3. b. to be responsible for the operation and general management of the school.

4. Ensure that no school transferred to the program under this section charges tuition to pupils.

(d) *Achievement and assessment data*. Upon receipt from an individual or group operating a school pursuant to par. (c) 1., from a person operating a school pursuant to par. (c) 2., or from the governing body of a private school operating a school pursuant to par. (c) 3. of pupil achievement and assessment data, forward that data to the board.

(e) *Employees; benefits*. 1. Select, hire, and employ staff. The superintendent of schools may terminate staff if appropriate. The superintendent of schools shall determine the compensation, duties, and qualifications of his or her staff.

Individuals employed by the superintendent of schools are not subject to subch. II of ch. 63.

2. a. Take responsibility over the selection, hiring, employment, and termination of the principals, vice principals, and teachers in those schools transferred to the program under this section. The superintendent of schools shall assign all teachers within those schools and shall engage and assign substitute teachers at the per diem compensation fixed by the superintendent of schools. If the superintendent of schools transfers a school to the program under this section, the superintendent of schools may reassign the school's staff members out of the school without regard to seniority in service, shall terminate all employees of the school who are employees of the school district operating under this chapter, and shall require any individual seeking to remain employed at the school to reapply for employment at the school. Employees of the program under this section are not employees of the board.

b. The superintendent of schools may delegate school staffing decisions under subd. 1. to the individual or group operating the school under par. (c) 1., the person operating the school under par. (c) 2., or the governing body of a private school operating the school under par. (c) 3.

c. Upon transfer of a school out of the program under this section, reassign staff members of the school only in consultation with the board.

3. Determine which of the following instruments will be used to provide health care and retirement benefits to the employees of the program under this section, and schools transferred to the program, and take the necessary and appropriate steps to execute the selected instrument:

a. A memorandum of understanding with the board under which the superintendent of schools may purchase health care and retirement benefits for all employees of the program under this section and schools transferred to the program.

b. A memorandum of understanding with the secretary of employee trust funds under s. 40.03 (2) (x) 2. under which the superintendent of schools may purchase health care and retirement benefits, with statutory contributions, for all employees of the program under this section and schools transferred to the program.

c. A contract between the superintendent of schools and an individual or group under par. (c) 1. or a person under par. (c) 2. under which the individual or group or the person is required to self–insure or purchase health care and retirement benefits for employees of the school under the contract.

d. A contract between the superintendent of schools and a governing body of a private school under par. (c) 3. under which the governing body is required to self–insure or purchase health care and retirement benefits for employees of the school under the contract.

(f) *Management of schools transferred to the opportunity schools and partnership program.* Upon the transfer of a school to the program under this section, take possession and exercise care, control, and management of all land, buildings, facilities, and other property that is part of the school being transferred as an agent of the board.

(g) *Educational priorities and objectives.* Identify broad yearly objectives and assess priorities for education in the program under this section. The superintendent of schools may issue an annual report and such additional reports as the superintendent of schools deems desirable on the progress of pupils enrolled in schools in the program.

(h) *Custodians of school premises.* Fix the duties and responsibilities of principals of schools transferred to the program under this section, as custodians of the school premises, and of the school engineers. Each principal shall have general supervision of and shall be custodian of all school premises over which the principal presides.

(i) *Competitive bidding.* Establish competitive bidding policies and procedures for purchases and contracts.

(j) *School budget.* Annually, prepare a budget for each school transferred to the program under this section. The superintendent of schools may delegate budgeting responsibilities under this paragraph to the individual or group operating the school under par. (c) 1., the person operating the school under par. (c) 2., or the governing body of a private school operating the school under par. (c) 3.

(k) *Budget.* Annually transmit his or her proposed budget for the program under this section to the board on forms furnished by the auditing officer of the city.

(L) *Comprehensive programs.* Collaborate with nonprofit organizations and government agencies to provide pupils enrolled in a school in the program with comprehensive social services and educational support, which may include a program under this section that offers comprehensive services that address the needs of children and youth from before the time they are born to postsecondary education.

(m) *Alternative routes to graduation*. Provide alternative methods of attaining a high school diploma for those pupils enrolled in a school in the program under this section who are unlikely to graduate in the traditional manner, including a program allowing a pupil or former pupil to retake a course in which he or she was not initially successful.

(n) *Transportation.* 1. Provide for the transportation of pupils to and from any school transferred to the program under this section.

2. Upon written request from the parent or guardian of a pupil attending a school transferred to the program under this section who is displaced from his or her residence while enrolled in that school, provide transportation assistance to ensure that the pupil may continue to attend the school.

(o) *Expulsion of pupils*. Follow the policies established by the board for the expulsion of pupils from schools transferred to the program under this section.

(p) *Random selection*. If the superintendent of schools or any entity operating and managing a school transferred to the program under this section establishes an application process through which pupils may apply to attend a school transferred to the program under this section, establish and utilize, and ensure that the entity utilizes, a random selection process for the admission of pupils to the school when the number of applicants exceeds the number of seats in the school.

(3) SUPERINTENDENT OF SCHOOLS; POWERS. (a) For purposes of the program under this section, the superintendent of schools shall have all of the powers granted to the commissioner of the opportunity schools and partnership program under s. 119.9003.

(b) The superintendent of schools shall exercise the powers, duties, and functions prescribed to the superintendent of schools under this section independently of the board. Budgeting, program coordination, and related management functions for the schools transferred to the program under this section shall be performed by the superintendent of schools.

(c) The superintendent of schools may enter into a contract for cooperative action with a municipality under s. 66.0301 without approval of the board. In this paragraph, "municipality" has the meaning given in s. 66.0301 (1).

(4) EXIT FROM OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM. Subject to sub. (5) (a), the superintendent of schools may transfer a school out of the program under this section if the superintendent of schools determines that the school has been placed in a performance category of "meets expectations" or higher on the 3 preceding consecutive accountability reports published for the school under s. 115.385 (1). Under this subsection, any of the following may apply to a school transferred out of the program under this section:

(a) Subject to sub. (5) (b), the superintendent of schools may return operation and general management of the school to the board.

(b) The superintendent of schools may transfer operation and management of the school to a person to operate the school under s. 118.40 as a charter school that is not an instrumentality of the school district, as determined under s. 118.40 (7).

(c) The superintendent of schools may transfer operation and general management of the school to the governing body of a private school.

(5) OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM; LIMITATIONS. (a) A school transferred to the program under this section may not be transferred out of the program under sub. (4) for 5 consecutive school years.

(b) The superintendent of schools may not return operation and general management of a school that has been transferred to the program under this section to the board if either of the following applies:

1. The school remains an eligible school, as defined under s. 119.9000 (5).

2. The school district operating under this chapter has been assigned in the 3 most recent school years a performance category of "fails to meet expectations" on the accountability report published under s. 115.385 (1).

(6) PAYMENTS TO THE SUPERINTENDENT OF SCHOOLS, PERSONS, AND PRIVATE SCHOOLS OPERATING SCHOOLS IN THE SUPERINTENDENT OF SCHOOLS OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM; STATE AID ADJUSTMENTS. Beginning in the 2016–17 school year, the state superintendent shall do all of the following:

(a) From the appropriation under s. 20.255 (2) (fs), pay to the superintendent of schools on behalf of an individual or group operating a school under sub. (2) (c) 1. an amount equal to the amount paid per pupil to an operator of a charter school under s. 118.40 (2r) (e) in that school year multiplied by the number of pupils enrolled in that school in that school year.

(b) From the appropriation under s. 20.255 (2) (fs), pay to a person operating a school under a contract entered into under sub. (2) (c) 2. for that school year an amount equal to the amount paid per pupil to an operator of a charter school under s. 118.40 (2r) (e) in that school year multiplied by the number of pupils enrolled in that school under that contract in that school year.

(c) From the appropriation under s. 20.255 (2) (fs), pay to the governing body of a private school operating the school in which a pupil is enrolled under a contract entered into under sub. (2) (c) 3. for that school year an amount equal to the amount paid per pupil to an operator of a charter school under s. 118.40 (2r) (e) in that school year multiplied by the number of pupils enrolled in that school under that contract in that school year.

(d) Reduce the amount of state aid that the school district operating under this chapter is eligible to be paid from the appropriation under s. 20.255 (2) (ac) for that

school year by the sum of the amounts paid for that school year under pars. (a) to (c) and ensure that the aid reduction under this paragraph is lapsed to the general fund.

(e) Ensure that the aid adjustment under par. (d) does not affect the amount determined to be received by the school district operating under this chapter as state aid under s. 121.08 for any other purpose.

SECTION 3384g. 119.44 (2) (a) 5. of the statutes is created to read:

119.44 **(2)** (a) 5. a. The number of pupils enrolled in each school transferred to the superintendent of schools opportunity schools and partnership program under s. 119.33, as reported by the superintendent of schools in the enrollment report submitted under s. 119.33 (2) (b) 5.

b. The number of pupils enrolled in each school transferred to the opportunity schools and partnership program under subch. II, as reported by the commissioner in the enrollment report submitted under s. 119.9002 (2) (f).

SECTION 3384n. 119.46 (1) of the statutes is amended to read:

119.46 **(1)** As part of the budget transmitted annually to the common council under s. 119.16 (8) (b), the board shall report the amount of money required for the ensuing school year to operate all public schools in the city under this chapter, including the schools transferred to the superintendent of schools opportunity schools and partnership program under s. 119.33 and to the opportunity schools and partnership program under subch. II, to repair and keep in order school buildings and equipment, including school buildings and equipment transferred to the superintendent of schools opportunity schools and partnership program under s. 119.33 and to the opportunity schools and partnership program under subch. II, to make material improvements to school property, and to purchase necessary additions to school sites. The report shall specify the amount of net proceeds from

the sale or lease of city–owned property used for school purposes deposited in the immediately preceding school year into the school operations fund as specified under s. 119.60 (2m) (c) or (5) and the net proceeds from the sale of an eligible school building deposited in the immediately preceding school year into the school operations fund as specified under s. 119.61 (5). The amount included in the report for the purpose of supporting the Milwaukee Parental Choice Program under s. 119.23 shall be reduced by the amount of aid received by the board under s. 121.136 and by the amount specified in the notice received by the board under s. 121.137 (2). The common council shall levy and collect a tax upon all the property subject to taxation in the city, which shall be equal to the amount of money required by the board for the purposes set forth in this subsection, at the same time and in the same manner as other taxes are levied and collected. Such taxes shall be in addition to all other taxes which the city is authorized to levy. The taxes so levied and collected, any other funds provided by law and placed at the disposal of the city for the same purposes, and the moneys deposited in the school operations fund under ~~s.~~ ss. 119.60 (1), (2m) (c), and (5)~~,~~ and 119.61 (5) shall constitute the school operations fund.

SECTION 3384r. 119.46 (2) of the statutes is amended to read:

119.46 **(2)** If moneys specified in s. 119.60 (1), (2m) (c), or (5) or 119.61 (5) are deposited in the school operations fund, the moneys shall be used to pay the principal due on any bonds issued under s. 66.1333 (5r) (b), to make sinking fund payments with respect to such bonds, to purchase or redeem such bonds, to pay any redemption premium required to be paid when such bonds are redeemed prior to maturity, or to establish a defeasance escrow account for such bonds in an amount sufficient to provide for the payment of principal, any redemption premium and interest on such

bonds when due, whether at maturity or upon prior redemption, and to pay any fees or expenses associated with the establishment of the defeasance escrow account.

SECTION 3384w. 119.49 (4) of the statutes is amended to read:

119.49 **(4)** The common council shall levy and collect a tax upon all taxable property in the city, in the same manner and at the same time as other taxes are levied and collected, which shall be sufficient to pay the interest on all school bonds issued under this ~~chapter~~ subchapter which are outstanding and to pay such part of the principal of such school bonds as becomes due during the ensuing school year.

SECTION 3386d. 119.60 (1) of the statutes is amended to read:

119.60 **(1)** Except as provided in sub. (2m) (c) and s. 119.61 (5), if any real property within the city which is used for school purposes is sold, the board shall determine whether the proceeds of the sale are deposited in the school operations fund under s. 119.46 or are deposited in the school construction fund under s. 119.48.

SECTION 3386h. 119.60 (2) of the statutes is amended to read:

119.60 **(2)** Except as provided in sub. (2m) and s. 119.61 (5), city–owned property used for school purposes shall be sold by the city upon written request of the board if the common council adopts a resolution approving the sale. If, within 12 months after a written request by the board, the city has not disposed of the property, has failed to obtain a written agreement to dispose of the property or has not provided the board with a written report giving specific reasons, which are not identified by the city attorney as constituting a conflict of interest, for its failure to dispose of the property or to obtain an agreement to dispose of the property, the board may retain a real estate agent to represent the board in its real estate transactions.

SECTION 3386p. 119.61 of the statutes is created to read:

119.61 Surplus property. (1) In this section:

(a) "Education operator" means any of the following:

1. The operator of a charter school established under s. 118.40 (2r) or (2x).

2. The operator of a private school.

3. The operator of a charter school established under s. 118.40 (2) or (2m) that is not an instrumentality of the school district, as determined under s. 118.40 (7).

4. An individual or group that is pursuing a contract with an entity under s. 118.40 (2r) (b) or the director under s. 118.40 (2x) to operate a school as a charter school.

5. A person that is pursuing a contract with the board under s. 118.40 (2m) to operate a school as a charter school that is not an instrumentality of the school district.

6. An entity or organization that has entered into a written agreement with any of the operators identified in subds. 1. to 4. to purchase or lease a building within which the operator identified in subds. 1. to 4. will operate a school.

(b) "Eligible school building" means a school building in the school district operating under this chapter that satisfies any of the following:

1. The school building has been designated as surplus, underutilized, or vacant on any resolution adopted within the previous 5 years by the board, and the board is unable to demonstrate that the school building is no longer surplus, underutilized, or vacant.

2. The school building has been unused or satisfies any condition qualifying the building as an underutilized school building for a period of 12 consecutive months, including the 12 months preceding the effective date of this subdivision .... [LRB inserts date].

(c) "Underutilized school building" means a school building that satisfies any of the following:

1. Less than 40 percent of the capacity of the school building is used for instruction of pupils on a daily, school day basis if any of the following applies:

a. The school building is not part of an active expansion plan. In this subd. 1. a., an "active expansion plan" is one in which the board can demonstrate to the common council that expansion of pupil enrollment will occur in the school year following the school year in which less than 40 percent of the capacity of the building is used in the manner described in subd. 1. (intro.).

b. Pupil enrollment in the school has declined in at least 2 of the 3 school years immediately preceding the school year in which less than 40 percent of the capacity of the building is used in the manner described in subd. 1. (intro.).

c. The school was placed in one of the 2 lowest performance categories on the accountability report published for the school under s. 115.385 (1) for the school year in which less than 40 percent of the capacity of the building is used in the manner described in subd. 1. (intro.) and all of the following apply: the school building is located within 5 miles of another school building of the school district; that other school building serves the same or similar grade levels; and no more than 60 percent of the capacity of that other school building available for the instruction of pupils is being used in that other school building.

2. a. Subject to subd. 2. b., the school building is not staffed on a full–time basis by a principal and instructional staff assigned exclusively to the school building.

b. A school building that is staffed on a full–time basis by instructional staff assigned exclusively to the school building is not an underutilized school building

under this paragraph if the principal of the school also serves as the principal of another school.

3. The number of hours of pupil instruction offered in the school building in the previous school year was less than 80 percent of the number of hours of pupil instruction required to be scheduled under s. 121.02 (1) (f) 2.

(2) (a) No later than 30 days after the effective date of this paragraph .... [LRB inserts date], and annually thereafter, the board shall prepare an inventory of all school buildings in the school district operating under this chapter. The board shall sort the information in the inventory by the use of the building at the time the report is prepared and shall include all of the following for each school building in the district:

1. The total square footage of and the number of classrooms in the school building.

2. The portion of the total square footage being used for direct pupil instruction.

3. The number of pupils the school building can accommodate and the number of pupils receiving instruction in the school building.

4. The name of the principal and the number of full–time instructional staff assigned to the school.

5. For any school building not being used for direct pupil instruction, the manner in which the school building is being used, including whether the building is vacant or is being used for administration, storage, or professional development.

6. The duration over the past 36 months that the school building has been used in the manner identified under subd. 2. or 5.

7. Whether the board has designated the school building as surplus, underutilized, or vacant on any resolution adopted by the board within the previous 5 years.

8. Facility condition index information, including estimated short–term and long–term maintenance costs of the school building.

(b) The board shall submit a copy of the inventory required under par. (a) to the commissioner, the superintendent of schools, the city clerk, the department, and the joint committee on finance.

(c) In addition to the inventory required under par. (a), the board shall annually notify the commissioner, the superintendent of schools, the city clerk, the department, and the joint committee on finance any time a change is made to the use of a school building.

(3) (a) If, within 60 days after receipt of the inventory required under sub. (2) (a) or of a notice under sub. (2) (c), either the commissioner or the superintendent of schools submits a letter of interest regarding an eligible school building, the common council shall immediately proceed to add the commissioner or the superintendent of schools, respectively, as an agent of the board on any existing lease for the eligible school building between the common council and the board.

(b) If, no more than 60 days after providing the commissioner and the superintendent of schools with a copy of the inventory under sub. (2) (a) or of a notice under sub. (2) (c), neither the commissioner nor the superintendent of schools has submitted a letter of interest under par. (a), the city clerk shall post a public notice on the city's Internet site. The city clerk shall include in the public notice under this subsection the address of and the information specified under sub. (2) (a) 1. and 8. for each school building identified on the inventory under sub. (2) (a), or on the notice

under sub. (2) (c), that is an eligible school building. The city clerk shall include in the public notice a request for and instructions for submitting letters of interest from persons interested in purchasing an eligible school building.

(4) (a) The common council may designate a person to act as the agent of the city with respect to the sale of an eligible school building. Except as provided in par. (e), only education operators may purchase an eligible school building. An education operator may submit a letter of interest as provided in the public notice under sub. (3) to notify the common council or its agent of its interest in purchasing an eligible school building.

(b) Upon receipt of a letter of interest under par. (a) or sub. (3) (a), the city clerk shall update that portion of the city's Internet site containing information about the eligible school building to indicate that a letter of interest has been received and that other interested education operators may, within 28 days from the date of the update, submit a letter of interest to notify the common council or its agent of its interest in purchasing the eligible school building. If, at the end of the 28–day period, no other letters of interest in purchasing the eligible school building have been received, the city shall proceed under par. (c). If, within the 28–day period, one or more other letters of interest in purchasing the eligible school building have been received, the city shall proceed under par. (d).

(c) Except as provided in par. (d), no later than 60 days after the first business day after the end of the 28–day period under par. (b), the common council or its agent shall do all of the following:

1. Determine whether the prospective buyer is an education operator under sub. (1) (a).

2. Make information about the eligible school building available and show the eligible school building to the education operator.

3. Consider the financial capability of the education operator.

4. Negotiate a reasonable purchase price and terms with the education operator. The common council may not require the education operator to make a payment in lieu of property taxation or to pay a similar fee as a condition of the sale of the eligible school building. The purchase price shall be based upon either of the following:

a. The purchase price paid for other comparable school buildings sold within the previous 5 years, with adjustments to the purchase price made by taking into consideration the useable square footage, age, condition, and location of the eligible school building and any other pertinent information about the eligible school building and the school building or buildings used for purposes of comparison.

b. An appraisal prepared for the eligible school building that includes the purchase price paid for comparable buildings, if available.

5. Complete the sale of the eligible school building in accordance with standard city practices. The common council or its agent may condition closing on any of the following:

a. Proof of financing for the purchase and any improvements proposed for the eligible school building.

b. Inclusion of a reversionary clause permitting the common council to recapture a building that remains unoccupied 24 months after the date of closing due to a failure of the purchaser to complete improvements proposed for the eligible school building.

(d) If, within 28 days after an education operator submits a letter of interest under par. (a), at least one other education operator submits a letter of interest under par. (a) or (b), the common council shall, within 50 days after the other education operator submits a letter of interest, initiate a competitive, request–for–proposal process and shall identify members of a committee to select the most suitable buyer of the eligible school building. Once the most suitable buyer is selected, the common council shall proceed with the selected prospective buyer as required under par. (c) 1. to 5. In evaluating proposals submitted under this paragraph, the committee selected by the common council may not consider the organizational status of the education operator nor the type of school proposed to be located in the eligible school building, but shall consider all of the following:

1. The nature of any improvements proposed for, and the amount of any investment in, the school building.

2. The quality of the design proposed for the school building.

3. The fiscal capability of the education operator.

(e) Any person may submit a letter of interest to purchase a school building that has qualified as an eligible school building for more than 24 consecutive months. Upon receipt of a letter of interest under this paragraph, the common council shall proceed with the prospective buyer as required under par. (c) 2., 3., 4., and 5.

(5) If any eligible school building is sold as provided in this section, the net proceeds of the sale shall be deposited into the school operations fund under s. 119.46.

SECTION 3386t. 119.66 of the statutes is amended to read:

119.66 Interest in contracts forbidden. During the term for which elected or appointed and for 2 years after the expiration of the term, no member of the board may be employed by the board or by the department of employee trust funds in any

capacity for which a salary or emolument is provided by the board or the department of employee trust funds. No board member, superintendent of schools, assistant superintendent, other assistant, teacher or other employee of the board may have any interest in the purchase or sale of property by the city for the use or convenience of the schools. No contract made in violation of this section is valid. Any consideration paid by the city for a purchase or sale prohibited by this section may be recovered in an action at law in the name of the city. Any person violating this section shall be removed from any position held under this ~~chapter~~ subchapter.

SECTION 3387. 119.71 (3) (a) of the statutes is amended to read:

119.71 **(3)** (a) Annually, the board shall spend at least $5,090,000 to expand its half–day 5–year–old kindergarten program to a full–day program, as provided under par. (b), and shall enroll in the expanded program only pupils who meet the income eligibility standards for a free lunch under 42 USC 1758 (b) (1). The board shall select pupils for the expanded program based on the order in which the pupils register for the program.

SECTION 3387n. Subchapter II of chapter 119 [precedes 119.9000] of the statutes is created to read:

CHAPTER 119

SUBCHAPTER II

FIRST CLASS CITY OPPORTUNITY

SCHOOLS AND PARTNERSHIP PROGRAM

119.9000 Definitions. In this subchapter:

(1) "Commissioner" means the individual in charge of the opportunity schools and partnership program under this subchapter.

(2) "Council" means the opportunity schools and partnership program advisory council.

(3) "County" means a county having a population of 750,000 or more.

(4) "County executive" means the chief elected official of a county.

(5) "Eligible school" means a public school in the school district operating under this chapter identified on the annual report submitted by the state superintendent under s. 115.28 (10m) (a).

119.9001 Commissioner of opportunity schools and partnership program; general provisions. (1) The governor, the mayor of the city, and the county executive shall each appoint a person who is not an elected official to compile a list of candidates for the position of commissioner.

(2) (a) No later than 120 days after the effective date of this paragraph .... [LRB inserts date], the county executive shall select, from the list of qualified candidates provided under sub. (1), an individual to serve as the commissioner of the opportunity schools and partnership program.

(b) In the event of a vacancy in the commissioner position, the county executive shall notify the governor and the mayor of the city who shall follow the procedure under sub. (1). No later than 120 days after providing notice under this paragraph, the county executive shall select an individual to fill the vacant position.

(c) The commissioner shall report to the county executive and may be removed from office only by the county executive and only for cause.

(3) The commissioner is subject to all restrictions, liabilities, punishments, and limitations, other than recall under s. 9.10 (4), prescribed by law for members of the common council in their city.

(4) The commissioner shall be paid an annual salary in the amount set by the county executive.

(5) (a) The corporation counsel of the county shall be the legal adviser of and attorney for the commissioner and the opportunity schools and partnership program, except that the commissioner shall retain an attorney to represent the commissioner and the opportunity schools and partnership program in any matter if any of the following applies:

1. The county executive, the county corporation counsel, or the commissioner determines that the commissioner or the opportunity schools and partnership program requires specialized legal expertise not possessed by the county corporation counsel.

2. The county executive, the county corporation counsel, or the commissioner determines that the county corporation counsel does not have sufficient staff to adequately represent the interests of the commissioner or the opportunity schools and partnership program.

3. The county executive, the county corporation counsel, or the commissioner determines that a conflict of interest exists.

(b) The county corporation counsel shall notify the commissioner as soon as a determination is made under par. (a) that the county corporation counsel is unable to represent the commissioner.

(c) The commissioner shall provide the county corporation counsel with reasonable notice of any meeting at which the commissioner will consider retention of an attorney.

119.9002 Commissioner; duties. The commissioner, the entities selected to operate and manage schools transferred to the program under this subchapter, and

each school transferred to the program under this subchapter shall be subject to ss. 118.016, 118.13, 118.30 (1m), and 118.38, other than s. 118.38 (1) (a) 9., and to subch. V of ch. 115 and federal law applicable to children with disabilities. The commissioner shall do all of the following:

(1) POLICIES FOR IDENTIFYING ELIGIBLE SCHOOLS TO BE TRANSFERRED TO THE OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM; PARTNERSHIP INITIATIVES. (a) Establish policies for providing qualitative analysis of each eligible school, identified in the annual report submitted by the state superintendent under s. 115.28 (10m) (a), to determine whether the school is suitable for transfer to the opportunity schools and partnership program. The commissioner shall include as a criterion in his or her policies the level of interest within the school and the school's community in transferring the school to the program, as determined from community engagement. The commissioner shall establish a method for evaluating community engagement.

(b) Develop and manage partnership programs to more efficiently and effectively deploy wraparound services to residents of the county.

(2) SELECTION OF SCHOOLS FOR TRANSFER TO THE OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM AND LIMIT ON THE NUMBER OF SCHOOLS TRANSFERRED IN ANY ONE SCHOOL YEAR. (a) 1. During the 2015–16 school year, from the report submitted by the state superintendent under s. 115.28 (10m) (a), and using the policies established under sub. (1) (a), select at least one and not more than 3 eligible schools to be transferred to the opportunity schools and partnership program for the following school year.

2. During the 2016–17 school year, from the report submitted by the state superintendent under s. 115.28 (10m) (a), and using the policies established under

sub. (1) (a), select not more than 3 additional eligible schools to be transferred to the opportunity schools and partnership program for the following school year.

3. During the 2017–18 school year, and in any subsequent school year, from the report submitted by the state superintendent under s. 115.28 (10m) (a), and using the policies established under sub. (1) (a), select not more than 5 additional eligible schools to be transferred to the opportunity schools and partnership program for the following school year.

(b) Develop a request–for–proposal process for soliciting proposals from individuals, groups, persons, and governing bodies of private schools to operate and manage an eligible school upon transfer of the school to the opportunity schools and partnership program.

(c) After selecting one or more eligible schools to be transferred to the opportunity schools and partnership program as provided under par. (a), initiate the request–for–proposal process under par. (b) for each selected school and make a determination regarding the entity that will operate the school. Upon receipt of proposals under par. (b), the commissioner may engage the families of pupils enrolled in the school and community members and organizations to cultivate support for the transfer of the school to the program.

(d) For each eligible school selected under par. (a), determine which of the following will be responsible for the operation and general management of the school upon its transfer to the opportunity schools and partnership program:

1. An individual or group not currently operating a school.

2. A person who is operating a charter school under s. 118.40 (2r) or (2x). The commissioner may proceed under this subdivision only if one of the following applies:

a. The performance, on examinations administered under s. 118.30 (1r), of pupils attending a school operated by the person exceeds the performance, on examinations administered under s. 118.30 (1), of pupils attending the school being transferred to the person under this subdivision.

b. The performance category assigned to a school operated by the person on accountability reports published under s. 115.385 (1) for the school in each of the 3 preceding consecutive school years exceeds the performance category assigned to the school being transferred to the person under this subdivision in each of the 3 preceding consecutive school years. If fewer than 3 accountability reports have been published for a school described in this subd. 2. b., the commissioner shall determine an alternative method for comparing the schools' performance.

3. The governing body of a nonsectarian private school participating in a program under s. 118.60 or 119.23. The commissioner may proceed under this subdivision only if one of the following applies:

a. The performance, on examinations administered under s. 118.30 (1s) or (1t), of pupils attending a school operated by the governing body exceeds the performance, on examinations administered under s. 118.30 (1), of pupils attending the school being transferred to the governing body under this subdivision.

b. The performance category assigned to a school operated by the governing body on accountability reports published under s. 115.385 (1) for the school in each of the 3 preceding consecutive school years exceeds the performance category assigned to the school being transferred to the governing body under this subdivision in each of the 3 preceding consecutive school years. If fewer than 3 accountability reports have been published for a private school described in this subd. 3. b., the

commissioner shall determine an alternative method for comparing the schools' performance.

(e) Provide alternative public school attendance arrangements for pupils who do not wish to attend a school that has been transferred to the opportunity schools and partnership program.

(f) Annually submit to the board and to the county executive a report of the total number of pupils enrolled in all schools transferred to the opportunity schools and partnership program in the current school year. For each school transferred to the opportunity schools and partnership program, the commissioner shall indicate the number of pupils enrolled in the school and whether the school is under the operation and general management of an individual or group under sub. (3) (a), a person operating a charter school as described under sub. (3) (b), or the governing body of a private school as described under sub. (3) (c).

(3) TRANSFER OF SCHOOLS AND SUPERVISION OF SCHOOLS TRANSFERRED TO THE OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM. Under the direction of the county executive, assume general supervision over the schools transferred to the opportunity schools and partnership program and take one of the following actions regarding each school selected under sub. (2) (a):

(a) Transfer the operation and general management of the school to an individual or group under sub. (2) (d) 1. If the commissioner proceeds under this paragraph, neither the commissioner nor the individual or group selected to be responsible for the operation and general management of the school may charge tuition to pupils attending the school.

(b) Transfer the operation and general management of the school to a person under sub. (2) (d) 2. pursuant to a 5–school–year contract with the person. If the

commissioner proceeds under this paragraph, the commissioner may contract only with a not–for–profit group. Under the terms of the contract:

1. The person, and schools operated by the person, shall be subject to the provisions of ss. 118.13 and 118.38, other than s. 118.38 (1) (a) 9.

2. The person shall submit achievement data of pupils attending the school directly to the commissioner, who shall submit that achievement data to the board.

3. The person may not charge tuition to pupils attending a school under the contract.

4. The commissioner shall evaluate the performance of the school at the end of the 3rd school year under the contract to determine whether the school is demonstrating adequate growth in pupil achievement. If the commissioner determines that the school is not demonstrating adequate growth in pupil achievement, the commissioner may either select an alternative person that qualifies under sub. (2) (d) 2. to be responsible for the operation and general management of the school or select a governing body of a private school that qualifies under sub. (2) (d) 3. to be responsible for the operation and general management of the school.

(c) Transfer the operation and general management of the school to the governing body of a private school pursuant to a 5–school–year contract with the governing body. If the commissioner proceeds under this paragraph, the commissioner may contract only with a not–for–profit governing body of a private school. Under the terms of the contract:

1. The governing body of a private school, and schools in the opportunity schools and partnership program operated by the governing body, shall be subject to the provisions of ss. 118.13 and 118.38, other than s. 118.38 (1) (a) 9.

2. The governing body of a private school shall administer the examinations required under ss. 118.016 and 118.30 (1s) and shall submit achievement data of pupils attending the school directly to the commissioner, who shall submit that achievement data to the board.

3. The governing body of a private school may not charge tuition to pupils attending a school under the contract.

4. The commissioner shall evaluate the performance of the school at the end of the 3rd school year under the contract to determine whether the school is demonstrating adequate growth in pupil achievement. If the commissioner determines that the school is not demonstrating adequate growth in pupil achievement, the commissioner may either select an alternative governing body of a private school that qualifies under sub. (2) (d) 3. to be responsible for the operation and general management of the school or select a person that qualifies under sub. (2) (d) 2. to be responsible for the operation and general management of the school.

(d) Ensure that no school transferred to the opportunity schools and partnership program charges tuition to pupils.

(4) ACHIEVEMENT AND ASSESSMENT DATA. Upon receipt from an individual or group operating a school pursuant to sub. (3) (a), from a person operating a school pursuant to sub. (3) (b), or from the governing body of a private school operating a school under sub. (3) (c) of pupil achievement and assessment data, forward that data to the board.

(5) EMPLOYEES; BENEFITS. (a) Select, hire, and employ staff. The commissioner may terminate staff if appropriate. The commissioner shall determine the compensation, duties, and qualifications of its staff. Individuals employed by the commissioner are not subject to subch. II of ch. 63.

(b) 1. Take responsibility over the selection, hiring, employment, and termination of the principals, vice principals, and teachers in those schools transferred to the opportunity schools and partnership program. The commissioner shall assign all teachers within those schools and shall engage and assign substitute teachers at the per diem compensation fixed by the commissioner. If the commissioner transfers a school to the opportunity schools and partnership program, the commissioner may reassign the school's staff members out of the school without regard to seniority in service, shall terminate all employees of the school who are employees of the school district operating under this chapter, and shall require any individual seeking to remain employed at the school to reapply for employment at the school. Employees of the opportunity schools and partnership program are not employees of the board.

2. The commissioner may delegate school staffing decisions under subd. 1. to the individual or group operating the school under sub. (3) (a), the person operating the school under sub. (3) (b), or the governing body of a private school operating the school under sub. (3) (c).

3. Upon transfer of a school out of the opportunity schools and partnership program, reassign staff members of the school only in consultation with the board.

(c) Determine which of the following instruments will be used to provide health care and retirement benefits to the commissioner and the employees of the opportunity schools and partnership program, and schools transferred to the program, and take the necessary and appropriate steps to execute the selected instrument:

1. A memorandum of understanding with the board under which the commissioner may purchase health care and retirement benefits for the

commissioner and all employees of the opportunity schools and partnership program and schools transferred to the program.

2. A memorandum of understanding with the secretary of employee trust funds under s. 40.03 (2) (x) 3. under which the commissioner may purchase health care and retirement benefits, with statutory contributions, for the commissioner and all employees of the opportunity schools and partnership program and schools transferred to the program.

3. A contract between the commissioner and an individual or group under sub. (3) (a) or a person under sub. (3) (b) under which the individual or group or the person is required to self–insure or purchase health care and retirement benefits for employees of the school under the contract.

4. A contract between the commissioner and a governing body of a private school under sub. (3) (c) under which the governing body is required to self–insure or purchase health care and retirement benefits for employees of the school under the contract.

(6) EDUCATIONAL PRIORITIES AND OBJECTIVES. Identify broad yearly objectives and assess priorities for education in the opportunity schools and partnership program. The commissioner shall issue an annual report to the county executive and such additional reports as the commissioner deems desirable on the progress of pupils enrolled in schools in the program.

(7) MANAGEMENT OF SCHOOLS TRANSFERRED TO THE OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM. Upon the transfer of a school to the opportunity schools and partnership program, take possession and exercise care, control, and management of all land, buildings, facilities, and other property that is part of the school being transferred as an agent of the board.

(8) CUSTODIANS OF SCHOOL PREMISES. Fix the duties and responsibilities of principals of schools transferred to the opportunity schools and partnership program, as custodians of the school premises, and of the school engineers. Each principal shall have general supervision of and shall be custodian of all school premises over which the principal presides.

(9) COMPETITIVE BIDDING. Establish competitive bidding policies and procedures for purchases and contracts.

(10) SCHOOL BUDGET. Annually, prepare a budget for each school transferred to the opportunity schools and partnership program. The commissioner may delegate budgeting responsibilities under this subsection to the individual or group operating the school under sub. (3) (a), the person operating the school under sub. (3) (b), or the governing body of a private school operating the school under sub. (3) (c).

(11) BUDGET. Annually transmit his or her proposed budget to the board on forms furnished by the auditing officer of the city.

(12) COMPREHENSIVE PROGRAMS. Collaborate with nonprofit organizations and government agencies to provide pupils enrolled in a school in the opportunity schools and partnership program with comprehensive social services and educational support, which may include a program that offers comprehensive services that address the needs of children and youth from before the time they are born through postsecondary education.

(13) ALTERNATIVE ROUTES TO GRADUATION. Provide alternative methods of attaining a high school diploma for those pupils enrolled in a school in the opportunity schools and partnership program who are unlikely to graduate in the

traditional manner, including a program allowing a pupil or former pupil to retake a course in which he or she was not initially successful.

(14) TRANSPORTATION. (a) Provide for the transportation of pupils to and from any school transferred to the opportunity schools and partnership program.

(b) Upon written request from the parent or guardian of a pupil attending a school transferred to the opportunity schools and partnership program who is displaced from his or her residence while enrolled in that school, provide transportation assistance to ensure that the pupil may continue to attend the school.

(15) EXPULSION OF PUPILS. Follow the policies established by the board for the expulsion of pupils from schools transferred to the opportunity schools and partnership program.

(16) RANDOM SELECTION. If the commissioner or any entity operating and managing a school transferred to the program under this subchapter establishes an application process through which pupils may apply to attend a school transferred to the program under this subchapter, establish and utilize, and ensure that the entity utilizes, a random selection process for the admission of pupils to the school when the number of applicants exceeds the number of seats in the school.

119.9003 Commissioner; powers. (1) GENERALLY. The commissioner may do all things reasonable to promote the cause of education in schools transferred to the opportunity schools and partnership program, including establishing, providing, and improving school district programs, functions, and activities for the benefit of pupils.

(2) COUNCIL; INTERGOVERNMENTAL COOPERATION. (a) The commissioner may establish a council to advise the commissioner in the fulfillment of his or her duties under this subchapter.

(b) The commissioner may enter into a contract for cooperative action with a municipality under s. 66.0301. In this subsection, "municipality" has the meaning given in s. 66.0301 (1).

(3) RULES. The commissioner may adopt and modify or repeal rules for the operation of the opportunity schools and partnership program and for the organization, discipline, and management of the public schools transferred to the program which shall promote the good order and public usefulness of the public schools.

(4) USE OF VACANT AND UNDERUTILIZED SCHOOL BUILDINGS; CONTRACT WITH ELIGIBLE OPERATOR. (a) In this subsection:

1. "Education operator" has the meaning given in s. 119.61 (1) (a).

2. "Underutilized school building" has the meaning given in s. 119.61 (1) (c).

(b) The commissioner may proceed under s. 119.61 (3) (a) to become an agent of the board on a lease in a vacant or underutilized school building.

(c) The commissioner may enter into a lease with an education operator to operate a school in a vacant or underutilized school building obtained by the commissioner in the manner provided under s. 119.61 (3) (a). The commissioner shall count a school operated by an education operator under this paragraph towards the limit on schools in the opportunity schools and partnership program under s. 119.9002 (a), but not for purposes of performance benchmarking.

(5) PARTICIPATION FEE. Beginning in the 2017–18 school year, the commissioner may charge to an individual or group under s. 119.9002 (3) (a), to a person under s. 119.9002 (3) (b), and to a governing body of a private school under s. 119.9002 (3) (c) a fee of up to 3 percent of the per pupil payment paid to the individual or group, person, and governing body under s. 119.9005 (2) to participate in the opportunity

schools and partnership program. The fee revenue generated under this subsection may not exceed $750,000 in any given year.

(6) DISTRIBUTION OF PRINTED PROCEEDINGS. The commissioner may determine the distribution of the printed proceedings of public meetings held by the commissioner.

(7) INSURANCE. The commissioner may provide for accident insurance covering pupils in any school transferred to the opportunity schools and partnership program.

(8) TEXTBOOKS FOR INDIGENT PUPILS. The commissioner may purchase textbooks for pupils whose parents, guardians, or other persons having control or custody of such pupils are without means to furnish them with textbooks if the indigency of such pupils has been investigated and certified by a welfare worker or attendance officer. The local governmental authority administering poor relief in the city shall reimburse the commissioner for all expenditures by the commissioner for such textbooks. Such textbooks shall be the property of the city and subject to the disposal of the commissioner.

(9) SCHOOL CALENDAR. The commissioner may determine the school calendar and vacation periods for each school year for the regular day schools, summer schools, social centers, and playgrounds transferred to the opportunity schools and partnership program. The commissioner may close any school or dismiss any class in the event of an emergency, fire or other casualty, quarantine, or epidemic.

(10) SCHOOL HOURS. The commissioner may establish rules scheduling the hours of each school day during which the schools transferred to the opportunity schools and partnership program shall be in session. The commissioner may differentiate between the various grades in scheduling such school hours.

(11) SCHOOLS CLOSED. The commissioner may determine on which national, state, and local legal holidays and for which educational conventions the schools transferred to the opportunity schools and partnership program shall be closed. There shall be no deductions from the annual or monthly compensation of employees not rendering services on such days.

(12) ENROLLMENT UNDER LEGAL NAME. The commissioner may require that any pupil attending a school transferred to the opportunity schools and partnership program shall be enrolled under the pupil's legal name.

(13) EMPLOYEES; BONDED OFFICERS AND EMPLOYEES. (a) The commissioner may employ and determine the qualifications, duties, and compensation of any other persons as are required in the operation and management of schools transferred to the opportunity schools and partnership program.

(b) The commissioner may require any officer or employee of the commissioner and in a school transferred to the opportunity schools and partnership program to give security for the faithful performance of the officer's or employee's duties in such form and amount as the commissioner determines, and may require at any time additional bonds and sureties of any officer or employee.

(14) SALES AND CHARGES. The commissioner may establish and maintain, in any of the schools or playgrounds transferred to the opportunity schools and partnership program, cafeterias and stores for the sale of schoolbooks, candies, refreshments, and supplies. The commissioner also may charge or permit the making of a charge for admission to any school or athletic entertainment or activity, under such terms and conditions as the commissioner prescribes.

(15) GIFTS AND GRANTS. (a) In this subsection, "community foundation" means a charitable organization, described in section 501 (c) (3) of the Internal Revenue

Code and exempt from federal income tax under section 501 (a) of the Internal Revenue Code, dedicated to encouraging and assisting charitable activities and enterprises in a designated community in this state and having expertise in finance, fund development, and grantmaking.

(b) The commissioner may receive, accept, and use gifts or grants of furniture, books, equipment, supplies, moneys, securities, or other property used or useful for school and educational purposes. The commissioner shall make such use of gifts or grants, or invest the same in the case of moneys, as the donor or grantor specifies. In the absence of any specific direction as to the use of such gifts or grants by a donor or grantor, the commissioner may determine the use of or may invest the same in accordance with the law applicable to trust investments, or may, subject to par. (c), transfer any such gift or grant to a community foundation. In the use, control, or investment of such gifts or grants, the commissioner may exercise the rights and powers generally conferred upon trustees.

(c) The commissioner may transfer a gift or grant to a community foundation only if the commissioner and the community foundation agree, in writing and at the time of the transfer of the gift or grant, to each of the following:

1. The community foundation agrees to make disbursements from and of the gift or grant to the commissioner upon the written request of the commissioner.

2. Subject to subd. 3., the commissioner retains control over the manner in which any disbursement made under subd. 1. is used.

3. The commissioner's use of any disbursement made under subd. 1. shall be consistent with the intent of the donor of the gift, bequest, or endowment and with the agreement between the commissioner and the community foundation.

4. The commissioner exercises his or her rights over the use of each disbursement made under subd. 1. in accordance with the law applicable to trust investments.

(d) The commissioner, together with the county executive, may solicit private gifts and grants for use by the commissioner to further the purposes of the opportunity schools and partnership program and without oversight or approval of the board.

(16) COPYRIGHT MATERIALS. The commissioner may copyright under the applicable federal laws any book, pamphlet, bulletin, or record form edited and published by or under the direction of the commissioner.

(17) FENCES. The commissioner may construct around any schoolhouse or playground site a fence of materials and design approved by the commissioner.

(18) RULES ON CONDUCT AND DRESS. The commissioner may establish rules pertaining to conduct and dress of pupils in order to maintain good decorum and a favorable academic atmosphere.

(19) RECORDS CUSTODIAN. On behalf of any authority as defined in s. 19.32 (1), including the commissioner, designate one or more persons to be legal custodians of records.

119.9004 Opportunity schools and partnership program. (1) LEGAL ENTITY. (a) There is created within the school district operating under this chapter a opportunity schools and partnership program under the management and control of the commissioner. The commissioner shall exercise the powers, duties, and functions prescribed to the commissioner by law independently of the board and under the supervision of the county executive. Budgeting, program coordination,

and related management functions for the schools transferred to the opportunity schools and partnership program shall be performed by the commissioner.

(b) The opportunity schools and partnership program comprises individual eligible schools transferred by the commissioner under s. 119.9002 (2).

(2) EXIT FROM OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM. Subject to sub. (3) (a), the commissioner may transfer a school out of the opportunity schools and partnership program if the commissioner determines that the school has been placed in a performance category of "meets expectations" or higher on the 3 preceding consecutive accountability reports published for the school under s. 115.385 (1). Any of the following may apply to a school transferred out of the program under this subsection:

(a) Subject to sub. (3) (b), the commissioner may return operation and general management of the school to the board.

(b) The commissioner may transfer operation and management of the school to a person to operate the school under s. 118.40 as a charter school that is not an instrumentality of the school district, as determined under s. 118.40 (7).

(c) The commissioner may transfer operation and general management of the school to the governing body of a private school.

(3) OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM; LIMITATIONS. (a) A school transferred to the program under this subchapter may not be transferred out of the program under this subchapter for 5 consecutive school years.

(b) The commissioner may not return operation and general management of a school that has been transferred to the opportunity schools and partnership program to the board if either of the following applies:

1. The school remains an eligible school.

2. The school district operating under this chapter has been assigned in the 3 most recent school years a performance category of "fails to meet expectations" on the accountability report published under s. 115.385 (1).

119.9005 Payments to the commissioner, persons, and private schools operating schools in the opportunity schools and partnership program; state aid adjustments. Beginning in the 2016–17 school year, the state superintendent shall do all of the following:

(1) From the appropriation under s. 20.255 (2) (fs), pay to the commissioner on behalf of an individual or group operating a school under s. 119.9002 (3) (a) an amount equal to the amount paid per pupil to an operator of a charter school under s. 118.40 (2r) (e) in that school year multiplied by the number of pupils enrolled in that school in that school year.

(2) From the appropriation under s. 20.255 (2) (fs), pay to a person operating a school under a contract entered into under s. 119.9002 (3) (b) for that school year an amount equal to the amount paid per pupil to an operator of a charter school under s. 118.40 (2r) (e) in that school year multiplied by the number of pupils enrolled in that school under that contract in that school year.

(3) From the appropriation under s. 20.255 (2) (fs), pay to the governing body of a private school operating the school in which a pupil is enrolled under a contract entered into under s. 119.9002 (3) (c) for that school year an amount equal to the amount paid per pupil to an operator of a charter school under s. 118.40 (2r) (e) in that school year multiplied by the number of pupils enrolled in that school under that contract in that school year.

(4) Reduce the amount of state aid that the school district operating under this chapter is eligible to be paid from the appropriation under s. 20.255 (2) (ac) for that

school year by the sum of the amounts paid for that school year under subs. (1) to (3) and ensure that the aid reduction under this subsection is lapsed to the general fund.

(5) Ensure that the aid adjustment under sub. (4) does not affect the amount determined to be received by the school district operating under this chapter as state aid under s. 121.08 for any other purpose.

SECTION 3387p. 120.10 (12) of the statutes is renumbered 120.13 (19m) and amended to read:

120.13 **(19m)** SALE OF PROPERTY. ~~Authorize the sale of~~ Sell any property belonging to and not needed by the school district. If a school site or other lands are to be abandoned which were acquired or are held upon condition that they revert to the prior owner when no longer used for school purposes, the school board shall sell any school buildings thereon or move them to another site within 8 months after the school buildings cease to be used for school purposes or the site ceases to be maintained as a school district playground or park.

SECTION 3388. 120.12 (13) of the statutes is created to read:

120.12 **(13)** DECLARATION OF EDUCATIONAL STANDARDS. (a) Annually, prior to the beginning of the school term, notify the parents and guardians of pupils enrolled in the school district of the pupil academic standards, adopted under s. 118.30 (1g) (a) 1., that will be in effect for the school year. The school board may provide the notice required under this paragraph electronically, including by posting the notice or a link to the pupil academic standards on the school district's Internet site.

(b) Annually, include as an item on the agenda of the first school board meeting of the school year a notice that clearly identifies the pupil academic standards adopted by the school board under s. 118.30 (1g) (a) 1. that will be in effect for the school year.

SECTION 3389. 120.12 (22) of the statutes is amended to read:

120.12 **(22)** ADVANCED PLACEMENT EXAMINATIONS. Using federal, state, local, or private funds, pay the costs of advanced placement examinations taken by pupils enrolled in the school district who ~~are eligible~~ satisfy the income eligibility criteria for free or reduced–price lunches in the federal school lunch program under 42 USC 1758 (b) (1).

SECTION 3389m. 120.13 (1) (f) 3. of the statutes is amended to read:

120.13 **(1)** (f) 3. No school board is required to enroll a pupil during the term of his or her expulsion from a charter school established under s. 118.40 (2r) or (2x) if the school board determines the conduct giving rise to the pupil's expulsion would have been grounds for expulsion under par. (c) 1., 2., or 2m. If a pupil who has been expelled from a charter school established under s. 118.40 (2r) or (2x) seeks to enroll in a school district during the term of his or her expulsion, upon request of the pupil or, if the pupil is a minor, the pupil's parent or guardian, the governing body of the charter school shall provide the school board of the school district with a copy of the expulsion findings and order, a written explanation of the reasons why the pupil was expelled, and the term of the expulsion.

SECTION 3389n. 120.13 (2) (b) of the statutes is amended to read:

120.13 **(2)** (b) Provide health care benefits on a self–insured basis to the employees of the school district if the school district has at least 100 employees. In addition, ~~any 2 or more school districts which together have at least 100 employees may jointly provide health care benefits on a self–insured basis to employees of the school districts~~ a school district may jointly provide health care benefits on a self–insured basis under s. 66.0137 (4m).

SECTION 3389p. 120.13 (2) (c) of the statutes is amended to read:

120.13 **(2)** (c) Any self–insurance plan under par. (b) ~~which~~ or s. 66.0137 (4m) that covers less than 1,000 employees shall include excess or stop–loss reinsurance obtained through an insurer authorized to do business in this state, for the purpose of covering all eligible claims incurred during the term of the policy or contract.

SECTION 3389r. 120.13 (2) (e) of the statutes is amended to read:

120.13 **(2)** (e) All personally identifiable medical and claims records relating to any self–insurance plan under par. (b) or s. 66.0137 (4m) shall be kept confidential by the administrator of the self–insurance plan and shall be exempt from disclosure pursuant to s. 19.36 (1). This paragraph does not prohibit the release of personally identifiable records to school district personnel, to the extent that performance of their duties requires access to the records, but only with the prior written informed consent of the insured.

SECTION 3390. 120.13 (14) (a) of the statutes is amended to read:

120.13 **(14)** (a) Establish and provide or contract for the provision of child care programs for children. The school board may receive federal or state funds for this purpose. The school board may charge a fee for all or part of the cost of the service for participation in a child care program established under this subsection. Costs associated with a child care program under this subsection may not be included in shared costs under s. 121.07 (6). Child care programs established under this subsection shall meet the standards for licensed child care centers established by the department of children and families. If a school board proposes to contract for ~~or renew a contract for~~ the provision of a child care program under this subsection or if on July 1, 1996, a school board is a party to a contract for the provision of a child care program under this subsection, the school board shall refer the ~~contractor or~~ proposed contractor to the department of children and families for the criminal

history and child abuse record search required under s. 48.685. Each school board shall provide the department of health services with information about each person who is denied a contract for a reason specified in s. 48.685 (4m) (a) 1. to 5.

SECTION 3391. 120.13 (27m) of the statutes is amended to read:

120.13 **(27m)** TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to and from school for indigent pupils who reside in the school district and who are not required to be transported under s. 121.54. In this subsection, "indigent pupils" means pupils who ~~are eligible~~ satisfy the income eligibility criteria for free lunches or reduced–price lunches under 42 USC 1758 (b) (1) or who are members of a Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is participating in Wisconsin works under s. 49.147 (3) to (5) or any combination thereof, as determined by the school board. If a school board determines to provide transportation under this subsection, there shall be reasonable uniformity in the transportation furnished such pupils whether they attend public or private schools. The cost of transporting pupils under this subsection may not be included in the school district's shared cost under s. 121.07 (6) (a).

SECTION 3391b. 120.13 (37) (a) (intro.) of the statutes is amended to read:

120.13 **(37)** (a) (intro.) Notwithstanding s. 118.33 (1) and (1m), award a high school diploma to a person who meets all of the following requirements:

SECTION 3391c. 120.13 (37) (b) of the statutes is amended to read:

120.13 **(37)** (b) ~~Award~~ Notwithstanding s. 118.33 (1m), award a high school diploma to a person who received a high school equivalency diploma under s. 115.29 (4) after serving on active duty under honorable conditions if the person meets the conditions of par. (a) 1. to 3.

SECTION 3391d. 120.14 (1) of the statutes is amended to read:

120.14 **(1)** At the close of each fiscal year, the school board of each school district shall employ a licensed accountant to audit the school district accounts and certify the audit. The audit shall include information concerning the school district's self–insurance plan under s. 66.0137 (4m) or 120.13 (2) (b), as specified by the commissioner of insurance, and information about expenditures for community programs and services under s. 120.13 (19). If required by the state superintendent under s. 115.28 (18), the audit shall include an audit of the number of pupils reported for membership purposes under s. 121.004 (5). The cost of the audit shall be paid from school district funds. Annually by September 15, the school district clerk shall file a financial audit statement with the state superintendent.

SECTION 3391dm. 120.18 (1) (o) of the statutes is created to read:

120.18 **(1)** (o) The number of pupils enrolled in each school transferred to an opportunity schools and partnership program under subch. IX of ch. 115, as reported by the commissioner in the enrollment report submitted pursuant to s. 115.999 (4).

SECTION 3391e. 120.42 (1) (a) of the statutes is amended to read:

120.42 **(1)** (a) Except as provided in pars. (b) ~~and~~, (c), and (d), school board members in a unified school district shall be electors of the school district and shall be elected at large, at large to numbered seats or at large to an apportioned election district area by a plurality vote of the electors of the school district. School board members in a unified school district shall be elected under s. 120.06 at the spring election. All candidates for school board seats shall file a declaration of candidacy as provided in s. 120.06 (6) (b).

SECTION 3391m. 120.42 (1) (d) of the statutes is created to read:

120.42 **(1)** (d) 1. School board members in a unified school district that encompasses a city with a population greater than 75,000 but less than 100,000 and

that encompasses at least 2 villages may by resolution provide for the election of members from election districts established pursuant to a representation plan under sub. (1m) by a plurality of the electors of each election district within the school district.

2. Notwithstanding subd. 1., school board members in a unified school district that, on the effective date of this subdivision .... [LRB inserts date], encompasses a city with a population greater than 75,000 but less than 100,000 and that encompasses at least 2 villages shall be elected from election districts established pursuant to a representation plan under sub. (1m) by a plurality of the electors of each election district within the school district.

SECTION 3391s. 120.42 (1m) of the statutes is created to read:

120.42 **(1m)** (a) The school board of a school district under sub. (1) (d) 1. that provides, pursuant to a resolution, for the election of members from election districts and the school board of a school district under sub. (1) (d) 2. shall establish a representation plan for the election of school board members by election district. The school board shall comply with all of the following in establishing the representation plan under this paragraph:

1. Provide for 9 election districts within the school district of substantially equal population.

2. Ensure that, to the extent practicable, each election district described in subd. 1. is compact.

3. Ensure that, to the extent practicable, the territory within each election district described in subd. 1. is contiguous.

4. Ensure that, to the extent practicable, the boundaries of each election district described in subd. 1. and the boundaries of municipalities encompassed within the school district are congruent.

5. Number the election districts and divide them into 3 classes such that one–third of the members of the school board shall be elected in each year.

(b) Within 60 days after establishing the representation plan under par. (a), and decennially thereafter within 60 days after the population count by census block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, the school board shall adopt a district apportionment plan that apportions the territory of the school district into election districts pursuant to the representation plan.

(c) Upon adoption of the plan under par. (b), all of the following apply:

1. Candidates for school board member shall file as candidate for an identified election district.

2. Members of the school board shall reside in the election district within the school district from which they are elected.

(d) A district apportionment plan adopted under par. (b) after the spring election and before November 1 in any year shall be implemented at the spring election following adoption of the plan. A district apportionment plan adopted after November 1 in any year shall be implemented at the 2nd following spring election.

(e) Notwithstanding sub. (2), at the first election in which a district apportionment plan adopted under par. (b) is implemented, all of the following apply:

1. The first class of election districts from which members of the school board are elected shall be elected to serve a term of one year.

2. The 2nd class of election districts from which members of the school board are elected shall be elected to serve a term of 2 years.

3. The 3rd class of election districts from which members of the school board are elected shall be elected to serve a term of 3 years.

4. The incumbent members of the school board who hold office at the time of the first election shall cease to hold office at the time the members elected in that first election take office.

SECTION 3393. 121.02 (1) (L) 3. of the statutes is amended to read:

121.02 **(1)** (L) 3. In grades 9 to 12, provide access to an educational program that enables pupils each year to study English, social studies, mathematics, science, vocational education, foreign language, physical education, art and music. In this subdivision, "access" means an opportunity to study through school district course offerings, independent study, cooperative educational service agencies, or cooperative arrangements between school boards or between school boards and postsecondary educational institutions.

SECTION 3393s. 121.05 (1) (a) 9. of the statutes is amended to read:

121.05 **(1)** (a) 9. Pupils enrolled in a charter school, other than a charter school under s. 118.40 (2r) or (2x).

SECTION 3394. 121.05 (1) (a) 11. of the statutes is amended to read:

121.05 **(1)** (a) 11. Pupils residing in the school district but attending a public school in another school district under s. 118.50, 118.51, 121.84 (4), or 121.85 (3) (a).

SECTION 3395d. 121.07 (2) of the statutes is created to read:

121.07 **(2)** MEMBERSHIP. For the purposes of ss. 121.08, 121.09, 121.095, 121.105, and 121.137, a school district's membership is the sum of all of the following:

(a) The school district's membership, as defined in s. 121.004 (5), in the previous school year.

(b) The number of pupils residing in the school district in the previous school year who were incoming choice pupils, as defined in s. 118.60 (4d) (a), and for whom a payment was made under s. 118.60 (4) (bg) in the previous school year.

(c) The number of pupils residing in the school district in the previous school year for whom a payment was made under s. 115.7915 (4m) (a) or (e) in the previous school year.

(d) The number of pupils residing in the school district in the previous school year for whom a payment was made under s. 118.40 (2r) (e) to an operator of a charter school established under contract with an entity under s. 118.40 (2r) (b) 1. e. or f. in the previous school year.

(e) The number of pupils residing in the school district in the previous school year for whom a payment was made under s. 118.40 (2r) (f) in the previous school year.

(f) The number of pupils residing in the school district in the previous school year for whom a payment was made under s. 118.40 (2x) (e) in the previous school year.

SECTION 3395m. 121.07 (6) (a) (intro.) of the statutes is amended to read:

121.07 **(6)** (a) (intro.) "Shared cost" is the sum of the net cost of the general fund and the net cost of the debt service fund, except that "shared cost" excludes any costs, including attorney fees, incurred by a school district as a result of its participation in a lawsuit commenced against the state, beginning with such costs incurred in the fiscal year in which the lawsuit is commenced, excludes any expenditures from a capital improvement fund created under s. 120.135 or a capital improvement trust

fund created under s. 120.137, excludes any debt service costs associated with an environmental remediation project under s. 67.05 (7) (er), and excludes the costs of transporting those transfer pupils for whom the school district operating under ch. 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s. 121.85 (6) (am). In this paragraph:

SECTION 3395t. 121.07 (6) (e) 1. of the statutes is amended to read:

121.07 **(6)** (e) 1. For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 4 school years, the amounts under pars. (b) and (d) shall be multiplied by 1.15 and rounded to the next lowest dollar. ~~In the 5th school year following the school year in which the consolidation took effect, the amounts under pars. (b) and (d) shall be multiplied by 1.10 and rounded to the next lower dollar. In the 6th school year following the school year in which the consolidation took effect, the amounts under pars. (b) and (d) shall be multiplied by 1.05 and rounded to the next lower dollar.~~

SECTION 3395v. 121.07 (7) (e) 1. of the statutes is amended to read:

121.07 **(7)** (e) 1. For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 4 school years, the amounts under pars. (a) to (bm) shall be multiplied by 1.15 and rounded to the next lower dollar. ~~In the 5th school year following the school year in which the consolidation took effect, the amounts under pars. (a) to (bm) shall be multiplied by 1.10 and rounded to the next lower dollar. In the 6th school year following the school year in which the consolidation took effect, the amounts under pars. (a) to (bm) shall be multiplied by 1.05 and rounded to the next lower dollar.~~

SECTION 3395w. 121.08 (4) (a) 1. of the statutes is amended to read:

121.08 **(4)** (a) 1. Add the amounts paid under s. 118.40 (2r) in the current school year <u>for pupils attending a charter school established by or under a contract with an entity under s. 118.40 (2r) (b) 1. a. to d</u>.

SECTION 3396n. 121.085 of the statutes is created to read:

121.085 State aid; other reductions. (1) The department shall make state aid adjustments under s. 118.51 (16) and (17) before making a reduction under s. 115.7915 (4m) (f), 118.40 (2r) (g) or (2x) (f), or 118.60 (4d) (b).

(2) For purposes of ss. 115.7915 (4m) (f) 2., 118.40 (2r) (g) 2. and (2x) (f) 2., and 118.60 (4d) (b) 2., a school district's aid under s. 121.08 is insufficient to cover a reduction if, after making state aid adjustments under s. 118.51 (16) and (17), the amount of the school district's aid under s. 121.08 is insufficient to cover all of the reductions under ss. 115.7915 (4m) (f) 1., 118.40 (2r) (g) 1. and (2x) (f) 1., and 118.60 (4d) (b) 1.

(3) The state superintendent shall ensure that the aid reductions under ss. 115.7915 (4m) (f) 1., 118.40 (2r) (g) 1. and (2x) (f) 1., and 118.60 (4d) (b) 1. lapse to the general fund.

SECTION 3396p. 121.105 (3) of the statutes is amended to read:

121.105 **(3)** In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the consolidated school district's state aid shall be an amount that is not less than the aggregate state aid to which the consolidating school districts were eligible in the school year prior to the school year in which the consolidation takes effect. ~~In the 5th school year following the school year in which the consolidation took effect, the consolidated school district is entitled to a payment under this subsection in an~~

~~amount that is equal to 66 percent of the payment that the consolidated school district received under this subsection in the prior school year. In the 6th school year following the school year in which the consolidation took effect, the consolidated school district is entitled to a payment under this subsection in an amount that is equal to 33 percent of the payment that the consolidated school district received in the 4th school year following the school year in which the consolidation took effect.~~ The additional state aid shall be paid from the appropriation under s. 20.255 (2) (ac).

SECTION 3397. 121.105 (4) of the statutes is created to read:

121.105 **(4)** In the school year in which a whole grade sharing agreement under s. 118.50 first takes effect and in each of the subsequent 4 school years, the department shall pay additional aid to each school district that is participating in the agreement to ensure that the school district receives no less state aid than the amount of state aid to which the school district was eligible in the school year prior to the school year in which the whole grade sharing agreement took effect. In the 5th school year following the school year in which a whole grade sharing agreement first takes effect, the department shall pay additional aid to each school district that is participating in the whole grade sharing agreement in an amount that is equal to 66 percent of the payment that the school district received under this subsection in the prior school year. In the 6th school year following the school year in which the whole grade sharing agreement first takes effect, the department shall pay to each school district that is participating in the whole grade sharing agreement an amount that is equal to 33 percent of the payment that the school district received in the 4th school year following the school year in which the whole grade sharing agreement took effect. The department shall pay additional aid under this paragraph from the

appropriation under s. 20.255 (2) (ac). This subsection does not apply to the renewal of an existing whole grade sharing agreement under s. 118.50.

SECTION 3398. 121.136 (2) (a) of the statutes is amended to read:

121.136 **(2)** (a) In the 2009–10 school year and annually thereafter, the department shall pay additional state aid to a school district if at least 50 percent of the district's enrollment on the 3rd Friday of September in the immediately preceding even–numbered year, as rounded to the nearest whole percentage point, ~~was eligible~~ satisfied the income eligibility criteria for a free or reduced–price lunch in the federal school lunch program under 42 USC 1758 (b) (1).

SECTION 3398d. 121.15 (1) (c) of the statutes is amended to read:

121.15 **(1)** (c) For the payments from December to June, the total aid entitlement for each district shall be computed on the basis of the ~~budget and membership report under s. 121.05~~ school district's membership, as calculated under s. 121.07 (2).

SECTION 3398f. 121.15 (1g) (c) of the statutes is amended to read:

121.15 **(1g)** (c) For the payments from November to June, the total aid entitlement shall be computed on the basis of the ~~budget and membership report under s. 121.05~~ school district's membership, as calculated under s. 121.07 (2).

SECTION 3399. 121.53 (3) (c) of the statutes is amended to read:

121.53 **(3)** (c) When the school bus is used as specified in s. 340.01 (56) (am) for the purpose of transporting ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities in connection with a transportation assistance program for such persons.

SECTION 3400. 121.58 (1) of the statutes is renumbered 121.58 (1) (a).

SECTION 3401. 121.58 (1) (b) of the statutes is created to read:

121.58 **(1)** (b) Annually, by the time the department prescribes under s. 120.18, an operator of a charter school authorized under s. 118.40 (2r) or (2x) that provides transportation to and from the charter school shall provide a report to the department that includes the number of pupils for whom transportation is provided and any other information the department requires related to the transportation of those pupils.

SECTION 3402. 121.58 (2) (a) (intro.) of the statutes is amended to read:

121.58 **(2)** (a) (intro.) A school district ~~which~~ that provides transportation to and from a school under ss. 118.50 (3) (a), 121.54 (1) to (3), (5), and (6), and 121.57, ~~and the~~ a nonresident school district that a pupil attends under s. 118.51 or 121.84 (4) which elects to provide transportation under s. 121.54 (10), and an operator of a charter school authorized under s. 118.40 (2r) or (2x) that provides transportation under s. 118.40 (2r) (dm) shall be paid state aid for such transportation at the following rates:

SECTION 3403. 121.58 (2) (a) 4. of the statutes is amended to read:

121.58 **(2)** (a) 4. For each pupil so transported whose residence is more than 12 miles from the school attended, ~~$220 per school year in the 2012–13 school year and~~ $275 per school year in the 2014–15 school year and $300 per school year thereafter.

SECTION 3404. 121.58 (4) of the statutes is amended to read:

121.58 **(4)** STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before October 1 of the year in which transportation is provided under s. 118.50 (3) (b) or 121.54 (4), or under s. 121.54 (10) if the transportation is provided by the nonresident school district that a pupil attends under s. 118.51 or 121.84 (4), the school district clerk shall file with the department a report, containing such information as the

department requires, on transportation provided by the school board to and from summer classes. Upon receipt of such report and if the summer classes meet the requirements of s. 121.14 (1) (a) 1. or 2., state aid shall be paid for such transportation. A school district which provides such transportation shall be paid state aid for such transportation at the rate of $4 per pupil transported to and from public school whose residence is at least 2 miles and not more than 5 miles by the nearest traveled route from the public school attended, and $6 per pupil transported to and from public school whose residence is more than 5 miles by the nearest traveled route from the public school attended, if the pupil is transported 30 days or more. The state aid shall be reduced proportionately if the pupil is transported less than 30 days.

SECTION 3405. 121.58 (6) (b) of the statutes is amended to read:

121.58 **(6)** (b) If the appropriation under s. 20.255 (2) (cr) in any fiscal year exceeds the amount of approved claims paid in full under this section and s. 121.575, the department shall distribute the balance to those school districts <u>and charter school operators</u> entitled to state aid under this section, with each ~~school district~~ <u>entitled recipient</u> receiving a percentage of the balance equal to its percentage of the total approved claims.

SECTION 3406. 121.58 (7) of the statutes is amended to read:

121.58 **(7)** PAYMENT. Each school district <u>and charter school operator</u> entitled to state aid under this section shall receive its total aid entitlement in January.

SECTION 3407. 121.59 (1) of the statutes is renumbered 121.59 (1) (intro.) and amended to read:

121.59 **(1)** (intro.) In this section~~, "transportation~~<u>:</u>

(b) "Transportation costs" means costs that are eligible for reimbursement under s. 121.58.

SECTION 3408. 121.59 (1) (a) of the statutes is created to read:

121.59 **(1)** (a) "Eligible school district" means a school district the membership of which in the previous school year, when divided by the school district's area in square miles, is 50 or less.

SECTION 3409. 121.59 (2) (intro.) of the statutes is amended to read:

121.59 **(2)** (intro.) Annually the department shall pay to each eligible school district the amount determined as follows:

SECTION 3410. 121.59 (2) (e) of the statutes is amended to read:

121.59 **(2)** (e) Divide the product under par. (d) for the school district by the product under par. (d) for all eligible school districts.

SECTION 3411. 121.77 (3) of the statutes is amended to read:

121.77 **(3)** Subsections (1) (b) and (2) do not apply to a pupil attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (4).

SECTION 3411e. 121.78 (1) (a) of the statutes is amended to read:

121.78 **(1)** (a) The school board of the district of residence and the school board of the district of attendance may make a written agreement to permit an elementary or high school pupil to attend a public school, including an out–of–state school, outside the school district of residence~~, and the~~. The school district of residence shall pay ~~the~~ tuition to the school board of the district of attendance in an amount specified in the written agreement. The school district of residence shall be paid state aid for the pupil, in an amount up to the amount specified in the written agreement, as though the pupil were enrolled in the school district of residence.

SECTION 3411m. 121.78 (1) (b) of the statutes is amended to read:

121.78 **(1)** (b) A school board, upon its own order, may provide for the enrollment of a pupil in a public school located outside this state~~,~~ if the course of study in such school is equivalent to the course of study in this state ~~and if the school is at least 1.5 miles nearer the pupil's home than any public school in this state~~. The school board shall pay the tuition for such pupil and the school district shall be paid state aid as though such pupil was enrolled in the school district of residence. ~~The school board shall pay for the transportation of a pupil so enrolled who resides 2 or more miles from such out-of-state school. The school district shall be paid state aid under subch. IV for the transportation of such pupil as though the pupil had been transported to the school of the school district of residence.~~

SECTION 3411n. 121.78 (1) (c) of the statutes is repealed.

SECTION 3411r. 121.84 (4) (b) of the statutes is amended to read:

121.84 **(4)** (b) If a pupil attends school in a school district outside the pupil's school district of residence under par. (a), s. 118.51 (12), (14), (16), and (17) apply to the pupil as if the pupil were attending school in a nonresident school district under s. 118.51. If the pupil is rejected as a result of s. 118.51 (12) ~~(a), prohibited from attending as a result of s. 118.51 (12) (b) 1. or transferred as a result of s. 118.51 (12) (b) 2.~~, s. 118.51 (9) applies.

SECTION 3411s. 121.845 (1m) of the statutes is created to read:

121.845 **(1m)** "Membership" has the meaning given in s. 121.07 (2).

SECTION 3412. 121.85 (3) (a) of the statutes is renumbered 121.85 (3) (a) 1. and amended to read:

121.85 **(3)** (a) 1. ~~The~~ Subject to subd. 2., the school board of the district of residence and the school board of the district of attendance may enter into annual

written agreements to permit a pupil to attend a public school outside the school district of residence.

SECTION 3413. 121.85 (3) (a) 2. of the statutes is created to read:

121.85 **(3)** (a) 2. a. Except as provided in subd. 2. b., c., and d., beginning on the effective date of this subdivision paragraph .... [LRB inserts date], no school board may enter into a written agreement with another school board under subd. 1.

b. A school board may continue to enter into an annual written agreement with another school board under subd. 1. on behalf of a pupil that attended a public school under a written agreement under subd. 1. in the 2015–16 school year.

c. A school board may enter into a written agreement with another school board under subd. 1., and may continue to enter into that written agreement, on behalf of a pupil that will attend a public school under that agreement in the 2015–16 school year.

d. The school board of a school district operating grades kindergarten through 8 and a school board operating a unified high school district may enter into an annual written agreement under subd. 1. on behalf of a pupil that attended a public school in the school district operating grades kindergarten through 8 in the 2015–16 school year.

SECTION 3414. 121.85 (3) (b) of the statutes is renumbered 121.85 (3) (b) 1. and amended to read:

121.85 **(3)** (b) 1. ~~The~~ Except as provided in subd. 2., the school board of ~~the~~ a district may not permit a pupil to attend a public school under this section that is within the district ~~which~~ but that is outside the pupil's attendance area.

SECTION 3415. 121.85 (3) (b) 2. of the statutes is created to read:

121.85 **(3)** (b) 2. The school board of a school district may permit a pupil to attend a public school under this section that is within the pupil's district of residence but that is outside the pupil's attendance area if the pupil attended a public school under this section that is within the pupil's district of residence but that is outside the pupil's attendance area in the 2015–16 school year.

SECTION 3416. 121.85 (4) of the statutes is amended to read:

121.85 **(4)** OTHER PLANS TO REDUCE RACIAL IMBALANCE. (a) Pupil transfers resulting from a plan implemented by the school board to reduce racial imbalance in a school district or attendance area shall be deemed to be transfer agreements under sub. (3) and shall be eligible for state aid under this section if the transfers comply with sub. (2)<u>, provided the transfers are of pupils who attended a public school in a school district or attendance area under the plan in the 2015–16 school year</u>.

(b) Any school board that, prior to May 4, 1976, established a plan to reduce racial imbalance in the school district is eligible for state aid under sub. (6) (a) if the state superintendent approves the plan<u>, provided the transfer pupil attended a public school in an attendance area other than the pupil's attendance area under the plan in the 2015–16 school year</u>.

SECTION 3417. 121.85 (5) of the statutes is renumbered 121.85 (5) (a) and amended to read:

121.85 **(5)** (a) ~~Part–time~~ <u>Except as provided in par. (b), part–time</u> transfers for curriculum offerings ~~also may be~~ <u>are not</u> permitted under this section. ~~The department shall establish procedures for aid computations in such cases.~~

SECTION 3418. 121.85 (5) (b) of the statutes is created to read:

121.85 **(5)** (b) A pupil who, in the 2015–16 school year, attended on a part–time basis under this section a public school that is in a school district other than the pupil's district of residence, or that is located in an attendance area other than the pupil's attendance area, for the purpose of receiving curriculum offerings at that school may continue to attend on a part–time basis under this section a public school that is in a school district other than the pupil's district of residence, or that is located in an attendance area other than the pupil's attendance area, for the purpose of receiving curriculum offerings at that school. The department shall establish procedures for aid computations in such cases.

SECTION 3418c. 121.85 (6) (a) (intro.) of the statutes is amended to read:

121.85 **(6)** (a) *Intradistrict transfer.* (intro.) Except as provided under pars. (am) ~~and~~, (ar), and (as), the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) ~~shall be~~ is entitled to an amount determined as follows:

SECTION 3418g. 121.85 (6) (ar) 2. c. of the statutes is created to read:

121.85 **(6)** (ar) 2. c. The amount of aid to which the school district is entitled under par. (as), less the reduction under par. (am).

SECTION 3418n. 121.85 (6) (as) of the statutes is created to read:

121.85 **(6)** (as) *Intradistrict transfer aid hold harmless.* Subject to par. (ar):

1. In the 2015–16 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.875.

2. In the 2016–17 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.75.

3. In the 2017–18 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.625.

4. In the 2018–19 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.50.

5. In the 2019–20 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.375.

6. In the 2020–21 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.25.

7. In the 2021–22 school year, the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (a).

b. The amount of aid to which the school district was entitled under par. (a) in the 2014–15 school year multiplied by 0.125.

SECTION 3418r. 121.85 (6) (b) 2. of the statutes is amended to read:

121.85 **(6)** (b) 2. ~~In~~ Subject to par. (bm), in each school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) shall receive an amount equal to that produced by multiplying the number of pupils transferred into the school district under sub. (3) (a) in the previous school year by the amount produced by dividing the school district's net school cost by the sum of the membership, plus the number of pupils transferred into the school district of attendance in the previous school year under sub. (3) (a). ~~This subdivision applies to aid paid in the 1995–96 school year only if the number of pupils transferring from one school district to another under sub. (3) (a) in the 1994–95 school year constitutes less than 5% of the total membership of the school district of attendance.~~

SECTION 3418w. 121.85 (6) (bm) of the statutes is created to read:

121.85 **(6)** (bm) *Interdistrict transfer aid hold harmless.*

1. In the 2015–16 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.875.

2. In the 2016–17 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.75.

3. In the 2017–18 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.625.

4. In the 2018–19 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.50.

5. In the 2019–20 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.375.

6. In the 2020–21 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.25.

7. In the 2021–22 school year, the school district of attendance of pupils transferring from one school district to another under sub. (3) (a) is entitled to the greater of the following:

a. The amount of aid to which the school district is entitled under par. (b).

b. The amount of aid to which the school district was entitled under par. (b) in the 2014–15 school year multiplied by 0.125.

SECTION 3419. 121.85 (6) (h) of the statutes is created to read:

121.85 **(6)** (h) *Sunset.* Beginning on the effective date of this paragraph .... [LRB inserts date], a school district may not receive state aid under this section unless all of the following conditions are satisfied:

1. A pupil is attending a public school in the school district under one of the following:

a. A transfer agreement under sub. (3).

b. A plan that has been deemed a transfer agreement under sub. (4) (a) or approved under sub. (4) (b).

c. A part–time transfer under sub. (5).

2. The attendance of the pupil in the public school pursuant to the transfer agreement, plan, or part–time transfer described in subd. 1. complies with sub. (2).

3. One of the following conditions is satisfied:

a. The pupil described in subd. 1. attended a public school in the school district under one of the following in the 2015–16 school year: a transfer agreement under sub. (3); a plan that has been deemed a transfer agreement under sub. (4) (a) or approved under sub. (4) (b); or a part–time transfer under sub. (5).

b. The school district is a unified high school district and the pupil described in subd. 1. is attending the high school in the unified high school district under a transfer agreement under sub. (3) (a) 2. d.

SECTION 3420. 121.87 (1) (b) of the statutes is amended to read:

121.87 **(1)** (b) The number of pupils who transferred to the school district under this subchapter who ~~are eligible~~ satisfy the income eligibility criteria for free or reduced–price lunches under 42 USC 1758 (b) (1).

SECTION 3421d. 121.90 (1) (f) of the statutes is created to read:

121.90 **(1)** (f) In the 2015–16 school year and in each school year thereafter, the "number of pupils enrolled" shall include a number equal to the sum of the pupils residing in the school district who attend any of the following on the 3rd Friday of September of each appropriate school year:

1. A private school under a scholarship under s. 115.7915.

2. A charter school established under a contract with an entity under s. 118.40 (2r) (b) 1. e. to h.

3. A charter school established under a contract with the director under s. 118.40 (2x).

SECTION 3421k. 121.91 (4) (L) of the statutes is created to read:

121.91 **(4)** (L) 1. For a school district that received additional aid as a result of s. 121.07 (6) (e) 1. or (7) (e) 1. or 121.105 (3) in the 2014–15 school year, the limit otherwise applicable under sub. (2m) for the 2015–16 school year is increased by an amount equal to 75 percent of any additional aid the school district received as a result of ss. 121.07 (6) (e) 1. and (7) (e) 1. and 121.105 (3) in the 2014–15 school year.

2. For a school district created by a consolidation under s. 117.08 or 117.09, beginning with the limit for the 2016–17 school year, the limit otherwise applicable under sub. (2m) for the 5th school year following the school year in which the consolidation took effect is increased by an amount equal to 75 percent of any additional aid that the school district received as a result of ss. 121.07 (6) (e) 1. and (7) (e) 1. and 121.105 (3) in the 4th school year following the school year in which the consolidation took effect.

SECTION 3421p. 121.91 (4) (n) of the statutes is created to read:

121.91 **(4)** (n) 1. The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by an amount calculated as follows:

a. Determine the number of incoming choice pupils, as defined in s. 118.60 (4d) (a), residing in the school district who attend a private school under s. 118.60 on the 3rd Friday of September of the current school year.

b. Multiply the number of pupils under subd. 1. a. by the amount calculated under sub. (2m) (i) 1. in the current school year.

2. Any additional revenue received by a school district under this paragraph shall not be included in the base for determining the school district's limit under sub. (2m) for the following school year.

SECTION 3421q. 121.91 (4) (p) 1. of the statutes is amended to read:

121.91 **(4)** (p) 1. The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by the amount of any reduction to that school district's state aid payment made under s. 118.51 (16) (b) 2. and (c) or (17) (c) 2. in the previous school year for a pupil who was not included in the calculation of the number of pupils enrolled in that school district in the previous school year.

SECTION 3421r. 121.91 (4) (qe) of the statutes is created to read:

121.91 **(4)** (qe) The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by the amount spent by the school district in that school year on debt service costs associated with an environmental remediation project under s. 67.05 (7) (er). Any additional revenue received by a school district under this paragraph shall not be included in the base for determining the school district's limit under sub. (2m) for the following school year.

SECTION 3421t. 121.91 (7) of the statutes is amended to read:

121.91 **(7)** Except as provided in ~~sub.~~ subs. (4) (f) 2.~~, (o)~~ and (n) to ~~(q),~~ (qe) and (8), if an excess revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4), the excess revenue shall be included in the base for determining the limit for the next school year for purposes of this section. If an excess revenue is approved under sub. (3) for a nonrecurring purpose, the excess revenue shall not be included in the base for determining the limit for the next school year for purposes of this section.

SECTION 3422. 125.02 (3r) of the statutes is amended to read:

125.02 **(3r)** "Caterer" means any person holding a ~~restaurant permit~~ license under s. ~~254.64~~ 97.30 for a restaurant who is in the business of preparing food and transporting it for consumption on premises where gatherings, meetings, or events are held, if the sale of food at each gathering, meeting, or event accounts for greater than 50 percent of the gross receipts of all of the food and beverages served at the gathering, meeting, or event.

SECTION 3423. 125.02 (7) of the statutes is amended to read:

125.02 **(7)** "Hotel" means a hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7), that is provided with a restaurant.

SECTION 3424. 125.02 (18) of the statutes is amended to read:

125.02 **(18)** "Restaurant" means a restaurant, as defined in s. ~~254.61 (5)~~ 97.01 (14g).

SECTION 3426. 125.06 (12) of the statutes is amended to read:

125.06 **(12)** BED AND BREAKFAST ESTABLISHMENTS. The provision by a bed and breakfast establishment, as defined under s. ~~254.61 (1)~~ 97.01 (1g), of not more than 2 complimentary 4–fluid–ounce glasses of wine per day to a person renting a room at the bed and breakfast establishment for consumption on the premises of the bed and breakfast establishment.

SECTION 3427. 125.07 (3) (a) 6. of the statutes is amended to read:

125.07 **(3)** (a) 6. Premises operated under both a Class "B" or "Class B" license or permit and a ~~restaurant permit~~ license under s. 97.30 for a restaurant where the principal business conducted is that of a restaurant. If the premises are operated under both a Class "B" or "Class B" license or permit and a ~~restaurant permit~~ license under s. 97.30 for a restaurant, the principal business conducted is presumed to be

the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.

SECTION 3428. 125.07 (3) (a) 6m. of the statutes is amended to read:

125.07 **(3)** (a) 6m. Premises operating under both a "Class C" license and a ~~restaurant permit~~ license under s. 97.30 for a restaurant.

SECTION 3429m. 125.27 (3) (b) of the statutes is renumbered 125.27 (3) (b) 1. (intro.) and amended to read:

125.27 **(3)** (b) 1. (intro.) Upon application, the department shall issue a Class "B" permit to a tribe that holds a valid certificate issued under s. 73.03 (50) and that is qualified under s. 125.04 (5) and (6)~~.~~ if any of the following applies:

2. The permit under subd. 1. authorizes the retail sale of fermented malt beverages for consumption on or off the premises where sold.

SECTION 3429r. 125.27 (3) (b) 1. a. and b. of the statutes are created to read:

125.27 **(3)** (b) 1. a. The tribe held a Class "B" license that was not renewed or was suspended or revoked for grounds unrelated to the qualifications set forth in s. 125.04 (5) and (6) or to the sale of alcohol beverages at the licensed premises.

b. The tribe held a Class "B" license that was not renewed or was suspended or revoked for grounds related to the qualifications set forth in s. 125.04 (5) and (6) or to the sale of alcohol beverages at the licensed premises, and the nonrenewal, suspension, or revocation was reversed upon court review under s. 125.12 (2) (d).

SECTION 3430. 125.29 (6) of the statutes is amended to read:

125.29 **(6)** RESTAURANTS. A brewer may operate a restaurant on the brewery premises and at an off–site retail outlet established by the brewer. A brewer may not hold a ~~restaurant permit~~ license under s. 97.30 for a restaurant for the operation of a restaurant at any other location except that a brewer may possess or hold an

indirect interest in a Class "B" license for not more than 20 restaurants in each of which the sale of alcohol beverages accounts for less than 60 percent of the restaurant's gross receipts if no fermented malt beverages manufactured by the brewer are offered for sale in any of these restaurants.

SECTION 3431. 125.295 (2) (a) 3. of the statutes is amended to read:

125.295 **(2)** (a) 3. The applicant operates a restaurant on the premises for which the permit is issued, for which a ~~restaurant permit~~ license is issued under s. ~~254.64~~ 97.30 for a restaurant.

SECTION 3432. 125.295 (2) (b) of the statutes is amended to read:

125.295 **(2)** (b) If an applicant under par. (a) has no current operations, the applicant may certify that the applicant has applied for or will apply for a Class "B" license or ~~restaurant permit~~ license under s. 97.30 for a restaurant or will comply with any other requirement under par. (a), prior to or upon commencing operations authorized under this section. If a Class "B" license or ~~restaurant permit~~ license under s. 97.30 for a restaurant is not subsequently issued to the applicant, or if the applicant otherwise fails to comply with any requirement for eligibility under par. (a), the department may revoke under s. 125.12 (5) the permit issued under this section.

SECTION 3432am. 125.51 (1) (a) of the statutes is amended to read:

125.51 **(1)** (a) ~~Every~~ Subject to sub. (2) (e) 2., every municipal governing body may grant and issue "Class A" and "Class B" licenses for retail sales of intoxicating liquor, and "Class C" licenses for retail sales of wine, from premises within the municipality to persons entitled to a license under this chapter as the issuing municipal governing body deems proper and may authorize an official or body of the municipality to issue temporary "Class B" licenses under sub. (10). No "Class B"

license may be issued to a winery under sub. (3) (am) unless the winery has been issued a permit under s. 125.53 and the winery is capable of producing at least 5,000 gallons of wine per year in no more than 2 locations.

SECTION 3432b. 125.51 (1) (c) 1. of the statutes is amended to read:

125.51 **(1)** (c) 1. Except as provided in subd. 2., the municipal governing body, or the duly authorized committee of a city council, shall meet not later than May 15 annually, and be in session from day to day thereafter so long as may be necessary, for the purpose of acting upon license applications filed with it on or before April 15. ~~The~~ Subject to sub. (2) (e) 2., the governing body or committee shall grant, issue, or deny each application not later than June 15 for the ensuing license year. Licenses may be granted for issuance at a later date when the applicant has complied with all requirements for the issuance of the license. The governing body or committee may accept and act upon any application filed at any other time. The governing body or committee may not deny an application for renewal of an existing license unless a statement of the reason for the denial is included in its clerk's minutes.

SECTION 3432bm. 125.51 (2) (d) of the statutes is renumbered 125.51 (2) (d) 1.

SECTION 3432c. 125.51 (2) (d) 2. of the statutes is created to read:

125.51 **(2)** (d) 2. Notwithstanding subd. 1., there is no annual fee or initial issuance fee for a "Class A" license issued under par. (e) 2.

SECTION 3432cm. 125.51 (2) (e) of the statutes is created to read:

125.51 **(2)** (e) 1. In this paragraph, "cider" means any alcohol beverage that is obtained from the fermentation of the juice of apples or pears and that contains not less than 0.5 percent alcohol by volume and not more than 7.0 percent alcohol by volume. "Cider" includes flavored, sparkling, and carbonated cider.

2. Notwithstanding s. 125.68 (3), upon application, a municipal governing body shall grant and issue a "Class A" license to the applicant if all of the following apply:

a. The application is made for a "Class A" license containing the condition that retail sales of intoxicating liquor are limited to cider.

b. The applicant holds a Class "A" license issued under s. 125.25 for the same premises for which the "Class A" license application is made.

3. Notwithstanding par. (a) and s. 125.06 (13), a person issued a "Class A" license under subd. 2. may not make retail sales, or provide taste samples, of any intoxicating liquor other than cider. Paragraph (am) does not apply to a person issued a "Class A" license under subd. 2.

SECTION 3432d. 125.51 (3) (e) 1. of the statutes is amended to read:

125.51 **(3)** (e) 1. Except as provided in subds. 2. ~~and 3.~~ <u>to 4.</u>, the annual fee for a "Class B" license shall be established by the municipal governing body and shall be the same for all "Class B" licenses, except that the minimum fee shall be $50 and the maximum fee shall be $500. The minimum fee does not apply to licenses issued to bona fide clubs and lodges situated and incorporated in the state for at least 6 years.

SECTION 3432e. 125.51 (3) (e) 2. of the statutes is amended to read:

125.51 **(3)** (e) 2. Each municipal governing body shall establish the fee, in an amount not less than $10,000, for an initial issuance of a reserve "Class B" license, as defined in sub. (4) (a) 4., and, if the municipality contains a capital improvement area enumerated under sub. (4) (x) 2. a., for an initial issuance of a "Class B" license under sub. (4) (x) 3. and 4., except that the fee for an initial issuance of a reserve "Class B" license to a bona fide club or lodge situated and incorporated in the state for at least 6 years is the fee established under subd. 1. for such a club or lodge. The

fee under this subdivision is in addition to any other fee required under this chapter. The annual fee for renewal of a reserve "Class B" license, as defined in sub. (4) (a) 1., and a "Class B" license issued under sub. (4) (x) 3. or 4. is the fee established under subd. 1. A municipality may not rebate or refund to a "Class B" licensee, including through any grant program, the fee paid by the licensee under this subdivision for initial issuance of a reserve "Class B" license.

SECTION 3432g. 125.51 (3) (e) 4. of the statutes is created to read:

125.51 **(3)** (e) 4. In addition to any fee under subd. 1. or 2., there is a $10,000 issuance fee for a license transferred to the issuing municipality under sub. (4) (e).

SECTION 3432h. 125.51 (3) (e) 5. of the statutes is created to read:

125.51 **(3)** (e) 5. Notwithstanding subd. 2., a municipal governing body may not establish an initial issuance fee for a "Class B" license issued under sub. (4) (w) 5. that exceeds the annual fee established for the license under subd. 1.

SECTION 3432i. 125.51 (4) (b) (intro.) of the statutes is amended to read:

125.51 **(4)** (b) (intro.) Except as provided in pars. (bg), (c), and (d), the quota of each municipality is the sum of the following:

SECTION 3432k. 125.51 (4) (bg) of the statutes is created to read:

125.51 **(4)** (bg) The quota under par. (b) for a municipality shall be increased by each license transferred to the municipality under par. (e) and shall be decreased by each license transferred from the municipality under par. (e).

SECTION 3432m. 125.51 (4) (bm) (intro.) of the statutes is amended to read:

125.51 **(4)** (bm) (intro.) The clerk of each municipality shall record the municipality's population, as defined in par. (a) 2., and the number of licenses for each of the following categories:

SECTION 3432o. 125.51 (4) (bm) 2. of the statutes is amended to read:

125.51 **(4)** (bm) 2. Described in par. (b) 1g.~~; and~~

SECTION 3432q. 125.51 (4) (bm) 4. of the statutes is created to read:

125.51 **(4)** (bm) 4. That are transferred from the municipality or transferred to the municipality under par. (e).

SECTION 3432r. 125.51 (4) (br) 1. (intro.) of the statutes is amended to read:

125.51 **(4)** (br) 1. (intro.) Except as provided in ~~subd.~~ subds. 2. and 3., the number of reserve "Class B" licenses authorized to be issued by a municipality shall be determined as follows:

SECTION 3432s. 125.51 (4) (br) 3. of the statutes is created to read:

125.51 **(4)** (br) 3. A reserve "Class B" license transferred to a municipality may be issued by that municipality as provided in par. (e) and shall be counted under par. (bm) 4., not par. (bm) 3.

SECTION 3432t. 125.51 (4) (e) of the statutes is created to read:

125.51 **(4)** (e) 1. If a municipality has issued a number of licenses equal to its quota, the municipality may make a request to any contiguous municipality that has not issued a number of licenses equal to the contiguous municipality's quota that the contiguous municipality transfer a license to the requesting municipality.

2. If the request under subd. 1. is granted, then upon payment of a nonrefundable transfer fee of $10,000 by the requesting municipality to the transferring municipality, the license is transferred.

3. A municipality may transfer or receive more than one license under this paragraph as long as each transfer meets the requirements of this paragraph. After transfer of a license under this paragraph, the municipality receiving the license may issue and renew the license in the same manner as other licenses that have not been so transferred. If a license transferred under this paragraph is a reserve "Class B"

license, it does not lose its character as a reserve "Class B" license because of the transfer. Upon reissuance of the reserve "Class B" license by the receiving municipality, the initial issuance fee under sub. (3) (e) 2. does not again apply.

4. Notwithstanding subds. 1. to 3., if a municipality has not issued any licenses, the municipality may not transfer any licenses under this paragraph.

SECTION 3432u. 125.51 (4) (v) 1. of the statutes is repealed.

SECTION 3432ur. 125.51 (4) (w) 5. of the statutes is created to read:

125.51 **(4)** (w) 5. Notwithstanding pars. (am) to (d) and s. 125.185 (5), the town of Wyoming in Iowa County may issue one "Class B" license in addition to the number of licenses determined for the town's quota under pars. (b) to (d). No "Class B" license may be issued under this subdivision after the first day of the 7th month beginning after the effective date of this subdivision .... [LRB inserts date]. If the "Class B" license issued under this subdivision is surrendered to the issuing town, not renewed, or revoked, the town may not reissue the license.

SECTION 3432ut. 125.51 (5) (d) 2. of the statutes is renumbered 125.51 (5) (d) 2. (intro.) and amended to read:

125.51 **(5)** (d) 2. (intro.) Upon application, the department shall issue a "Class B" permit to a tribe that holds a valid certificate issued under s. 73.03 (50) and that is qualified under s. 125.04 (5) and (6)~~.~~ <u>if any of the following applies:</u>

<u>2m.</u> The permit <u>under subd. 2.</u> authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass and not in the original package or container. The permit also authorizes the sale of intoxicating liquor in the original package or container, in multiples not to exceed 4 liters at any one time, to be consumed off the premises where sold, except that wine is not subject to the 4–liter limitation.

SECTION 3432vm. 125.51 (5) (d) 2. a. and b. of the statutes are created to read:

125.51 **(5)** (d) 2. a. The tribe held a "Class B" license that was not renewed or was suspended or revoked for grounds unrelated to the qualifications set forth in s. 125.04 (5) and (6) or to the sale of alcohol beverages at the licensed premises.

b. The tribe held a "Class B" license that was not renewed or was suspended or revoked for grounds related to the qualifications set forth in s. 125.04 (5) and (6) or to the sale of alcohol beverages at the licensed premises, and the nonrenewal, suspension, or revocation was reversed upon court review under s. 125.12 (2) (d).

SECTION 3432w. 125.53 (3) of the statutes is created to read:

125.53 **(3)** A winery holding a permit under this section may not hold a Class "B" license unless the Class "B" license was issued to the winery prior to the effective date of this subsection .... [LRB inserts date].

SECTION 3433. 125.68 (5) of the statutes is amended to read:

125.68 **(5)** RESTAURANT SANITATION RULES. No applicant may obtain a "Class B" license or permit or a "Class C" license unless the premises complies with the rules promulgated by the department of ~~health services~~ agriculture, trade and consumer protection governing sanitation in restaurants. However, the department of ~~health services~~ agriculture, trade and consumer protection may not restrict the serving of cheese without charge in individual portions to customers as permitted by s. ~~254.61 (5)~~ 97.01 (14g).

SECTION 3434. 126.56 (2) (b) of the statutes is amended to read:

126.56 **(2)** (b) A restaurant or other retail food establishment that procures processing vegetables solely for retail sale at the restaurant or other retail food establishment.

SECTION 3434c. 134.405 (2) of the statutes is amended to read:

134.405 **(2)** PURCHASES OF FERROUS SCRAP. ~~A~~ Except as provided in sub. (3m), a scrap metal dealer may purchase scrap metal other than nonferrous scrap, a metal article, or a proprietary article from any person over the age of 18.

SECTION 3434g. 134.405 (3) (a) (intro.) of the statutes is amended to read:

134.405 **(3)** (a) (intro.) Subject to par. (b) and except as provided in sub. (3m), a scrap dealer may purchase nonferrous scrap, metal articles, or proprietary articles from any person who is over the age of 18 if all of the following apply:

SECTION 3434n. 134.405 (3m) of the statutes is created to read:

134.405 **(3m)** MOTOR VEHICLES. Before a scrap metal dealer may acquire a motor vehicle for ferrous scrap, nonferrous scrap, metal articles, or proprietary articles, the dealer shall examine the certificate of title for the motor vehicle, or examine the title records of the department of transportation if the person transferring the motor vehicle is not in possession of the certificate of title, to determine whether there is any security interest in the motor vehicle. No scrap metal dealer may acquire a motor vehicle for ferrous scrap, nonferrous scrap, metal articles, or proprietary articles if the certificate of title for the motor vehicle identifies a holder of a security interest in the motor vehicle. A scrap metal dealer who demonstrates that the dealer has acted in accordance with this subsection is not liable for any damages incurred by a person who asserts a security interest in a motor vehicle and who is not named on the certificate of title of the vehicle.

SECTION 3434r. 134.405 (5) (a) (intro.) of the statutes is created to read:

134.405 **(5)** (a) (intro.) Except as provided in par. (am):

SECTION 3434w. 134.405 (5) (am) of the statutes is created to read:

134.405 **(5)** (am) A scrap metal dealer who knowingly violates sub. (3m) may be fined not more than $250 for a first offense, not more than $750 for a 2nd offense, and not more than $1,500 for a 3rd or subsequent offense.

SECTION 3443f. 138.14 (6) (b) 1. (intro.) of the statutes is amended to read:

138.14 **(6)** (b) 1. (intro.) ~~Except as provided in subd. 2., a~~ A licensee may conduct, and permit others to conduct, at the place of business specified in its license, one or more of the following businesses not subject to this section or a business providing any of the following services or any combination of these:

SECTION 3443h. 138.14 (6) (b) 1. a. of the statutes is amended to read:

138.14 **(6)** (b) 1. a. A currency exchange under s. 218.05, including providing those services commonly offered by a currency exchange.

SECTION 3443j. 138.14 (6) (b) 1. e. and f. of the statutes are created to read:

138.14 **(6)** (b) 1. e. The sale of insurance, annuities, and related products.

f. Any financial or consumer finance services subject to regulation by statute or rule.

SECTION 3443m. 138.14 (6) (b) 2. of the statutes is amended to read:

138.14 **(6)** (b) 2. A licensee may ~~not~~ sell merchandise ~~or~~ and conduct other business not included in subd. 1. at the place of business specified in the license ~~unless written authorization is granted to the licensee by the division~~ if the licensee holds any applicable license, permit, or other approval required by law to sell the merchandise or conduct the other business. Any business specified in subd. 1. a. to d. is subject to applicable licensing requirements under the provisions referenced in subd. 1. a. to d. and the provision of any service specified in subd. 1. e. and f. is subject to any applicable requirement related to obtaining a license, permit, or other approval before providing the service.

SECTION 3445m. 139.01 (2m) of the statutes is amended to read:

139.01 **(2m)** "Cider" means any alcoholic beverage that is obtained from the alcoholic fermentation of the juice of apples or pears and that contains not less than 0.5% alcohol by volume and not more than 7.0% alcohol by volume. "Cider" includes, but is not limited to, flavored, sparkling and carbonated cider.

SECTION 3445p. 139.32 (5) of the statutes is amended to read:

139.32 **(5)** Manufacturers, bonded direct marketers, and distributors who are authorized by the department to purchase tax stamps shall receive a discount of ~~0.7~~ 0.8 percent of the tax paid on stamp purchases.

SECTION 3459p. 145.17 (2) of the statutes is amended to read:

145.17 **(2)** The department shall prescribe rules as to the qualifications, examination and licensing of journeymen automatic fire sprinkler system fitters and automatic fire sprinkler contractors and for the registration and training of automatic fire sprinkler system apprentices. ~~The automatic fire sprinkler system contractors and journeymen council, created under s. 15.407 (17), shall advise the department in formulating the rules.~~

SECTION 3482m. 146.40 (1) (g) of the statutes is amended to read:

146.40 **(1)** (g) "Student nurse" means an individual who is currently enrolled in a school for professional nurses or a school for licensed practical nurses that meets standards established under s. 441.01 (4), or who has successfully completed the course work of a basic nursing course of the school but has not successfully completed the examination under s. ~~441.05~~ 441.06 (1) (e) or ~~441.10 (2)~~ 441.10 (1) (f).

SECTION 3483. 146.82 (1) of the statutes is amended to read:

146.82 **(1)** CONFIDENTIALITY. All patient health care records shall remain confidential. Patient health care records may be released only to the persons

designated in this section or to other persons with the informed consent of the patient or of a person authorized by the patient. This subsection does not prohibit reports made in compliance with s. 253.12 (2), 255.40, or 979.01; records generated ~~or~~ and disclosed to the controlled substances board pursuant to ~~rules promulgated under~~ s. ~~450.19~~ 961.385; testimony authorized under s. 905.04 (4) (h); or releases made for purposes of health care operations, as defined in 45 CFR 164.501, and as authorized under 45 CFR 164, subpart E.

SECTION 3483g. 146.89 (1) (d) 2. of the statutes is amended to read:

146.89 **(1)** (d) 2. A private school, as defined in s. 115.001 (3r), that participates in the choice program under s. 118.60 or the Milwaukee Parental Choice Program under s. 119.23 or that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119.

SECTION 3483r. 146.89 (1) (g) 1. of the statutes is amended to read:

146.89 **(1)** (g) 1. A public elementary school, including an elementary school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119.

SECTION 3483t. 146.98 (7) of the statutes is created to read:

146.98 **(7)** (a) Annually, the department of health services shall submit a report to the joint committee on finance containing all of the following information for the immediately preceding fiscal year:

1. The total amount of revenue collected from eligible ambulatory surgical centers under the assessment under this section.

2. The amount each eligible ambulatory surgical center paid under the assessment under this section. The department of health services may withhold the name of the ambulatory surgical center paying the assessment but shall specify the specialty of the center paying the assessment.

3. The total amount of money received by each managed care organization, if money was received, in Medical Assistance payment increases made in connection with the implementation of the assessment under this section.

4. The total amount each managed care organization under subd. 3. paid to ambulatory surgical centers.

5. The total amount of Medical Assistance payment increases made in connection with the implementation of the assessment paid to eligible ambulatory surgical centers on a fee–for–service basis under the assessment under this section.

(b) Upon request of the department of health services, the department of revenue shall provide to the department of health services any information in the possession of the department of revenue that is necessary for the department of health services to complete the report under par. (a).

SECTION 3484. 153.60 (intro.) and (1) of the statutes are consolidated, renumbered 153.60 and amended to read:

153.60 ~~Assessments to fund operations of department~~ <u>Department expenditure estimate</u>. Subject to s. 153.455: ~~**(1)** The~~, <u>the</u> department shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures under this subchapter for the department for that fiscal year for data collection, database development and maintenance, generation of data files and standard reports, orientation and training provided under s. 153.05 (9) (a) and contracting with the data organization under s. 153.05 (2r). ~~The department shall~~

~~assess the estimated total amount for that fiscal year, less the estimated total amount to be received for purposes of administration of this subchapter under s. 20.435 (1) (hi) during the fiscal year and the unencumbered balance of the amount received for purposes of administration of this subchapter under s. 20.435 (1) (hi) from the prior fiscal year, to health care providers, other than hospitals and ambulatory surgery centers, who are in a class of health care providers from whom the department collects data under this subchapter in a manner specified by the department by rule. The department shall work together with the department of safety and professional services to develop a mechanism for collecting assessments from health care providers other than hospitals and ambulatory surgery centers. No health care provider that is not a facility may be assessed under this subsection an amount that exceeds $75 per fiscal year. All payments of assessments shall be credited to the appropriation under s. 20.435 (1) (hg).~~

SECTION 3501. 165.055 (3) of the statutes is created to read:

165.055 **(3)** The attorney general may appoint, in the unclassified service, a solicitor general and no more than 3 deputy solicitors general, each of whom shall be an attorney at law licensed to practice in this state. The attorney general may assign assistant attorneys general to assist the solicitor general.

SECTION 3501p. 165.08 of the statutes is amended to read:

165.08 Power to compromise. Any civil action prosecuted by the department by direction of any officer, department, board or commission, shall be compromised or discontinued when so directed by such officer, department, board or commission. ~~Except as provided in s. 20.931 (7) (b), any~~ Any civil action prosecuted by the department on the initiative of the attorney general, or at the request of any individual may be compromised or discontinued with the approval of the governor.

In any criminal action prosecuted by the attorney general, the department shall have the same powers with reference to such action as are vested in district attorneys.

SECTION 3504c. 165.25 (11) of the statutes is repealed.

SECTION 3509. 165.755 (7) of the statutes is amended to read:

165.755 **(7)** All moneys collected from crime laboratories and drug law enforcement surcharges under this section shall be deposited by the secretary of administration and used as specified in ~~s.~~ ss. 20.455 (2) (jb), (kd), and (Lm) and 20.475 (1) (km).

SECTION 3512b. 165.85 (2) (c) of the statutes is amended to read:

165.85 **(2)** (c) "Law enforcement officer" means any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed to enforce. "Law enforcement officer" includes a university police officer, as defined in s. 175.42 (1) (b).

SECTION 3512d. 165.95 (3) (intro.) of the statutes is amended to read:

165.95 **(3)** (intro.) ~~A~~ Except as provided in sub. (3m), a county shall be eligible for a grant under sub. (2) if all of the following apply:

SECTION 3512r. 165.95 (3m) of the statutes is created to read:

165.95 **(3m)** (a) The department of justice may not find a county ineligible for a grant under sub. (2) because the county allows persons who have committed a 2nd violation of s. 346.63 (1) or (2m) or a local ordinance in conformity therewith to participate in its program.

(b) In determining whether a county that allows persons who have committed a 2nd violation of s. 346.63 (1) or (2m) or a local ordinance in conformity therewith

to participate in its program is eligible for a grant under sub. (2), the department of justice may not consider whether the county's program meets the criteria set forth in sub. (3) (b) or (d).

SECTION 3512v. 165.957 of the statutes is created to read:

165.957 Frequent testing for use of alcohol or a controlled substance; pilot program. (1) In this section:

(a) "Controlled substance" has the meaning given in s. 961.01 (4).

(b) "Testing" means a procedure for determining the presence and level of alcohol or a controlled substance in an individual's blood, breath, or urine, and includes any combination of the use of breath testing, drug patch testing, urinalysis, or continuous or transdermal alcohol monitoring.

(2) The department of justice may designate up to 5 counties to participate in a voluntary frequent sobriety testing program. If a county opts not to participate in the program, the department of justice may designate another county to replace it.

(3) The department of justice may, by rule, establish the following:

(a) A standard for frequent testing for the use of alcohol or a controlled substance that is an alternative to the testing described in sub. (4) (b) 1.

(b) A standard for setting fees that counties may collect under sub. (4) (d). The standard may include a component that allows the department of justice to recoup its costs under this section, and as provided in sub. (5) (a).

(c) A timeline and procedure for counties to submit to the department of justice the information required under sub. (6).

(4) Each frequent sobriety testing program shall meet all of the following criteria:

(a) The program limits participation to persons whose number of convictions under ss. 940.09 (1) and 940.25, plus the total number of suspensions, revocations, and other convictions counted under s. 343.307 (1) equals 2 or more, and to whom one of the following applies:

1. The person is ordered by a judge or by the department of corrections as a condition of probation or deferred prosecution, release to parole, or release to extended supervision, to refrain from using alcohol or a controlled substance, and whose participation in the program is ordered by the judge or by the department of corrections as a condition of probation, release to parole, or release to extended supervision.

2. The person agrees to refrain from using alcohol or a controlled substance while he or she is on probation, participating in a deferred prosecution agreement, or on parole or extended supervision and volunteers to participate in the program even though his or her participation is not ordered by a judge or by the department of corrections as a condition of probation or deferred prosecution or release to parole or to extended supervision.

(b) 1. Except as provided in subd. 2., the program requires participants to be tested for the use of alcohol at least twice daily, at approximately 12–hour intervals, or for the use of a controlled substance as frequently as practicable.

2. If the standard for frequent testing described in subd. 1. creates an unreasonable hardship for the county administering the program, the program may utilize the standard established by the department of justice under sub. (3) (a).

(c) The program informs a participant that, if he or she fails to appear for a scheduled test or if his or her test results indicate that the participant used alcohol or a controlled substance, he or she may be placed under immediate arrest and

referred to the department of corrections and to the appropriate prosecuting agency for violating a condition of his or her probation or deferred prosecution or of his or her release to parole or extended supervision.

(d) The program requires participants to pay a fee, except that a county may allow a participant to pay a reduced fee or no fee, subject to the participant's ability to pay. Each county may establish fees that are consistent with any standard established under sub. (3) (b) and that the county determines are sufficient to fund its frequent sobriety testing program. Except as provided in sub. (5), the county may retain the fees it collects pursuant to this paragraph to administer its program.

(5) (a) The department of justice may enter into an agreement with each designated county that requires the county to pay a portion of the fees the county collects under sub. (4) (d) to the department of justice to pay the actual costs of performing the analysis and reporting under sub. (7).

(b) The department of justice shall deposit in the state treasury for deposit into the general fund all moneys it collects under this subsection. These moneys shall be credited to the appropriation account under s. 20.455 (2) (gu).

(6) Each county that establishes a frequent sobriety testing program after being designated by the department of justice under sub. (2) shall, annually, provide the following information to the department of justice:

(a) The number of participants in the program.

(b) The costs associated with the program.

(c) The failure or dropout rate of participants.

(d) Other information requested by the department of justice.

(7) (a) Not later than June 30, 2016, the department of justice shall provide to the legislature under s. 13.172 (2) a list of counties it designated under sub. (2). For

each county it designates, the department of justice shall inform the legislature of the reasons it chose the county for participation. If the department of justice designated a county to replace a different county, the department of justice shall include that information in the report.

(b) Beginning January 15, 2017, and annually thereafter until January 15, 2021, the department of justice shall analyze the information it receives pursuant to sub. (6) and shall submit a report to the legislature under s. 13.172 (2). The report shall include all of the following information relating to the prior year's frequent sobriety testing programs:

1. A list of counties designated under sub. (2) that established a frequent sobriety testing program.

2. The number of participants in each county's frequent sobriety testing program.

3. A description of each county's frequent sobriety testing program.

4. The recidivism rates for participants in each county's frequent sobriety testing program.

(c) By January 15, 2021, the department of justice shall submit a final report to the legislature under s. 13.172 (2) that includes all of the information required under par. (b) and contains a recommendation as to whether the frequent sobriety testing programs should be continued, discontinued, or modified.

(8) The department of justice may use the emergency rules procedure under s. 227.24 to promulgate rules specified in sub. (3). Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the

public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this section.

(9) This section does not apply after June 30, 2021.

SECTION 3513g. 165.967 of the statutes is created to read:

165.967 Court appointed special advocates; grants. From the appropriation under s. 20.455 (5) (es), the department of justice shall in each fiscal year provide $80,000 to the Wisconsin Court Appointed Special Advocate Association.

SECTION 3513gb. 165.967 of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 3515b. 165.987 (1) of the statutes is amended to read:

165.987 **(1)** From the appropriations under s. 20.455 (2) ~~(cr) and~~ (kj), the department of justice shall allocate $500,000 in each fiscal year to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 3515d. 165.987 (3) of the statutes is amended to read:

165.987 **(3)** From the appropriations under s. 20.455 (2) ~~(cr) and~~ (kj) the department of justice shall allocate $150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, $150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, ~~$150,000 in each fiscal year to enter into a contract with an~~

~~organization that is located in ward 2 in the city of Racine to provide services in Racine County,~~ and $150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and from the appropriation under s. 20.455 (2) (kj), the department shall allocate $100,000 in each fiscal year to enter into a contract with an organization, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. ~~The organization that is located in ward 2 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats.~~ Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 3518. 169.01 (35) (a) of the statutes is amended to read:

169.01 **(35)** (a) A veterinarian who is licensed in this state to practice veterinary medicine under ch. ~~453~~ 89 and who is certified under rules promulgated by the department of agriculture, trade and consumer protection.

SECTION 3519. 173.05 (1) (b) of the statutes is amended to read:

173.05 **(1)** (b) A person to whom par. (a) applies who is a veterinarian licensed under ch. ~~453~~ 89 is not required to complete a course of training approved by the department if he or she takes an examination given by the department and passes the examination on the first attempt.

SECTION 3520. 173.41 (2) (e) of the statutes is amended to read:

173.41 **(2)** (e) A veterinarian licensed under ch. ~~453~~ 89 practicing in the normal course of veterinary business within the scope of the license is not required to obtain a license under this subsection.

SECTION 3521. 173.41 (12) (a) 4. of the statutes is amended to read:

173.41 **(12)** (a) 4. If persons sell or offer to sell dogs at the temporary dog market for 2 or more consecutive days, employ or contract with a veterinarian licensed under ch. ~~453~~ 89 to conduct an examination of the dogs offered for sale at the temporary dog market on each day on which dogs are offered for sale and to review the information provided under par. (b).

SECTION 3523p. 175.47 (5) (b) of the statutes is amended to read:

175.47 **(5)** (b) If the district attorney determines there is no basis to prosecute the law enforcement officer involved in the officer–involved death, the investigators conducting the investigation under sub. (3) (a) shall release the report, except that the investigators shall, before releasing the report, delete any information that would not be subject to disclosure pursuant to a request under s. 19.35 (1) (a).

SECTION 3524g. 182.71 (7) (b) of the statutes is amended to read:

182.71 **(7)** (b) If the company intends to acquire and overflow property, the commission shall approve the need to overflow the property. The department shall mark the height to which any dam may raise the water level by permanent monuments and bench marks, shall supervise and control the time and extent of the drawing of water from the reservoirs, except as provided in s. 31.02 (4d), and may compel the maintenance of all reservoirs established. The commission and the department may employ, at the expense of the company, hydraulic engineers and other persons to assist in obtaining information necessary to enforce this section. The cost of hiring the engineers shall be included as a part of the cost of construction

or maintenance and operation of the reservoir system. The department is subject to the restrictions under s. 31.02 (4d) in issuing, amending, or revising an order under this paragraph for a dam that meets the conditions under s. 31.02 (4d).

SECTION 3527d. 190.11 (1) of the statutes is amended to read:

190.11 **(1)** Every conveyance or lease, deed of trust, mortgage or satisfaction thereof made by any railroad corporation shall be executed and acknowledged in the manner in which conveyances of real estate by corporations are required to be to entitle the same to be recorded, and shall be filed with and maintained by the ~~department of financial institutions~~ office of the commissioner of railroads, which shall endorse thereon "filed" and the date of filing.

SECTION 3527f. 190.11 (3) of the statutes is amended to read:

190.11 **(3)** The ~~department of financial institutions~~ office of the commissioner of railroads shall collect a fee of $1 per page filed under sub. (1). All fees received under this subsection shall be credited to the appropriation account under s. 20.155 (2) (g).

SECTION 3527h. 190.11 (4) of the statutes is amended to read:

190.11 **(4)** The ~~department of financial institutions~~ office of the commissioner of railroads shall collect a fee at the rate under s. 77.22 and, on or before the 15th day of the month after the fee is collected, shall remit that fee to the department of administration for deposit in the general fund. Sections 77.21, 77.22 and 77.25 to 77.27 apply to the fee under this subsection.

SECTION 3527m. 192.32 (1) (c) of the statutes is created to read:

192.32 **(1)** (c) To prevent any person from walking directly across the tracks or right–of–way of any railroad.

SECTION 3528. 194.01 (11) of the statutes is amended to read:

194.01 **(11)** "Private motor carrier" means any person ~~except a common or contract motor carrier engaged in the~~ who provides transportation of property or passengers by commercial motor vehicle ~~other than an automobile or trailer used therewith, upon the public highways~~, as defined in 49 CFR 390.5, and is not a for–hire motor carrier.

SECTION 3528g. 196.02 (5) of the statutes is amended to read:

196.02 **(5)** INSPECT BOOKS. The commission, the chairperson of the commission, or any commissioner or any person employed by the commission for that purpose may, upon demand, inspect the books, accounts, papers, records and memoranda of any public utility, and examine under oath any officer, agent or employee of the public utility in relation to its business and affairs. Any person, other than the chairperson or one of the commissioners, who makes a demand shall produce his or her authority to make the inspection.

SECTION 3528k. 196.03 (3) (b) 2. b. of the statutes is amended to read:

196.03 **(3)** (b) 2. b. The person owns land that is located in the city, village or town and in an area in which the municipal utility has an obligation to provide water for public fire protection. If the person owns 2 or more parcels that are adjacent to each other or divided only by a roadway or brook, creek, river, or stream, the municipality may bill the person for only one parcel.

SECTION 3528m. 196.203 (4m) (a) of the statutes is amended to read:

196.203 **(4m)** (a) The commission may impose s. 196.02 (1), (4), or (5), 196.04, 196.135, 196.14, 196.197, 196.199, 196.207, 196.208, 196.209, 196.218, 196.219 (1), (2) (b), (c), or (d), (2r), or (3) (a), (d), (j), (m), (n), or (o), 196.25, 196.26, 196.39, 196.395, 196.40, 196.41, 196.43, 196.44, 196.65, 196.66, ~~196.81,~~ 196.85, 196.858, or 196.859 on an alternative telecommunications utility.

SECTION 3582r. 196.209 (5) of the statutes is repealed.

SECTION 3528t. 196.218 (1) (a) of the statutes is amended to read:

196.218 **(1)** (a) "Essential telecommunications services" means the services or functionalities listed in 47 CFR 54.101 (a) ~~as of January 1, 2010~~.

SECTION 3529c. 196.218 (3) (a) 3. b. of the statutes is amended to read:

196.218 **(3)** (a) 3. b. The amounts appropriated under ss. 20.255 (1) (q) and (3) (q), (qm), and (r), ~~20.285 (1) (q),~~ and 20.505 (4) (s), (t), (tm), (tu), and (tw).

SECTION 3532. 196.218 (5) (a) 10. of the statutes is created to read:

196.218 **(5)** (a) 10. To make broadband expansion grants under s. 196.504.

SECTION 3532c. 196.218 (5) (a) 12. of the statutes is created to read:

196.218 **(5)** (a) 12. To make grants under ss. 16.994 and 16.996.

SECTION 3532d. 196.218 (5) (a) 12. of the statutes, as created by 2015 Wisconsin Act .... (this act), is amended to read:

196.218 **(5)** (a) 12. To make grants under ~~ss. 16.994 and~~ s. 16.996.

SECTION 3532f. 196.218 (5) (a) 14. of the statutes is created to read:

196.218 **(5)** (a) 14. To provide funding for online courses made available under s. 115.28 (53) and for the delivery of digital content and collaborative instruction under s. 115.28 (54).

SECTION 3532k. 196.31 (1) (intro.) of the statutes is amended to read:

196.31 **(1)** (intro.) ~~In~~ Except as provided in sub. (1m), in any proceeding before the commission, the commission shall compensate any participant in the proceeding who is not a public utility, for some or all of the reasonable costs of participation in the proceeding if the commission finds that:

SECTION 3532m. 196.31 (1m) of the statutes is amended to read:

196.31 **(1m)** The commission shall compensate ~~any~~ a consumer group or consumer representative under sub. (1) for ~~all~~ 50% of the reasonable costs of participating in a ~~hearing under s. 196.198~~ proceeding.

SECTION 3532n. 196.31 (2m) of the statutes is repealed.

SECTION 3535t. 196.504 (1) (am) of the statutes is created to read:

196.504 **(1)** (am) "Scalable" means, with respect to a project for a broadband network, that the broadband network has the ability to maintain the quality of its service while increasing parameters relating to the size of the network, such as the number of users, the number of network nodes, the number of services provided, or the network's geographic spread.

SECTION 3536m. 196.504 (2) (a) of the statutes is amended to read:

196.504 **(2)** (a) To make broadband expansion grants to eligible applicants for the purpose of constructing broadband infrastructure in underserved areas designated under par. (d). Grants awarded under this section shall be paid from the appropriation under s. 20.155 (3) ~~(g)~~ (r). In each fiscal year, the total amount of the grants may not exceed $1,500,000.

SECTION 3537. 196.504 (2) (c) of the statutes is amended to read:

196.504 **(2)** (c) To establish criteria for evaluating applications and awarding grants under this section. The criteria shall prohibit grants that have the effect of subsidizing the expenses of a telecommunication provider or the monthly bills of telecommunications customers. The criteria shall give priority to projects that include matching funds, that involve public–private partnerships, that affect areas with no broadband service providers, that are scalable, or that affect a large geographic area or a large number of underserved individuals or communities.

SECTION 3537am. 196.65 (1) (e) of the statutes is amended to read:

196.65 **(1)** (e) Upon proper demand, fails or refuses to exhibit to the commission, the chairperson of the commission, or any commissioner or any person authorized to examine it any record of the public utility which is in the possession or under the control of the officer, agent or employee.

SECTION 3537b. 200.09 (1) of the statutes is renumbered 200.09 (1) (a) and amended to read:

200.09 **(1)** (a) ~~A~~ Except as provided in par. (b), a district formed under this subchapter shall be governed by a 5–member commission appointed for staggered 5–year terms. Except as provided in par. (b) and sub. (11), commissioners shall be appointed by the county board of the county in which the district is located. ~~If~~ Except as provided in par. (b), if the district contains territory of more than one county, the county boards of the counties not having the greatest population in the district shall appoint one commissioner each and the county board of the county having the greatest population in the district shall appoint the remainder. Of the initial appointments under this paragraph, the appointments for the shortest terms shall be made by the counties having the least amount of population, in reverse order of their population included in the district. Commissioners shall be residents of the district. Initial appointments shall be made no sooner than 60 days and no later than 90 days after issuance of the department order forming a district or after completion of any court proceedings challenging such order.

SECTION 3537e. 200.09 (1) (b) of the statutes is created to read:

200.09 **(1)** (b) A district that contains a 2nd class city with a population of 200,000 or more shall be governed by a 9–member commission appointed for staggered 3–year terms. The mayor of the 2nd class city shall appoint 5 individuals as members of the commission. An executive council composed of the elected

executive officers of each city and village that is wholly or partly within the boundaries of the district, except the 2nd class city, shall appoint 3 members of the commission by a majority vote of the members of the executive council. An executive council composed of the elected executive officers of each town that is wholly or partly within the boundaries of the district shall appoint one member of the commission by a majority vote of the members of the executive council.

SECTION 3537h. 200.09 (3m) of the statutes is created to read:

200.09 **(3m)** All actions of a commission under sub. (1) (b) shall be approved by a majority vote of the members present, except that the following actions require the affirmative vote of three–fourths of the members who are entitled to a seat on the commission:

(a) Any policy, rule, regulation, ordinance, rate, or charging structure that does not by its terms apply uniformly to all geographical areas of the district.

(b) Any change in the methods in effect on May 1, 2015, that are used to finance capital projects or to finance operations of the district.

SECTION 3537L. 200.15 (1) of the statutes is renumbered 200.15 (1) (a) (intro.) and amended to read:

200.15 **(1)** (a) (intro.) ~~Territory outside the district which becomes annexed for municipal purposes to a city or village, or is added to a town sanitary district under s. 60.785 (1), which, prior to the annexation or addition, is located entirely within the original district may be added to the district~~ Except as provided in par. (b), upon receipt by the commission, and the regional planning commission of the region within which the district or the greatest portion of the district is located, of official notice from the city ~~or~~, village ~~that the municipal annexation has occurred~~, or ~~from the~~ town sanitary district ~~that the addition has occurred, except that such territory~~

~~shall be added under sub. (2) if, within 30 days after receipt of such notice, that regional planning commission files with the commission a written objection to any part of the annexation or addition or the commission issues a written determination disapproving the addition of the territory under this subsection.~~ for any of the following territories:

(c) Failure of the commission to disapprove the addition of the territory under this subsection is subject to review under ch. 227.

SECTION 3537p. 200.15 (1) (a) 1. of the statutes is created to read:

200.15 **(1)** (a) 1. Territory that is annexed to a city or village that is located entirely within the original district prior to the annexation.

SECTION 3537r. 200.15 (1) (a) 2. of the statutes is created to read:

200.15 **(1)** (a) 2. Territory that is added to a town sanitary district under s. 60.785 (1) that is located entirely within the original district prior to the addition.

SECTION 3537u. 200.15 (1) (a) 3. of the statutes is created to read:

200.15 **(1)** (a) 3. Territory that is annexed or attached to a city or village or added to a town sanitary district under s. 60.785 (1) if a portion of the city, village, or town sanitary district is located within a district that contains a 2nd class city with a population of 200,000 or more.

SECTION 3537y. 200.15 (1) (b) of the statutes is created to read:

200.15 **(1)** (b) If, within 30 days after receipt of a notice under par. (a), the regional planning commission files with the commission a written objection to any part of the annexation or addition or the commission issues a written determination disapproving the addition of the territory, the territory proposed to be added or annexed under this subsection may be added or annexed only under sub. (2).

SECTION 3564b. 218.20 (1r) of the statutes is amended to read:

218.20 **(1r)** "Motor vehicle salvage dealer" means a person who purchases and resells motor vehicles for wrecking, processing, scrapping, recycling, or dismantling purposes or who carries on or conducts the business of wrecking, processing, scrapping, or dismantling motor vehicles or selling parts of motor vehicles so processed. Motor vehicle salvage dealer includes a motor vehicle scavenger.

SECTION 3564e. 218.20 (1t) of the statutes is created to read:

218.20 **(1t)** "Motor vehicle scavenger" means a person who carries on or conducts the business of purchasing motor vehicles and reselling the vehicles to a motor vehicle salvage dealer or scrap metal processor.

SECTION 3564h. 218.23 (title) of the statutes is amended to read:

218.23 (title) **Licensee to maintain records; purchase and sale of vehicles by licensee.**

SECTION 3564L. 218.23 (1d) of the statutes is created to read:

218.23 **(1d)** No motor vehicle scavenger may acquire a motor vehicle by a bill of sale for the purpose of wrecking or junking the motor vehicle.

SECTION 3564p. 218.23 (1g) of the statutes is created to read:

218.23 **(1g)** Before a licensed motor vehicle salvage dealer may acquire a motor vehicle for the purpose of wrecking or junking the motor vehicle, the dealer shall examine the certificate of title for the motor vehicle, or examine the title records of the department if the person transferring the motor vehicle is not in possession of the certificate of title, to determine whether there is any security interest in the motor vehicle. A licensed motor vehicle salvage dealer who demonstrates that the dealer has acted in accordance with this subsection is not liable for any damages incurred by a person who asserts a security interest in a motor vehicle and who is not named on the certificate of title of the vehicle.

SECTION 3564r. 218.23 (1r) of the statutes is created to read:

218.23 **(1r)** No licensed motor vehicle salvage dealer may acquire a motor vehicle for the purpose of wrecking or junking the motor vehicle if the certificate of title for the motor vehicle identifies a holder of a security interest in the motor vehicle.

SECTION 3564u. 218.23 (3) of the statutes is renumbered 218.23 (3) (a) and amended to read:

218.23 **(3)** (a) Any person violating ~~this section~~ sub. (1) or (2) may be fined not less than $25 nor more than $200 or imprisoned not more than 60 days or both.

SECTION 3564y. 218.23 (3) (b) of the statutes is created to read:

218.23 **(3)** (b) Any person knowingly violating sub. (1d), (1g), or (1r) may be fined not more than $250 for a first offense, not more than $750 for a 2nd offense, and not more than $1,500 for a 3rd or subsequent offense. Each day on which a licensed motor vehicle salvage dealer knowingly violates sub. (1g) or (1r) constitutes a separate offense.

SECTION 3570. 224.30 (5) of the statutes is created to read:

224.30 **(5)** ELECTRONIC FILING. (a) In this subsection, "filing" means the submission to the department of any form, instrument, application, report, notice, or other information required or permitted to be submitted to the department for retention in the department's records.

(b) Subject to par. (c), the department may require any filing to be made electronically in a manner prescribed by the department. Subject to par. (c), if the department requires that a filing be made electronically, the department may require that any fee associated with the filing be paid using a suitable method prescribed by the department.

(c) The department may waive any requirement imposed under par. (b) if all of the following apply:

1. The person affected by the requirement makes a written request to the department, in a manner prescribed by the department, that the requirement be waived and clearly states in the request why the requirement causes the person undue hardship.

2. The department determines, in its discretion, that the requirement, if imposed on the person, would cause the person undue hardship.

SECTION 3578. 227.01 (13) (Ln) of the statutes is repealed.

SECTION 3578p. 227.01 (13) (Lp) of the statutes is created to read:

227.01 **(13)** (Lp) Is a policy related to procurement developed under s. 36.11 (56m) (b).

SECTION 3580m. 227.01 (13) (xm) of the statutes is created to read:

227.01 **(13)** (xm) Establishes camping fees within the fee limits specified under s. 27.01 (10) (d) 1. or 2.

SECTION 3581m. 227.01 (13) (zr) of the statutes is created to read:

227.01 **(13)** (zr) Relates to the administration or implementation of a cooperative agreement under s. 28.15.

SECTION 3584. 227.03 (4) of the statutes is amended to read:

227.03 **(4)** The provisions of this chapter relating to contested cases do not apply to proceedings involving the revocation of <u>community supervision or</u> aftercare supervision under s. 938.357 (5), the revocation of parole, extended supervision, or probation, the grant of probation, prison discipline, mandatory release under s. 302.11, or any other proceeding involving the care and treatment of a resident or an inmate of a correctional institution.

SECTION 3585. 227.10 (3) (e) of the statutes is amended to read:

227.10 **(3)** (e) Nothing in this subsection prohibits the ~~administrator~~ director of the ~~division~~ bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration from promulgating rules relating to expanded certification under s. 230.25 (1n).

SECTION 3587. 227.43 (1) (bm) of the statutes is created to read:

227.43 **(1)** (bm) Assign a hearing examiner to preside over any hearing or review of a worker's compensation claim or other dispute under ch. 102.

SECTION 3588d. 227.43 (2) (am) of the statutes is created to read:

227.43 **(2)** (am) The department of workforce development shall notify the division of hearings and appeals of every pending hearing to which the administrator of the division is required to assign a hearing examiner under sub. (1) (bm) after the department of workforce development is notified that a hearing on the matter is required.

SECTION 3589. 227.43 (3) (a) of the statutes is amended to read:

227.43 **(3)** (a) The administrator of the division of hearings and appeals may set the fees to be charged for any services rendered to the department of natural resources by a hearing examiner under this section. The fee shall cover the total cost of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f)~~.

SECTION 3590. 227.43 (3) (b) of the statutes is amended to read:

227.43 **(3)** (b) The administrator of the division of hearings and appeals may set the fees to be charged for any services rendered to the department of transportation by a hearing examiner under this section. The fee shall cover the total cost of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f)~~.

SECTION 3591d. 227.43 (3) (bm) of the statutes is created to read:

227.43 **(3)** (bm) The administrator of the division of hearings and appeals may set the fees to be charged for any services rendered to the department of workforce development by a hearing examiner under this section. The fee shall cover the total cost of the services.

SECTION 3592. 227.43 (3) (br) of the statutes is amended to read:

227.43 **(3)** (br) The administrator of the division of hearings and appeals may set the fees to be charged for any services rendered to the department of public instruction by a hearing examiner under this section. The fee shall cover the total cost of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f)~~.

SECTION 3594d. 227.43 (4) (bm) of the statutes is created to read:

227.43 **(4)** (bm) The department of workforce development shall pay all costs of the services of a hearing examiner assigned under sub. (1) (bm), according to the fees set under sub. (3) (bm).

SECTION 3596. 227.47 (2) of the statutes is amended to read:

227.47 **(2)** Except as otherwise provided in this subsection, a proposed or final decision of the employment relations commission, hearing examiner or arbitrator concerning an appeal of the decision of the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration made under s. 230.09 (2) (a) or (d) shall not be accompanied by findings of fact or conclusions of law. If within 30 days after the commission issues a decision in such an appeal either party files a petition for judicial review of the decision under s. 227.53 and files a written notice with the commission that the party has filed such a petition, the commission shall issue written findings of fact and conclusions of law within 90 days after receipt of the notice. The court shall stay the proceedings pending receipt of the findings and conclusions.

SECTION 3596m. 227.50 (1) (am) 4. of the statutes is amended to read:

227.50 **(1)** (am) 4. In a contested case before the public service commission, an ex parte communication by or to any official or employee of the commission other than the hearing examiner, the chairperson, or a commissioner.

SECTION 3623. 230.02 of the statutes is amended to read:

230.02 Liberal construction of statutes. Statutes applicable to the ~~office~~ division and bureau shall be construed liberally in aid of the purposes declared in s. 230.01.

SECTION 3626. 230.03 (5) of the statutes is created to read:

230.03 **(5)** "Bureau" means the bureau of merit recruitment and selection in the division.

SECTION 3628. 230.03 (9e) of the statutes is amended to read:

230.03 **(9e)** "Director" means the director of the ~~office~~ bureau.

SECTION 3629. 230.03 (10) of the statutes is amended to read:

230.03 **(10)** "Division" means the division of ~~merit recruitment and selection in the office~~ personnel management in the department of administration.

SECTION 3630. 230.03 (10w) of the statutes is repealed.

SECTION 3631. 230.04 (title) of the statutes is amended to read:

230.04 (title) **Powers and duties of the ~~director~~ administrator.**

SECTION 3632. 230.04 (1) of the statutes is amended to read:

230.04 **(1)** The ~~director~~ administrator is charged with the effective administration of this chapter. All powers and duties, necessary to that end, which are not exclusively vested by statute in the commission, the division of equal rights, the ~~administrator~~ director or appointing authorities, are reserved to the ~~director~~ administrator.

SECTION 3633. 230.04 (1m) of the statutes is amended to read:

230.04 **(1m)** The ~~director~~ administrator may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the ~~director~~ administrator finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the ~~director~~ administrator determines that any agency is not performing such delegated function within prescribed standards, the ~~director~~ administrator shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the ~~director~~ administrator may order transferred to the ~~office~~ division from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the ~~office~~ division reduced staff or shifted staff to new responsibilities as a result of such delegation. Any delegatory action taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be appealed to the commission under s. 230.44 (1) (b). The ~~director~~ administrator shall be a party in such an appeal.

SECTION 3634. 230.04 (2) of the statutes is amended to read:

230.04 **(2)** The ~~director~~ administrator may utilize the services of technical or specialized personnel to assist in implementing and maintaining a sound personnel management program. These services may be obtained from persons inside or outside of state service.

SECTION 3635. 230.04 (3) of the statutes is amended to read:

230.04 **(3)** The ~~director~~ administrator may issue enforceable orders on all matters relating to the administration, enforcement and effect of this chapter and

the rules prescribed thereunder except on matters relating to the provisions of subch. III or to those provisions of subch. II for which responsibility is specifically charged to the ~~administrator~~ director.

SECTION 3636. 230.04 (4) of the statutes is amended to read:

230.04 **(4)** The ~~director~~ administrator shall establish and maintain a collective bargaining capability under s. 111.815 (2).

SECTION 3637. 230.04 (5) of the statutes is amended to read:

230.04 **(5)** The ~~director~~ administrator shall promulgate rules on all matters relating to the administration of the ~~office~~ division and the performance of the duties assigned to the ~~director~~ administrator, except on matters relating to those provisions of subch. II for which responsibility is specifically charged to the ~~administrator~~ director.

SECTION 3638. 230.04 (8) of the statutes is amended to read:

230.04 **(8)** The ~~director~~ administrator shall establish an employee performance evaluation program under s. 230.37 (1).

SECTION 3639. 230.04 (9) (intro.) of the statutes is amended to read:

230.04 **(9)** (intro.) The ~~director~~ administrator shall do all of the following:

SECTION 3640. 230.04 (9) (f) of the statutes is amended to read:

230.04 **(9)** (f) Establish an affirmative action subunit. The affirmative action subunit shall advise and assist the director, the administrator, and agency heads on establishing policies and programs to ensure appropriate affirmative action. The subunit shall advise and assist the ~~director~~ administrator in monitoring such programs and shall provide staff to the council on affirmative action.

SECTION 3641. 230.04 (9m) of the statutes is amended to read:

230.04 **(9m)** The ~~director~~ administrator shall conduct periodic reviews and evaluations of the written records of hiring decisions made by appointing authorities under ss. 230.21 (1m), 230.25 (1p) and 230.27 (2k).

SECTION 3642. 230.04 (9r) (b) (intro.) of the statutes is amended to read:

230.04 **(9r)** (b) (intro.) The ~~director~~ administrator shall keep a record of all of the following:

SECTION 3643. 230.04 (10) of the statutes is amended to read:

230.04 **(10)** (a) The ~~director~~ administrator may require all agencies and their officers to comply with the ~~director's~~ administrator's request to furnish current information pertaining to authorized positions, payroll and related items regarding civil service and employment relations functions.

(b) The ~~director~~ administrator shall request from each agency and each agency shall furnish to the ~~director~~ administrator relevant racial, ethnic, gender and disability information on every new employee hired by the agency including limited term, project, seasonal and sessional employees. The ~~director~~ administrator shall maintain the data to permit a periodic review of the agency's affirmative action plan accomplishments.

(c) The ~~director~~ administrator shall request from each agency and each agency shall furnish to the ~~director~~ administrator relevant information regarding the prior military service, if any, of every new employee hired by the agency including limited term, project, seasonal and sessional employees. The ~~director~~ administrator shall maintain the data to permit a periodic review of the progress being made to provide employment opportunities in civil service for veterans and disabled veterans.

SECTION 3644. 230.04 (11) of the statutes is amended to read:

230.04 **(11)** The ~~director~~ administrator may provide by rule for an understudy program to assure continuity in selected positions.

SECTION 3645. 230.04 (12) of the statutes is amended to read:

230.04 **(12)** The ~~director~~ administrator shall keep in the ~~office~~ division an official roster of all permanent classified employees which shall include classification titles, pay and employment status changes and appropriate dates thereof.

SECTION 3646. 230.04 (13) (intro.) of the statutes is amended to read:

230.04 **(13)** (intro.) The ~~director~~ administrator shall do all of the following:

SECTION 3647. 230.04 (14) of the statutes is amended to read:

230.04 **(14)** The ~~director~~ administrator shall establish, by rule, the scope and minimum requirements of a state employee grievance procedure relating to conditions of employment.

SECTION 3648. 230.04 (15) of the statutes is amended to read:

230.04 **(15)** The ~~director~~ administrator shall review and either approve or disapprove each determination by an agency head regarding the classification of a state employee as a protective occupation participant for purposes of the Wisconsin retirement system.

SECTION 3649. 230.04 (16) of the statutes is repealed.

SECTION 3650. 230.04 (17) of the statutes is amended to read:

230.04 **(17)** The ~~director~~ administrator shall resolve any dispute raised by a complaint filed under s. 321.64 (1) (c).

SECTION 3651. 230.04 (18) of the statutes is amended to read:

230.04 **(18)** The ~~director~~ administrator may provide any services and materials to agencies and may charge the agencies for providing the services and materials. The ~~director~~ administrator shall establish a methodology for determining the costs

of services and materials charged to state agencies under this subsection. All moneys received from the charges shall be deposited in the appropriation account under s. ~~20.545 (1) (k)~~ 20.505 (1) (kz).

SECTION 3652. 230.046 (5) (c) of the statutes is amended to read:

230.046 **(5)** (c) An agreement has been entered into by the trainee and the appointing authority relative to employment with the state, together with such other terms and conditions as may be necessary under the rules of the ~~director~~ administrator whenever on–the–job trainees are employed; and

SECTION 3653. 230.046 (7) of the statutes is amended to read:

230.046 **(7)** ESTABLISH INTERNSHIPS. The ~~director~~ administrator shall establish in the classified service in–service training internships designed to give rigorous training in public service administration for periods not to exceed 3 years under the direct supervision of experienced administrators.

SECTION 3654. 230.046 (8) of the statutes is amended to read:

230.046 **(8)** COOPERATE FOR SCHOLARSHIP LOANS. To stimulate the interest of qualified students of exceptional merit in government career service, the ~~director~~ administrator shall cooperate with the board of regents of the University of Wisconsin System in providing opportunities for recipients of public service scholarship loans to secure employment under the internship plan.

SECTION 3656. 230.046 (9) of the statutes is amended to read:

230.046 **(9)** TUITION REFUND PROGRAM. The ~~director~~ administrator may establish by rule in the classified service a tuition refund program to supplement departmental training, to encourage employee job–related development and, upon satisfactory completion of training under this program to refund to the employee, an amount not to exceed the cost of tuition and necessary fees.

SECTION 3657. 230.046 (10) (intro.) of the statutes is amended to read:

230.046 **(10)** FUNCTIONS OF THE ~~OFFICE~~ DIVISION. (intro.) The ~~office~~ division may do all of the following:

SECTION 3658. 230.047 (8) of the statutes is amended to read:

230.047 **(8)** ADMINISTRATION. The ~~director~~ administrator shall promulgate rules for the operation and implementation of this section. The rules shall prescribe the duration, terms and conditions of such interchange.

SECTION 3659. 230.05 of the statutes is amended to read:

230.05 Powers and duties of the ~~administrator~~ director. (1) All powers necessary for the effective administration of the duties specified for the ~~administrator~~ director under this subchapter are reserved to the ~~administrator~~ director.

(2) (a) Except as provided under par. (b), the ~~administrator~~ director may delegate, in writing, any of his or her functions set forth in this subchapter to an appointing authority, within prescribed standards if the ~~administrator~~ director finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the ~~administrator~~ director determines that any agency is not performing such delegated function within prescribed standards, the ~~administrator~~ director shall withdraw such delegated function. The ~~administrator~~ director may order transfer to the ~~division~~ bureau from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the ~~division~~ bureau reduced staff or shifted staff to new responsibilities as a result of such delegation subject to the approval of the

joint committee on finance. Any delegatory action taken under this subsection by any appointing authority may be appealed to the commission under s. 230.44 (1) (a). The ~~administrator~~ director shall be a party in such appeal.

(b) The ~~administrator~~ director is prohibited from delegating any of his or her final responsibility for the monitoring and oversight of the merit recruitment and selection program under this subchapter.

(3) The ~~administrator~~ director may utilize the services of technical or specialized personnel to assist in implementing and maintaining a sound merit recruitment and selection program. These services may be obtained from persons within or without state service.

(4) The ~~administrator~~ director may issue enforceable orders on all matters relating to the administration, enforcement and effect of the provisions of this subchapter for which responsibility is specifically charged to the ~~administrator~~ director and the rules prescribed thereunder. Any action brought against the appointing authority for failure to comply with the order of the ~~administrator~~ director shall be brought and served within 60 days after the date on which the ~~administrator's~~ director's order was issued. Such orders may be appealed to the commission under s. 230.44 (1) (a).

(5) The ~~administrator~~ director shall promulgate rules for the effective operation of the provisions of this subchapter for which responsibility is specifically charged to the ~~administrator~~ director. Notice of the contents of such rules and any modifications thereof shall be given to appointing authorities affected thereby, and such rules and modifications shall also be printed for public distribution.

(6) The ~~administrator~~ director may seek the prior advice and counsel of agency heads in the formulation of policies and procedures concerning the duties specified for the ~~administrator~~ director under this subchapter.

(7) The ~~administrator~~ director shall use techniques and procedures designed to certify eligible applicants to any vacant permanent position within 45 days after the filing of an appropriate request by an appointing authority.

(8) The ~~administrator~~ director may provide any personnel services to nonstate governmental units and may charge the nonstate governmental units for providing the services.

(9) The ~~administrator~~ director may provide any services and materials to agencies and may charge the agencies for providing the services and materials. All moneys received from the charges shall be deposited in the appropriation account under s. ~~20.545 (1) (k)~~ 20.505 (1) (kz).

SECTION 3660. 230.06 (1) (f) of the statutes is amended to read:

230.06 **(1)** (f) Provide the ~~director~~ administrator with the civil service information required under s. 16.004 (7).

SECTION 3661. 230.06 (1) (g) of the statutes is amended to read:

230.06 **(1)** (g) Prepare an affirmative action plan which complies with the standards established by the ~~director~~ administrator under s. 230.04 (9) (a) and which sets goals and outlines steps for incorporating affirmative action and principles supporting affirmative action into the procedures and policies of his or her agency.

SECTION 3662. 230.06 (1) (L) of the statutes is amended to read:

230.06 **(1)** (L) Provide information about the employment of each severely disabled employee for the ~~director's~~ administrator's report under s. 230.04 (9r)

within 30 days after the disabled employee is appointed, and at other times at the request of the ~~director~~ administrator.

SECTION 3663. 230.08 (2) (e) 2m. of the statutes is amended to read:

230.08 **(2)** (e) 2m. Children and families — ~~8~~ 9.

SECTION 3665r. 230.08 (2) (e) 5. of the statutes is amended to read:

230.08 **(2)** (e) 5. Health services — ~~10~~ 9.

SECTION 3665s. 230.08 (2) (e) 5. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

230.08 **(2)** (e) 5. Health services — ~~9~~ 8.

SECTION 3667. 230.08 (2) (e) 8j. of the statutes is repealed.

SECTION 3668. 230.08 (2) (e) 9m. of the statutes is amended to read:

230.08 **(2)** (e) 9m. Public service commission — ~~8~~ 7.

SECTION 3670. 230.08 (2) (g) of the statutes is amended to read:

230.08 **(2)** (g) One stenographer appointed by each elective executive officer, except the secretary of state and the state treasurer; and one deputy or assistant appointed by each elective executive officer, except the state treasurer, secretary of state, attorney general, and superintendent of public instruction.

SECTION 3670m. 230.08 (2) (mL) of the statutes is amended to read:

230.08 **(2)** (mL) One executive assistant of the chairperson and each commissioner of the public service commission, created under s. 15.79 (1).

SECTION 3671. 230.08 (2) (sb) of the statutes is created to read:

230.08 **(2)** (sb) Solicitor general and deputy solicitor general positions in the department of justice.

SECTION 3673m. 230.08 (2) (xc) of the statutes is created to read:

230.08 **(2)** (xc) The general counsel for the labor and industry review commission.

SECTION 3674. 230.08 (2) (xr) of the statutes is created to read:

230.08 **(2)** (xr) The administrator of the division of personnel management and the director of the bureau of merit recruitment and selection in the department of administration.

SECTION 3675. 230.08 (2) (ya) of the statutes is repealed.

SECTION 3677. 230.08 (4) (c) of the statutes is amended to read:

230.08 **(4)** (c) Any proposal of a board, department or commission, as defined in par. (a) and s. 15.01 (5), or of the historical society, for a change in the number of positions enumerated in sub. (2) (e), before being submitted to the legislature, shall first be submitted by the board, department or commission or by the historical society for a separate review by the secretary of administration and by the ~~director~~ administrator. The secretary of administration's review shall include information on the appropriateness of the proposed change with regard to a board's, department's, commission's or society's current or proposed internal organizational structure under s. 15.02 (4). The ~~director's~~ administrator's review shall include information on whether the existing classified or existing or proposed unclassified division administrator position involved is or would be assigned to pay range 1–18 or above in schedule 1, or a comparable level, of the compensation plan under s. 230.12. The results of these reviews shall be provided by the secretary of administration and by the ~~director~~ administrator to the joint committee on finance and the joint committee on employment relations at the same time that the board's, department's, commission's or society's proposal is presented to either committee.

SECTION 3678. 230.08 (7) of the statutes is amended to read:

230.08 **(7)** EXCEPTIONAL EMPLOYMENT SITUATIONS. The ~~administrator~~ director shall provide, by rule, for exceptional methods and kinds of employment to meet the needs of the service during periods of disaster or national emergency, and for other exceptional employment situations such as to employ the mentally disabled, the physically disabled and the disadvantaged.

SECTION 3679. 230.08 (8) of the statutes is amended to read:

230.08 **(8)** AUDITING OF PAYROLLS. The ~~director~~ administrator shall audit the payrolls of the classified and unclassified service, as necessary, to carry out this subchapter.

SECTION 3680. 230.09 (1) (intro.) of the statutes is amended to read:

230.09 **(1)** (intro.) The ~~director~~ administrator shall ascertain and record the duties, responsibilities and authorities of, and establish grade levels and classifications for, all positions in the classified service. Each classification so established shall include all positions which are comparable with respect to authority, responsibility and nature of work required. Each classification shall be established to include as many positions as are reasonable and practicable. In addition, each class shall:

SECTION 3681. 230.09 (2) (a) of the statutes is amended to read:

230.09 **(2)** (a) After consultation with the appointing authorities, the ~~director~~ administrator shall allocate each position in the classified service to an appropriate class on the basis of its duties, authority, responsibilities or other factors recognized in the job evaluation process. The ~~director~~ administrator may reclassify or reallocate positions on the same basis.

SECTION 3682. 230.09 (2) (am) of the statutes is amended to read:

230.09 **(2)** (am) The ~~director~~ administrator shall maintain and improve the classification plan to meet the needs of the service, using methods and techniques which may include personnel management surveys, individual position reviews, occupational group classification surveys, or other appropriate methods of position review. Such reviews may be initiated by the ~~director~~ administrator after taking into consideration the recommendations of the appointing authority, or at his or her own discretion. The ~~director~~ administrator shall establish, modify or abolish classifications as the needs of the service require.

SECTION 3683. 230.09 (2) (b) of the statutes is amended to read:

230.09 **(2)** (b) To accommodate and effectuate the continuing changes in the classification plan as a result of the classification survey program and otherwise, the ~~director~~ administrator shall, upon initial establishment of a classification, assign that class to the appropriate pay rate or range, and may, upon subsequent review, reassign classes to different pay rates or ranges. The ~~director~~ administrator shall assign each class to a pay range according to the skill, effort, responsibility and working conditions required for the class, without regard to whether the class is occupied primarily by members of a certain gender or racial group. The ~~director~~ administrator shall give notice to appointing authorities to permit them to make recommendations before final action is taken on any such assignment or reassignment of classes.

SECTION 3684. 230.09 (2) (c) of the statutes is amended to read:

230.09 **(2)** (c) If anticipated changes in program or organization will significantly affect the assignment of duties or responsibilities to positions, the appointing authority shall, whenever practicable, confer with the ~~director~~ administrator within a reasonable time prior to the reorganization or changes in

program to formulate methods to fill positions which are newly established or modified to the extent that reclassification of the position is appropriate. In all cases, appointing authorities shall give written notice to the ~~director~~ administrator and employee of changes in the assignment of duties or responsibilities to a position when the changes in assignment may affect the classification of the position.

SECTION 3685. 230.09 (2) (d) of the statutes is amended to read:

230.09 **(2)** (d) If after review of a filled position the ~~director~~ administrator reclassifies or reallocates the position, the ~~director~~ administrator shall determine whether the incumbent shall be regraded or whether the position shall be opened to other applicants.

SECTION 3686. 230.09 (2) (g) of the statutes is amended to read:

230.09 **(2)** (g) When filling a new or vacant position, if the ~~director~~ administrator determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance under s. 13.10, or as specified by the governor creating positions under s. 16.505 (1) (c) or (2), or is different than that of the previous incumbent, the ~~director~~ administrator shall notify the ~~administrator~~ director and the secretary of administration. The ~~administrator~~ director shall withhold action on the selection and certification process for filling the position. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, the intent of the joint committee on finance acting under s. 13.10, the intent of the governor creating positions under s. 16.505 (1) (c) or (2). The

~~administrator~~ director may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

SECTION 3687. 230.09 (3) of the statutes is amended to read:

230.09 **(3)** The ~~director~~ administrator shall establish separate classifications for career executive positions under s. 230.24 and rules governing the salary administration of positions in such classifications.

SECTION 3688. 230.12 (1) (a) 3. of the statutes is amended to read:

230.12 **(1)** (a) 3. Provisions for administration of the compensation plan and salary transactions shall be provided, as determined by the ~~director~~ administrator, in either the rules of the ~~director~~ administrator or the compensation plan.

SECTION 3689. 230.12 (1) (c) 2. of the statutes is amended to read:

230.12 **(1)** (c) 2. The ~~director~~ administrator may establish a plan of extra compensation for work performed during selected hours at an hourly rate or rates subject to approval of the joint committee on employment relations. Eligibility for such extra compensation shall be as provided in the compensation plan.

SECTION 3690. 230.12 (1) (d) of the statutes is amended to read:

230.12 **(1)** (d) *Uniforms and safety equipment.* The ~~director~~ administrator, with approval of the joint committee on employment relations, may establish a schedule of payments to employees for uniforms or protective clothing and equipment required to perform their duties.

SECTION 3691. 230.12 (3) (a) of the statutes is amended to read:

230.12 **(3)** (a) *Submission to the joint committee on employment relations.* The ~~director~~ administrator shall submit to the joint committee on employment relations a proposal for any required changes in the compensation plan. The proposal shall include the amounts and methods for within range pay progression, for pay

transactions, and for performance awards. The proposal shall be based upon experience in recruiting for the service, the principle of providing pay equity regardless of gender or race, data collected as to rates of pay for comparable work in other public services and in commercial and industrial establishments, recommendations of agencies and any special studies carried on as to the need for any changes in the compensation plan to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies.

SECTION 3692. 230.12 (3) (ad) of the statutes is amended to read:

230.12 **(3)** (ad) *Timing of proposed changes.* Notwithstanding any other statute, the ~~director~~ administrator may delay timing for announcement or implementation of any recommended changes in the compensation plan under this section until after some or all of the collective bargaining agreements under subch. V of ch. 111 for that biennium are negotiated. Any such action taken under this paragraph is not appealable under s. 230.44.

SECTION 3693. 230.12 (3) (b) of the statutes is amended to read:

230.12 **(3)** (b) *Public hearing on the proposal; adoption of plan.* The ~~director~~ administrator shall submit the proposal for any required changes in the compensation plan to the joint committee on employment relations. The committee shall hold a public hearing on the proposal. The proposal, as may be modified by the joint committee on employment relations together with the unchanged provisions of the current compensation plan, shall, for the ensuing fiscal year or until a new or modified plan is adopted under this subsection, constitute the state's compensation plan. Any modification of the ~~director's~~ administrator's proposed changes in the compensation plan by the joint committee on employment relations may be

disapproved by the governor within 10 calendar days. A vote of 6 members of the joint committee on employment relations is required to set aside any such disapproval of the governor.

SECTION 3694. 230.12 (3) (c) of the statutes is amended to read:

230.12 **(3)** (c) *Interim adjustments.* Subject to pars. (a) and (b), the ~~director~~ administrator may propose amendments to one or more parts of the compensation plan at such times as the needs of the service require.

SECTION 3696. 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

230.12 **(3)** (e) 1. The ~~director~~ administrator, after receiving recommendations from the board of regents and the chancellor of the University of Wisconsin–Madison, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employee benefits for University of Wisconsin System employees. The proposal shall be based upon the competitive ability of the board of regents to recruit and retain qualified faculty and academic staff, data collected as to rates of pay for comparable work in other public services, universities and commercial and industrial establishments, recommendations of the board of regents and any special studies carried on as to the need for any changes in compensation and employee benefits to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies. The proposal for such pay adjustments may contain recommendations for across–the–board pay adjustments, merit or other adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for University of Wisconsin System employees. The proposal as approved by the joint committee on

employment relations and the governor shall be based upon a percentage of the budgeted salary base for University of Wisconsin System employees. The amount included in the proposal for merit and adjustments other than across–the–board pay adjustments is available for discretionary use by the board of regents.

SECTION 3698. 230.12 (3) (e) 2. of the statutes is amended to read:

230.12 **(3)** (e) 2. The ~~director~~ administrator, after receiving recommendations from the board of the Technical College System, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employee benefits for employees under s. 20.923 (7). The proposal shall include the salary ranges and adjustments to the salary ranges for the general senior executive salary groups established under s. 20.923 (7). Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for such employees. The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for such employees under s. 20.923 (7).

SECTION 3700. 230.12 (4) of the statutes is amended to read:

230.12 **(4)** COMPENSATION PLAN IMPLEMENTATION PROVISIONS. (a) When an approved compensation plan or an amendment thereto becomes effective, required individual pay adjustments shall be made in accordance with determinations made by the ~~director~~ administrator to implement the approved plan.

(b) The ~~director~~ administrator may, without prior approval of the joint committee on employment relations, determine the circumstances under which it is appropriate for an appointing authority to grant, and authorize an appointing authority to grant, a general wage or parity adjustment, or appropriate portion thereof, previously approved by the committee under this section to employees who

did not receive the adjustment on the effective date of the adjustment set forth in the plan. No general wage or parity adjustment may become effective for any employee prior to the effective date of the individual employee transaction, but the ~~director~~ administrator may authorize an appointing authority to grant a lump sum payment to an employee to reflect any wage or parity adjustment that the employee did not receive during the period between the effective date of the adjustment set forth in the plan and the effective date of the individual employee transaction.

SECTION 3701. 230.12 (5) (c) of the statutes is amended to read:

230.12 **(5)** (c) *Increase limits.* Unless otherwise defined in the pay schedule the total amount for all such within range increases shall not exceed the amount for such increases specified and approved by the joint committee on employment relations in its action on the ~~director's~~ administrator's proposal for such increases.

SECTION 3702. 230.12 (7m) of the statutes is amended to read:

230.12 **(7m)** PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the rules of the ~~director~~ administrator and in the compensation plan, pay increases shall be made only on the dates prescribed under sub. (8). Appointing authorities shall at such times each year as specified by the secretary file with the ~~director~~ administrator and with the secretary of administration a list of employees showing their then existing pay rates and their proposed new pay rates.

SECTION 3703. 230.12 (9) of the statutes is amended to read:

230.12 **(9)** HEALTH INSURANCE PREMIUM CREDITS. The ~~director~~ administrator may recommend to the joint committee on employment relations a program, administered by the department of employee trust funds, that provides health insurance premium credits to employees whose compensation is established under this section or s. 20.923 (2) or (3). The health insurance premium credits shall be

used for the purchase of health insurance for a retired employee, or the retired employee's surviving insured dependents; for an eligible employee under s. 40.02 (25) (b) 6e., or the eligible employee's surviving insured dependents; for an employee who is laid off, but who is not on a temporary, school year, seasonal, or sessional layoff, and his or her surviving insured dependents; and for the surviving insured dependents of an employee who dies while employed by the state, and shall be based on the employee's years of continuous service, accumulated unused sick leave and any other factor recommended by the director. Credits granted under the program to an employee who is laid off shall be available until the credits are exhausted, the employee is reemployed by the state, or 5 years have elapsed from the date of layoff, whichever occurs first. The approval process for the program is the same as that provided under sub. (3) (b) and the program shall be incorporated into the compensation plan under sub. (1).

SECTION 3704. 230.14 (4) of the statutes is amended to read:

230.14 **(4)** The ~~administrator~~ director may charge an agency a fee to announce any vacancy to be filled in a classified or unclassified position in that agency. Funds received under this subsection shall be credited to the appropriation account under s. ~~20.545 (1) (ka)~~ 20.505 (1) (kn).

SECTION 3705. 230.147 (3) of the statutes is amended to read:

230.147 **(3)** Notwithstanding subs. (1) and (2), the state fair park board shall make every reasonable effort to employ in permanent full–time equivalent positions persons who, at the time determined under sub. (4), receive aid under s. 49.19 or benefits under s. 49.147 (3) to (5). The state fair park board shall consult with the ~~office~~ division to assure that its efforts under this subsection comply with ch. 230.

SECTION 3706. 230.15 (1) of the statutes is amended to read:

230.15 **(1)** Subject to the restriction under s. 230.143, appointments to, and promotions in, the classified service shall be made only according to merit and fitness, which shall be ascertained so far as practicable by competitive examination. The ~~administrator~~ director may waive competitive examination for appointments made under subs. (1m) and (2) and shall waive competitive examination for appointments made under sub. (2m).

SECTION 3707. 230.15 (1m) (b) (intro.) of the statutes is amended to read:

230.15 **(1m)** (b) (intro.) Whenever a position is included in the classified service under par. (a), the ~~director~~ administrator shall determine all of the following:

SECTION 3708. 230.15 (1m) (c) of the statutes is amended to read:

230.15 **(1m)** (c) 1. Whenever a position is included in the classified service under par. (a), the ~~administrator~~ director may waive the requirement for competitive examination under sub. (1) with respect to the position and certify the incumbent employee for appointment to the position in accordance with subd. 2.

2. The ~~administrator~~ director may certify an incumbent employee as eligible for appointment under subd. 1. if the ~~administrator~~ director determines on the basis of sound personnel management practices that the incumbent is qualified for the position included in the classified service.

3. If an employee is appointed after being certified under subd. 2., the ~~administrator~~ director shall determine the employee's probationary status under s. 230.28, except that the employee shall receive credit toward his or her probationary period for the time that the employee had been employed in the position immediately prior to appointment.

SECTION 3709. 230.15 (2) of the statutes is amended to read:

230.15 **(2)** If a vacancy occurs in a position in the classified service when peculiar and exceptional qualifications of a scientific, professional, or educational character are required, and if presented with satisfactory evidence that for specified reasons competition in such special cases is impracticable, and that the position can best be filled by the selection of some designated person of high and recognized attainments in such qualities, the ~~administrator~~ director may waive competition requirements unless the vacancy is to be filled by promotion.

SECTION 3710. 230.15 (2m) of the statutes is amended to read:

230.15 **(2m)** If a vacancy occurs in a position in the classified service and the ~~administrator~~ director is notified by an appointing authority that the position is to be filled by a disabled veteran under s. 230.275, the ~~administrator~~ director shall waive all competition requirements for filling the position.

SECTION 3710m. 230.15 (4) of the statutes is created to read:

230.15 **(4)** The director and the Board of Regents of the University of Wisconsin System and the chancellor of the University of Wisconsin–Madison shall enter into a memorandum of understanding to permit employees of the University of Wisconsin System who are appointed to positions in agencies to receive credit for their years of service with the University of Wisconsin System for purposes of transferring continuous service benefits, including accumulated sick leave. The director shall promulgate rules necessary to implement the provisions of the memorandum of understanding.

SECTION 3711. 230.16 (1) (a) of the statutes is amended to read:

230.16 **(1)** (a) The ~~administrator~~ director shall require persons applying for admission to any examination under this subchapter or under the rules of the

~~administrator~~ director to file an application with the ~~division~~ bureau a reasonable time prior to the proposed examination.

SECTION 3712. 230.16 (1) (am) of the statutes is amended to read:

230.16 **(1)** (am) The ~~administrator~~ director may require in connection with the application such supplementary work history, educational transcripts, statements of physicians or others having knowledge of the applicant, as needed for qualification evaluations.

SECTION 3713. 230.16 (1) (b) of the statutes is amended to read:

230.16 **(1)** (b) The ~~division~~ bureau shall furnish application forms without charge to all persons requesting them.

SECTION 3714. 230.16 (2) of the statutes is amended to read:

230.16 **(2)** Competitive examinations shall be free and open to all applicants who have fulfilled the preliminary requirements stated in the examination announcement. To assure that all applicants have a fair opportunity to compete, examinations shall be held at such times and places as, in the judgment of the ~~administrator~~ director, most nearly meet the convenience of applicants and needs of the service.

SECTION 3715. 230.16 (3) of the statutes is amended to read:

230.16 **(3)** The ~~administrator~~ director may appoint boards of examiners of at least 2 persons for the purpose of conducting oral examinations as a part of the examination procedure for certain positions. All board members shall be well–qualified and impartial. All questions asked and answers made in any examination of applicants shall be recorded and made a part of the records of the applicants.

SECTION 3716. 230.16 (5) of the statutes is amended to read:

230.16 **(5)** In the interest of sound personnel management, consideration of applicants and service to agencies, the ~~administrator~~ director may set a standard for proceeding to subsequent steps in an examination, provided that all applicants are fairly treated and due notice has been given. The standard may be at or above the passing point set by the ~~administrator~~ director for any portion of the examination. The ~~administrator~~ director shall utilize appropriate scientific techniques and procedures in administering the selection process, in rating the results of examinations and in determining the relative ratings of the competitors.

SECTION 3717. 230.16 (6) of the statutes is amended to read:

230.16 **(6)** If any applicant is unable to complete the examination in the form presented to the applicant due to a disability, the ~~division~~ bureau shall provide a reader, an appropriate place to take the examination or other similar prerequisites to ensure equality of opportunity in the examination.

SECTION 3718. 230.16 (7m) (b) (intro.) of the statutes is amended to read:

230.16 **(7m)** (b) (intro.) The ~~office~~ division shall accept an application after its due date from a veteran if all of the following apply:

SECTION 3719. 230.16 (7m) (c) of the statutes is amended to read:

230.16 **(7m)** (c) Within 30 days after acceptance of an application under par. (b), the ~~office~~ division shall give the applicant an examination.

SECTION 3720. 230.16 (9) of the statutes is amended to read:

230.16 **(9)** The officials in control of state, municipal and county buildings, upon requisition by the ~~administrator~~ director, shall furnish without charge adequate rooms and building services for the administration of examinations.

SECTION 3721. 230.16 (11) of the statutes is amended to read:

230.16 **(11)** Records of examinations, including a transcript or recorded tape of oral examinations, given under this subchapter shall be retained for at least one year. Inspection of such records shall be regulated by rules of the ~~administrator~~ director.

SECTION 3722. 230.17 of the statutes is amended to read:

230.17 Applicants and eligibles may be barred; bonds may be required. **(1)** The ~~administrator~~ director shall provide by rule, the conditions, not otherwise provided by law, under which an applicant may be refused examination or reexamination, or an eligible refused certification. These conditions shall be based on sufficient reason and shall reflect sound technical personnel management practices and those standards of conduct, deportment and character necessary and demanded to the orderly, efficient and just operation of the state service.

(2) If the ~~administrator~~ director refuses to examine an applicant, or after an examination to certify an eligible, as provided in this section, the ~~administrator~~ director, if requested by the applicant so rejected within 10 days of the date of receipt of the notice of rejection, shall give the applicant a full and explicit statement of the exact cause of such refusal to examine or to certify. Applicants may appeal to the commission the decision of the ~~administrator~~ director to refuse to examine or certify under s. 230.44 (1) (a). Upon request of an applicant or an eligible for a civil service position who has a disability, the department of health services shall obtain from the ~~administrator~~ director a detailed description of all duties entailed by such position and shall determine and report its findings to the ~~administrator~~ director, as to the ability of the applicant, or eligible, to perform the duties of such position. Such findings shall be conclusive as to the qualifications of any applicant, or eligible, so

examined. A notice of rejection shall notify an applicant or eligible of his or her rights under this subsection.

(3) When any position to be filled involves fiduciary responsibility, the appointing authority shall conduct a criminal history background check before offering employment to an applicant for the position. If otherwise permitted by law, the appointing authority may require the appointee to furnish bond or other security, and shall notify the ~~administrator~~ director of the amount and other details thereof. Any surety company authorized to do business in this state shall be a sufficient security on any such bond.

SECTION 3723. 230.18 of the statutes is amended to read:

230.18 Discrimination prohibited. No question in any form of application or in any examination may be so framed as to elicit information concerning the partisan political or religious opinions or affiliations of any applicant nor may any inquiry be made concerning such opinions or affiliations and all disclosures thereof shall be discountenanced except that the ~~administrator~~ director may evaluate the competence and impartiality of applicants for positions such as clinical chaplain in a state institutional program. No discriminations may be exercised in the recruitment, application, examination or hiring process against or in favor of any person because of the person's political or religious opinions or affiliations or because of age, sex, disability, race, color, sexual orientation, national origin or ancestry except as otherwise provided.

SECTION 3724. 230.19 (1) of the statutes is amended to read:

230.19 **(1)** The ~~administrator~~ director shall provide employees with reasonable opportunities for career advancement, within a classified service structure designed

to achieve and maintain a highly competent work force, with due consideration given to affirmative action.

SECTION 3725. 230.19 (2) of the statutes is amended to read:

230.19 **(2)** If, in the judgment of the ~~administrator~~ director, the group of applicants best able to meet the requirements for vacancies in positions in the classified service are available within the classified service, the vacancies shall be filled by competition limited to persons in the classified service who are not employed under s. 230.26 or 230.27 and persons with the right of restoration resulting from layoff under s. 230.34 (2), unless it is necessary to go outside the classified service to be consistent with an approved affirmative action plan or program. The ~~administrator~~ director may also limit competition for promotion to the employees of an agency or an employing unit within an agency if the resulting group of applicants would fairly represent the proportion of members of racial and ethnic, gender or disabled groups in the relevant labor pool for the state.

SECTION 3726. 230.21 (1) of the statutes is amended to read:

230.21 **(1)** Subject to s. 230.275, the ~~administrator~~ director may, to meet the needs of the service, establish separate recruitment, examination and certification procedures for filling positions in unskilled labor and service classes.

SECTION 3727. 230.21 (1m) (a) (intro.) of the statutes is amended to read:

230.21 **(1m)** (a) (intro.) If the ~~administrator~~ director uses the method of random certification to determine which applicants for an unskilled labor or service position will receive further consideration for the position, the ~~administrator~~ director shall do all of the following:

SECTION 3728. 230.21 (1m) (b) of the statutes is amended to read:

230.21 **(1m)** (b) If the ~~administrator~~ director uses the method of random certification to determine which applicants for an unskilled labor or service position will receive further consideration for the position and the appointing authority does not select a veteran or a person the hiring of whom would serve affirmative action purposes, the appointing authority shall make and retain a written record of the appointing authority's reasons for selecting the person who was appointed. The appointing authority shall make the written records available to the ~~office~~ division and annually submit a report to the ~~office~~ division summarizing the reasons contained in the written records.

SECTION 3729. 230.21 (2) of the statutes is amended to read:

230.21 **(2)** The ~~administrator~~ director may designate classifications in which applicants are in critically short supply and may develop such recruitment, examination and certification processes as will provide agencies with prompt certification when qualified applicants can be found, provided that due notice has been given and proper competitive standards have been maintained.

SECTION 3730. 230.21 (3) of the statutes is amended to read:

230.21 **(3)** The ~~administrator~~ director shall designate classifications in prison industries in the department of corrections as critical positions requiring expeditious hiring and shall develop such recruitment, examination and certification processes as will provide the department with prompt certification when qualified applicants can be found, provided that due notice has been given and proper competitive standards have been maintained.

SECTION 3731. 230.213 of the statutes is amended to read:

230.213 Affirmative action procedures for corrections positions. The ~~administrator~~ director may, to meet affirmative action objectives, establish such

recruitment, examination and certification procedures for positions in the department of corrections as will enable the department of corrections to increase the number of employees of a specified gender or a specified racial or ethnic group in those positions. The ~~administrator~~ director shall design the procedures to obtain a work force in the department of corrections that reflects the relevant labor pool. The ~~administrator~~ director may determine the relevant labor pool from the population of the state or of a particular geographic area of the state, whichever is more appropriate for achieving the affirmative action objective.

SECTION 3732. 230.215 (3) (a) of the statutes is amended to read:

230.215 **(3)** (a) An agency may, with the approval of the ~~director~~ administrator and with the approval of the secretary of administration under s. 16.50, restructure budgeted permanent positions as such positions become vacant or if an employee voluntarily requests a job–sharing or permanent part–time employment opportunity. No employee occupying a full–time permanent position may be involuntarily terminated, demoted, transferred or reassigned in order to restructure that position for permanent part–time employment and no such employee may be required to accept a permanent part–time position as a condition of continued employment.

SECTION 3733. 230.215 (3) (b) of the statutes is amended to read:

230.215 **(3)** (b) If the ~~director~~ administrator, upon review of the report submitted under sub. (4), determines that an agency's past or proposed actions relating to permanent part–time employment opportunities do not adequately reflect the policy under sub. (1) (e), the ~~director~~ administrator may recommend procedures designed to enable the agency to effect such policy.

SECTION 3734. 230.215 (4) of the statutes is amended to read:

230.215 **(4)** REPORTS. Each agency, in complying with s. 15.04 (1) (d), shall include a report on the progress or failure of the plans of such agency in achieving the policies stated under sub. (1) and shall submit a copy of such report to the ~~director~~ administrator.

SECTION 3735. 230.22 of the statutes is amended to read:

230.22 Entry professional selection. (1) The ~~director~~ administrator may establish by rule an entry professional class program for use in a wide range of entry professional positions.

(2) In connection with this program the ~~director~~ administrator may establish separate classifications and corresponding pay provisions to provide agencies an entry professional program, through which they can compete on campuses and in the labor market for the best available applicants.

(3) Subject to s. 230.275, the ~~administrator~~ director may establish separate recruitment, evaluation and certification procedures for certain entry professional positions. Vacancies in entry professional positions may be limited to persons with a degree from an institution of higher education, as defined in s. 108.02 (18), or a degree under an associate degree program, as defined in s. 38.01 (1).

(4) The ~~administrator~~ director may provide for cooperative programs leading to eligibility for permanent appointment in order to enable institutions of higher education and agencies to attract and train the highest caliber of undergraduate or graduate students for government employment.

SECTION 3736. 230.24 (1) of the statutes is amended to read:

230.24 **(1)** The ~~director~~ administrator may by rule develop a career executive program that emphasizes excellence in administrative skills in order to provide agencies with a pool of highly qualified executive candidates, to provide outstanding

administrative employees a broad opportunity for career advancement and to provide for the mobility of such employees among the agencies and units of state government for the most advantageous use of their managerial and administrative skills. To accomplish the purpose of this program, the ~~administrator~~ director may provide policies and standards for recruitment, examination, probation, employment register control, certification, transfer, promotion and reemployment, and the director may provide policies and standards for classification and salary administration, separate from procedures established for other employment. The ~~director~~ administrator shall determine the positions which may be filled from career executive employment registers.

SECTION 3737. 230.24 (1m) of the statutes is amended to read:

230.24 **(1m)** The policy established by the ~~administrator~~ director under sub. (1) that deals with probation shall provide the option of extending the probationary period for individuals with disabilities, as defined in s. 111.32 (8), who are employees in a manner consistent with s. 230.28 (1) (bm).

SECTION 3738. 230.25 (1) of the statutes is amended to read:

230.25 **(1)** Appointing authorities shall give written notice to the ~~administrator~~ director of any vacancy to be filled in any position in the classified service. The ~~administrator~~ director shall certify, under this subchapter and the rules of the ~~administrator~~ director, from the register of eligibles appropriate for the kind and type of employment, the grade and class in which the position is classified, any number of names at the head thereof. In determining the number of names to certify, the ~~administrator~~ director shall use statistical methods and personnel management principles that are designed to maximize the number of certified names that are appropriate for filling the specific position vacancy. Up to 2 persons considered for

appointment 3 times and not selected may be removed from the register for each 3 appointments made. Certification under this subsection shall be made before granting any preference under s. 230.16 (7).

SECTION 3739. 230.25 (1g) of the statutes is amended to read:

230.25 **(1g)** For every position to be filled by promotion from a promotional register, the ~~administrator~~ director shall, after certifying names under sub. (1), additionally certify the name of the highest ranked disabled veteran whose disability is at least 70%.

SECTION 3740. 230.25 (1n) (a) (intro.) of the statutes is amended to read:

230.25 **(1n)** (a) (intro.) After certifying names under subs. (1), (1g) and (1m), the ~~administrator~~ director may engage in expanded certification by doing one or more of the following:

SECTION 3741. 230.25 (1n) (b) of the statutes is amended to read:

230.25 **(1n)** (b) The ~~administrator~~ director may certify names under par. (a) 1. or 2. only if an agency requests expanded certification in order to comply with an approved affirmative action plan or program. The ~~administrator~~ director may certify names under par. (a) 3. only if an agency requests expanded certification in order to hire persons with a disability.

SECTION 3742. 230.25 (1p) of the statutes is amended to read:

230.25 **(1p)** If an appointing authority appoints a person certified under this section and the person is not a veteran, the spouse of a veteran or a person the hiring of whom would serve affirmative action purposes, the appointing authority shall make and retain a written record of the appointing authority's reasons for selecting the person who was appointed. The appointing authority shall make the written records available to the ~~office~~ division and annually submit a report to the ~~office~~

division summarizing the reasons contained in the written records. The ~~office~~ division shall annually prepare a report summarizing, for each agency, the reasons contained in the records prepared by appointing authorities under this subsection.

SECTION 3743. 230.25 (2) of the statutes is amended to read:

230.25 **(2)** (a) When certifying names to appointing authorities under this section, the ~~administrator~~ director shall specify whether the certification includes qualifying veterans or persons the hiring of whom would serve affirmative action purposes, without divulging the names of those individuals. The ~~administrator~~ director shall not disclose any applicant's test score, with or without the addition of veterans preference points under s. 230.16 (7), to the appointing authority.

(b) Unless otherwise provided in this subchapter or the rules of the ~~administrator~~ director, appointments shall be made by appointing authorities to all positions in the classified service from among those certified to them in accordance with this section. Appointments shall be made within 60 days after the date of certification unless an exception is made by the ~~administrator~~ director. If an appointing authority does not make an appointment within 60 days after certification, he or she shall immediately report in writing to the ~~administrator~~ director the reasons therefor. If the ~~administrator~~ director determines that the failure to make an appointment is not justified under the merit system, the ~~administrator~~ director shall issue an order directing that an appointment be made.

SECTION 3744. 230.25 (3) (b) of the statutes is amended to read:

230.25 **(3)** (b) The ~~administrator~~ director may allow a register to expire after 3 months, but only after considering the impact of such an action on the policy of this state to provide for equal employment opportunity and to take affirmative action, as specified in s. 230.01 (2).

SECTION 3745. 230.25 (4) of the statutes is amended to read:

230.25 **(4)** (a) The ~~administrator~~ director may establish a new and separate register for a specific position or class only when in the ~~administrator's~~ director's judgment there is no appropriate existing register from which appointments may be made.

(b) The ~~administrator~~ director may establish separate registers for various geographic areas of the state if the needs of the service so require, provided proper publicity has been given of the intent to establish such registers.

SECTION 3746. 230.25 (5) of the statutes is amended to read:

230.25 **(5)** Notwithstanding sub. (2) (a), if an appointing authority elects to appoint a disabled veteran to a vacant position on a noncompetitive basis under s. 230.275 and the appointing authority has requested a certification for the position, the ~~administrator~~ director shall provide the appointing authority the names of all disabled veterans certified for appointment to the position and who satisfy the condition specified in s. 230.275 (1) (a) and the names of all such disabled veterans who are on any other employment register that is identified by the appointing authority.

SECTION 3747. 230.26 (1) of the statutes is amended to read:

230.26 **(1)** The ~~administrator~~ director may provide by rule for selection and appointment for limited term appointments, which are provisional appointments or appointments for less than 1,044 hours per year.

SECTION 3748. 230.26 (1m) of the statutes is amended to read:

230.26 **(1m)** An appointing authority may not appoint a person who is not a state resident to a limited term appointment unless approved by the ~~administrator~~ director.

SECTION 3749. 230.26 (2) of the statutes is amended to read:

230.26 **(2)** If there are urgent reasons for filling a vacancy in any position in the classified service and the ~~administrator~~ director is unable to certify to the appointing authority, upon requisition by the latter, a list of persons eligible for appointment from an appropriate employment register, the appointing authority may nominate a person to the ~~administrator~~ director for noncompetitive examination. If the nominee is certified by the ~~administrator~~ director as qualified, the nominee may be appointed provisionally to fill the vacancy until an appointment can be made from a register established after announcement of competition for the position, except that no provisional appointment may be continued for more than 45 working days after the date of certification from the register. Successive appointments may not be made under this subsection. This subsection does not apply to a person appointed to a vacant position in the classified service under s. 230.275.

SECTION 3750. 230.26 (5) of the statutes is amended to read:

230.26 **(5)** If the ~~administrator~~ director determines that an agency is not in compliance with the requirements of, or rules related to, sub. (1), (1m) or (2) regarding a particular employee, the ~~administrator~~ director shall direct the appointing authority to terminate the employee.

SECTION 3751. 230.27 (1m) (b) of the statutes is amended to read:

230.27 **(1m)** (b) The ~~administrator~~ director may waive the prohibition under par. (a) if there is a critical need for employees in a specific classification or position or a critical shortage of residents of this state possessing the skills or qualifications required for a position.

SECTION 3752. 230.27 (2) of the statutes is amended to read:

230.27 **(2)** Subject to s. 230.275, the ~~administrator~~ director may provide by rule for the selection and appointment of a person to a project position.

SECTION 3753. 230.27 (2k) of the statutes is amended to read:

230.27 **(2k)** If an appointing authority selects, for a project position, a person who is not a veteran or is not a person the hiring of whom would serve affirmative action purposes, the appointing authority shall make and retain a written record of the appointing authority's reasons for selecting the person who was appointed. The appointing authority shall make the written records available to the ~~office~~ division and annually submit a report to the ~~office~~ division summarizing the reasons contained in the written records. The ~~office~~ division shall annually prepare a report summarizing, for each agency, the information submitted by appointing authorities under this subsection.

SECTION 3754. 230.275 (1) (d) of the statutes is amended to read:

230.275 **(1)** (d) The appointing authority notifies the ~~administrator~~ director in writing that the position is to be filled with a disabled veteran on a noncompetitive basis.

SECTION 3755. 230.28 (1) (a) of the statutes is amended to read:

230.28 **(1)** (a) All original and all promotional appointments to permanent, sessional and seasonal positions, with the exception of those positions designated as supervisor or management under s. 111.81, in the classified service shall be for a probationary period of 6 months, but the ~~administrator~~ director at the request of the appointing authority and in accordance with the rules related thereto may extend any such period for a maximum of 3 additional months. Dismissal may be made at any time during such periods. Upon such dismissal, the appointing authority shall report to the ~~administrator~~ director and to the employee removed, the dismissal and

the reason therefor. The ~~administrator~~ director may remove an employee during the employee's probationary period if the ~~administrator~~ director finds, after giving notice and an opportunity to be heard, that such employee was appointed as a result of fraud or error.

SECTION 3756. 230.28 (1) (b) of the statutes is amended to read:

230.28 **(1)** (b) The ~~administrator~~ director may authorize a longer probationary period not to exceed 2 years for any administrative, technical or professional position, in order to provide the appointing authority assurance that the employee has had adequate exposure to the various responsibilities which are a part of the position or classification.

SECTION 3757. 230.28 (1) (bm) (intro.) of the statutes is amended to read:

230.28 **(1)** (bm) (intro.) At the request of an appointing authority and an employee, the ~~administrator~~ director may authorize, at any time before the completion of the probationary period, an extended probationary period of up to one additional year for an individual with a disability, as defined in s. 111.32 (8), who is the employee to allow the employee to do any of the following:

SECTION 3758. 230.28 (1) (c) of the statutes is amended to read:

230.28 **(1)** (c) Upon request by the appointing authority, the ~~administrator~~ director may waive any portion of the lengthened probationary period but in no case before a 6–month probationary period has been served.

SECTION 3759. 230.28 (3) of the statutes is amended to read:

230.28 **(3)** If an employee is removed from a position during the probationary period, and the ~~administrator~~ director determines that the person is suitable for appointment to another position, the person's name may be restored to the list from which it was certified.

SECTION 3760. 230.28 (4) of the statutes is amended to read:

230.28 **(4)** A person reinstated in an employing unit other than one in which the person previously served in permanent status in the class in which the person is being reinstated, an employee who transfers from one employing unit to another, an employee who moves to a different employing unit in conjunction with a voluntary demotion, and a person who had not obtained permanent status in class in a supervisory or management position prior to appointment to another supervisory or management position, may be required by the appointing authority to serve a probationary period. Provisions for the duration of such probationary period shall be provided in the rules of the ~~administrator~~ director.

SECTION 3761. 230.29 of the statutes is amended to read:

230.29 Transfers. A transfer may be made from one position to another only if specifically authorized by the ~~administrator~~ director.

SECTION 3762. 230.30 (1) of the statutes is amended to read:

230.30 **(1)** Each agency shall constitute an employing unit for purposes of personnel transactions, except where appropriate functional, organizational or geographic breakdowns exist within the agency and except as provided in sub. (2). These breakdowns may constitute a separate employing unit for one or more types of personnel transactions under an overall employing unit plan if requested by the appointing authority of that agency and approved by the ~~administrator~~ director. If the ~~administrator~~ director determines, after conferring with the appointing authority of the employing agency, that an employing unit is or has become inappropriate to carry out sound personnel management practices due to factors including, but not limited to, the size or isolated location of portions of the employing

unit, the ~~administrator~~ director may revise the employing unit structure of the agency to effect the remedy required.

SECTION 3763. 230.31 (1) (b) of the statutes is amended to read:

230.31 **(1)** (b) For a 3–year period from the date of separation, if on layoff status, the person shall be placed, in inverse order of layoff, on an appropriate mandatory restoration register for the unit used for layoff and on a restoration register for the agency from which the person was laid off. Use of such registers shall be subject to the rules of the ~~administrator~~ director.

SECTION 3764. 230.31 (2) of the statutes is amended to read:

230.31 **(2)** The ~~administrator~~ director may also provide for the reinstatement of persons who have served in seasonal and sessional employment and for persons who separate from a position while serving a probationary period.

SECTION 3765. 230.315 (1) (c) of the statutes is amended to read:

230.315 **(1)** (c) The employee has received a military leave of absence under s. 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111, or under rules promulgated by the ~~office of employment relations~~ division or is eligible for reemployment with the state under s. 321.64 after completion of his or her service in the U.S. armed forces.

SECTION 3766. 230.32 (3) of the statutes is amended to read:

230.32 **(3)** (a) Any classified employee who leaves state service and enters the armed forces of the United States shall, under this section, be granted written military leave of absence by the appointing authority. Notice of such leave from state service and the terms of any such leave shall be given in writing by the appointing authority to the ~~director~~ administrator for purposes of record.

(b) Any classified employee who leaves state service for civilian employment in response to a specific request or order of the federal government or any of its agencies in connection with manpower redistribution and utilization shall, under this section, make written application to the appointing authority for civilian leave of absence presenting such specific request or order of the federal government as supporting evidence. Such civilian leave shall be allowed by the appointing authority and its terms, which shall conform to the rules of the ~~director~~ administrator, shall be in writing. Notice of such leave from state service shall be made in writing by the appointing authority to the ~~director~~ administrator for purposes of record.

(c) All such military or civilian leaves of absence as heretofore may have been granted are validated and shall be deemed to be sufficient and effective hereunder. Such leaves shall be recorded with the ~~director~~ administrator.

SECTION 3767. 230.32 (4) of the statutes is amended to read:

230.32 **(4)** Any person appointed to fill the position of an employee on such military or civilian leave shall be designated as a substitute or replacement employee and upon the return and reemployment of the original employee the substitute employee shall be transferred to a similar position with the same employing agency if one is available, or if not, he or she shall be eligible for reinstatement or have the right of restoration in accordance with this subchapter and the rules of the ~~administrator~~ director. The status of any person who is appointed to fill the place of an employee on military or civilian leave under this section shall be governed by the rules of the ~~administrator~~ director pursuant thereto.

SECTION 3768. 230.32 (5) of the statutes is amended to read:

230.32 **(5)** The restoration of classified former employees of the state shall be governed by this section and by the rules of the ~~administrator~~ director.

SECTION 3769. 230.33 (2) of the statutes is amended to read:

230.33 **(2)** A person appointed to an unclassified position by an appointing authority other than an appointing authority described under sub. (1), to a department other than the one in which the person was a classified employee may be granted a leave of absence without pay at the option of the person's former appointing authority in accordance with the leave of absence provisions in the rules of the ~~director~~ administrator. An employee granted a leave of absence shall have the same restoration rights and reinstatement privileges as under sub. (1m). If not granted a leave of absence, the employee shall be entitled only to the reinstatement privileges under sub. (1m).

SECTION 3771. 230.34 (1) (c) of the statutes is amended to read:

230.34 **(1)** (c) The ~~director~~ administrator shall establish guidelines for uniform application of this authority among the various agencies.

SECTION 3772. 230.34 (2) (b) of the statutes is amended to read:

230.34 **(2)** (b) The ~~administrator~~ director shall promulgate rules governing layoffs and appeals therefrom and alternative procedures in lieu of layoff to include voluntary and involuntary demotion and the exercise of a displacing right to a comparable or lower class, as well as the subsequent employee right of restoration or eligibility for reinstatement.

SECTION 3773. 230.34 (2m) of the statutes is amended to read:

230.34 **(2m)** Employees in positions funded by nonstate funds made available contingent on special employee eligibility requirements such as length of prior unemployment, specific occupational disadvantages or need for remedial work

experience, shall be exempt from inclusion with the employees whose positions are in classes considered for layoff under sub. (2). In the case of reduction in force in such nonstate funded positions, layoffs and layoff procedures established pursuant to the rules of the ~~administrator~~ director may be limited to employees whose positions are dependent upon specific funding contingencies.

SECTION 3774. 230.34 (3) of the statutes is amended to read:

230.34 **(3)** The appointing authority shall confer with the ~~administrator~~ director relative to a proposed layoff a reasonable time before the effective date thereof in order to assure compliance with the rules.

SECTION 3775. 230.34 (4) of the statutes is amended to read:

230.34 **(4)** Resignations shall be regulated by the rules of the ~~director~~ administrator.

SECTION 3776. 230.35 (1) (d) of the statutes is amended to read:

230.35 **(1)** (d) Annual leaves of absence shall not be cumulative except under sub. (1p) and except that unused annual leave shall, subject to the rules of the ~~director~~ administrator, be used in the year following the one in which it was earned, but no employee shall lose any unused annual leave because the employee's work responsibilities prevented the usage of the unused annual leave during the first 6 months of the year following the year in which it was earned.

SECTION 3777. 230.35 (1m) (f) of the statutes is amended to read:

230.35 **(1m)** (f) The continuous service of an employee eligible for annual leave under this subsection shall not be considered interrupted if the employee was on an approved leave of absence to participate in providing specialized disaster relief services or if the employee leaves the service and is reemployed by the state in another position covered under this subsection. Employees appointed to career

executive positions under s. 230.24 or positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), or (9) or authorized under s. 230.08 (2) (e) are not subject to the continuous service requirements under sub. (1) (g) if they are reemployed in any of those positions, regardless of the duration of their absence. If the employees are reemployed in a position other than a career executive position or a position designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), or (9) or authorized under s. 230.08 (2) (e), continuous service shall be established in accordance with rules of the ~~director~~ administrator.

SECTION 3778. 230.35 (1s) of the statutes is amended to read:

230.35 **(1s)** Annual leave of absence with pay for instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm), 2013 stats., shall be determined by the governing board of the charter school established by contract under s. 118.40 (2r) (cm), 2013 stats., as approved by the chancellor of the University of Wisconsin–Parkside.

SECTION 3780. 230.35 (2) of the statutes is amended to read:

230.35 **(2)** Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave and leave under s. 103.10, shall be regulated by rules of the ~~director~~ administrator, except that unused sick leave shall accumulate from year to year. After July 1, 1973, employees appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the duration of their absence.

Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the ~~director~~ administrator.

SECTION 3781. 230.35 (2r) (b) of the statutes is amended to read:

230.35 **(2r)** (b) The ~~director~~ administrator may establish, by rule, a catastrophic leave program that permits employees to donate certain types and amounts of leave credits to other employees who have been absent from pay status because of a catastrophic need for which there is no paid leave benefits or replacement income available. The ~~director~~ administrator shall determine the types and amounts of leave credits that may be donated.

SECTION 3782. 230.35 (3) (d) of the statutes is amended to read:

230.35 **(3)** (d) Employees of the state are entitled to reasonable paid leaves of absence to compete in promotional examinations and interviews. The ~~director~~ administrator shall promulgate rules governing the lengths of time allowable for such leaves, their frequency and the provisions for their use.

SECTION 3783. 230.35 (3) (e) 2. e. of the statutes is amended to read:

230.35 **(3)** (e) 2. e. The leave of absence conforms with any rules of the ~~director~~ administrator regarding leaves of absence to provide specialized disaster relief services.

SECTION 3784. 230.35 (3) (e) 5. of the statutes is amended to read:

230.35 **(3)** (e) 5. The ~~director~~ administrator may promulgate any rules necessary to implement this paragraph.

SECTION 3785. 230.35 (5) (b) of the statutes is amended to read:

230.35 **(5)** (b) The standard basis of employment shall be divided into 5 work days of 8 hours each except as provided under s. 230.215 (5), and except that when the conditions of employment cannot be satisfied by adhering to this division or when

the public would not be inconvenienced, deviations may be permitted upon recommendation of the appointing authority and subsequent approval by the ~~director~~ administrator.

SECTION 3788. 230.37 (1) of the statutes is amended to read:

230.37 **(1)** In cooperation with appointing authorities the ~~director~~ administrator shall establish an employee performance evaluation program to provide a continuing record of employee development and, when applicable, to serve as a basis for pertinent personnel actions. Similar evaluations shall be conducted during the probationary period but may not infringe upon the authority of the appointing authority to retain or dismiss employees during the probationary period.

SECTION 3789. 230.40 (6) of the statutes is amended to read:

230.40 **(6)** The ~~administrator~~ director shall administer this section.

SECTION 3790. 230.43 (5) of the statutes is amended to read:

230.43 **(5)** TAXPAYERS' SUITS. The right of any taxpayer to bring any action to restrain the payment of compensation to any person appointed to or holding any office or place of employment in violation of this subchapter shall not be limited or denied by reason of the fact that the office or place of employment has been classified as, or determined to be, not subject to competitive examination; however, any judgment or injunction in any such action shall be prospective only, and shall not affect payments already made or due to such persons by the proper disbursing officers, in accordance with the rules of the ~~director~~ administrator in force at the time of such payments.

SECTION 3791. 230.44 (1) (a) of the statutes is amended to read:

230.44 **(1)** (a) *Decision made or delegated by ~~administrator~~ director.* Appeal of a personnel decision under this subchapter made by the ~~administrator~~ director or by

an appointing authority under authority delegated by the ~~administrator~~ director under s. 230.05 (2).

SECTION 3792. 230.44 (1) (b) of the statutes is amended to read:

230.44 **(1)** (b) *Decision made or delegated by ~~director~~ administrator.* Appeal of a personnel decision under s. 230.09 (2) (a) or (d) or 230.13 (1) made by the ~~director~~ administrator or by an appointing authority under authority delegated by the ~~director~~ administrator under s. 230.04 (1m).

SECTION 3793. 230.44 (1) (dm) of the statutes is amended to read:

230.44 **(1)** (dm) *Noncompetitive appointment of certain disabled veterans.* A personnel action under s. 230.275 by an appointing authority that is alleged to be illegal or an abuse of discretion. The ~~administrator~~ director and the ~~office~~ division may not be a party to any such appeal.

SECTION 3794. 230.44 (4) (bm) of the statutes is amended to read:

230.44 **(4)** (bm) Upon request of an employee who files an appeal of the decision of the ~~director~~ administrator made under s. 230.09 (2) (a) or (d), the appeal shall be heard by a commissioner or attorney employed by the commission serving as arbitrator under rules promulgated for this purpose by the commission. In such an arbitration, the arbitrator shall orally render a decision at the conclusion of the hearing affirming, modifying or rejecting the decision of the ~~director~~ administrator. The decision of the arbitrator is final and is not subject to review by the commission. An arbitrator's decision may not be cited as precedent in any other proceeding before the commission or before any court. The arbitrator shall promptly file his or her decision with the commission. The decision of the arbitrator shall stand as the decision of the commission. The decision of the commission is subject to review under ss. 227.53 to 227.57 only on the ground that the decision was procured by corruption,

fraud or undue means or that the arbitrator or the commission exceeded the arbitrator's or the commission's power. The record of a proceeding under this paragraph shall be transcribed as provided in s. 227.44 (8).

SECTION 3795. 230.46 of the statutes is amended to read:

230.46 Duties of council on affirmative action. The council on affirmative action ~~in the office~~ shall serve in a direct advisory capacity to the ~~director~~ administrator and as part of that relationship shall evaluate the progress of affirmative action programs throughout the civil service system, seek compliance with state and federal regulations and recommend improvements in the state's affirmative action efforts as an employer. In carrying out its responsibilities, the council may recommend legislation, consult with agency personnel and other interested persons, conduct hearings and take other appropriate action to promote affirmative action. The council shall report at least once per year to the governor and the legislature.

SECTION 3796. 230.48 (2) of the statutes is amended to read:

230.48 **(2)** PERSONNEL, FACILITIES AND EQUIPMENT. The ~~office~~ administrator shall appoint, under the classified service, a secretary and such other employees as are necessary to carry out the duties of the state employees suggestion board, and shall provide such facilities and equipment as that board requires for the proper performance of its work. The state employees suggestion board may request and shall receive from any state department any assistance that it requires.

SECTION 3796g. 230.80 (3) (b) of the statutes is amended to read:

230.80 **(3)** (b) A person who is, or whose immediate supervisor is, assigned to an executive salary group ~~or university senior executive salary group~~ under s. 20.923

or a person who has, or whose immediate supervisor has, a position specified in s. 36.115 (3m) (ae) to (f).

SECTION 3796r. 230.90 (1) (b) 2. of the statutes is amended to read:

230.90 **(1)** (b) 2. A person who is, or whose immediate supervisor is, assigned to an executive salary group ~~or university senior executive salary group~~ under s. 20.923 or a person who has, or whose immediate supervisor has, a position specified in s. 36.115 (3m) (ae) to (f).

SECTION 3798. 230.90 (2) of the statutes is amended to read:

230.90 **(2)** An employee may bring an action in circuit court against his or her employer or employer's agent, including this state, if the employer or employer's agent retaliates, by engaging in a disciplinary action, against the employee because the employee exercised his or her rights under the first amendment to the U.S. constitution or article I, section 3, of the Wisconsin constitution by lawfully disclosing information or because the employer or employer's agent believes the employee so exercised his or her rights. The employee shall bring the action within 2 years after the action allegedly occurred or after the employee learned of the action, whichever occurs last. No employee may bring an action against the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration as an employer's agent.

SECTION 3799. 231.02 (2) of the statutes is amended to read:

231.02 **(2)** The authority shall appoint an executive director and associate executive director who shall not be members of the authority and who shall serve at the pleasure of the authority. They shall receive such compensation as the authority fixes, except that the compensation of the executive director shall not exceed the maximum of the salary range established under s. 20.923 (1) for positions assigned

to executive salary group ~~4~~ 6 and the compensation of each other employee of the authority shall not exceed the maximum of the salary range established under s. 20.923 (1) for positions assigned to executive salary group 3. The executive director or associate executive director or other person designated by resolution of the authority shall keep a record of the proceedings of the authority and shall be custodian of all books, documents, and papers filed with the authority, the minute book or journal of the authority, and its official seal. The executive director or associate executive director or other person may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that such copies are true copies, and all persons dealing with the authority may rely upon such certificates.

SECTION 3805. 233.10 (3) (c) 4. of the statutes is amended to read:

233.10 **(3)** (c) 4. Grant to the carry–over employee military leave, treatment of military leave, jury service leave and voting leave in accordance with s. 230.35 (3) and (4) (e) and, to the extent applicable, rules of the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration governing such leaves for employees in the classified service as of the last day of the employee's employment as a state employee if the employee was entitled to those benefits on that day.

SECTION 3810. 233.10 (4) of the statutes is amended to read:

233.10 **(4)** Notwithstanding the requirement that an employee be a state employee, a carry–over employee of the authority who was employed in a position in the classified service immediately prior to beginning employment with the authority shall, from June 29, 1996, to June 30, 1997, have the same transfer rights under s. 230.29 and the rules of the ~~office~~ division of ~~state employment relations~~ personnel

management in the department of administration governing transfers as a person who holds a position in the classified service.

SECTION 3918. 234.86 (1) (c) of the statutes is amended to read:

234.86 **(1)** (c) "Local governmental unit" has the meaning given in s. 281.61 (1) ~~(a)~~ (am), except that the term does not include a joint local water authority created under s. 66.0823.

SECTION 3947g. 234.94 (5) of the statutes is amended to read:

234.94 **(5)** "Primary employment" means work ~~which~~ that pays at least the minimum wage as established under ~~ch. 104~~ s. 104.035 (1) or under federal law, whichever is greater, offers adequate fringe benefits, including health insurance, and is not seasonal or part time.

SECTION 3947r. 234.94 (8) of the statutes is amended to read:

234.94 **(8)** "Target group" means a population group for which the unemployment level is at least ~~25%~~ 25 percent higher than the statewide unemployment level, or a population group for which the average wage received is less than 1.2 times the minimum wage as established under ~~ch. 104~~ s. 104.035 (1) or under federal law, whichever is greater. No population group is required to be located within a contiguous geographic area to be considered a target group.

SECTION 3949. 237.07 (3) (a) of the statutes is amended to read:

237.07 **(3)** (a) For each fiscal year, the authority shall submit to the department of administration an audited financial statement of the funding received by the authority ~~from the department of natural resources under s. 237.08 (2) and by the authority~~ from contributions and other funding accepted by the authority under s. 237.08 (3).

SECTION 3950. 237.08 (2) of the statutes is repealed.

SECTION 3956c. 238.02 (1) of the statutes is amended to read:

238.02 **(1)** There is created an authority, which is a public body corporate and politic, to be known as the "Wisconsin Economic Development Corporation." The members of the board shall consist of ~~the governor, who shall serve as chairperson of the board, and~~ 6 members nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor; 3 members appointed by the speaker of the assembly, consisting of one majority and one minority party representative to the assembly, appointed as are the members of standing committees in the assembly, and one person employed in the private sector, to serve at the speaker's pleasure; and 3 members appointed by the senate majority leader, consisting of one majority and one minority party senator, appointed as are members of standing committees in the senate, and one person employed in the private sector, to serve at the majority leader's pleasure. The secretary of administration and the secretary of revenue shall also serve on the board as nonvoting members. <u>The board shall elect a chairperson from among its nonlegislative voting members.</u>

SECTION 3956g. 238.02 (4) of the statutes is amended to read:

238.02 **(4)** All powers and duties assigned to the corporation under this chapter shall be exercised or carried out by the board, unless the board delegates the power or duty to an employee of the corporation <u>or a committee established by the board</u>.

SECTION 3960g. 238.03 (4) of the statutes is created to read:

238.03 **(4)** (a) In this subsection, "unassigned balance" means all moneys held by the corporation that the corporation is not obligated by law or by contract to expend for a particular purpose or that the corporation has not otherwise assigned to be expended for a particular purpose.

(b) The board shall establish policies and procedures for maintaining and expending any unassigned balance that satisfy all of the following requirements:

1. The policies and procedures shall be consistent with best practices recommended by the Government Finance Officers Association.

2. The policies and procedures shall establish as a target that the corporation's unassigned balance on June 30 of each fiscal year be an amount equal to or less than one–sixth of the corporation's total administrative expenditures for that fiscal year.

SECTION 3961b. 238.115 of the statutes is created to read:

238.115 Tax credit reporting. (1) CORPORATION OBLIGATIONS. No later than the end of the first month following each quarter, the corporation shall provide to the department of revenue all of the following information for the previous quarter:

(a) The identity of each person the corporation certified for tax credits under this chapter and, for each person, the amount certified.

(b) The identity of each person the corporation verified to claim tax credits under this chapter based on the person's satisfaction of all applicable requirements to be eligible to claim the tax credits and, for each person, the amount verified.

(c) The identity of each person, whether an entity or individual, who may claim tax credits as the result of each verification of each person identified under par. (b). The information provided under this paragraph shall specify the taxable year that applies for each of those persons.

(d) The identity of each person, whether an entity or individual, who may claim tax credits as the result of a transfer of tax credits under this chapter and, for each person, the amount transferred. The information provided under this paragraph shall specify the taxable year that applies for each of those persons.

(e) The identity of each person for whom the corporation revoked a certification for tax credits and, for each person, the amount revoked.

(f) The amount of tax credits already claimed that must be repaid as the result of a revocation for each person identified under par. (e).

(g) Any other information the department of revenue and the corporation agree is necessary to accurately track certification, verification, transfer, and usage of tax credits under this chapter.

(2) TAXPAYER OBLIGATIONS. Each person the corporation certifies for tax credits under this chapter shall provide all information necessary for the corporation to comply with the reporting requirements under sub. (1).

(3) DEPARTMENT OF REVENUE'S OBLIGATION. The department of revenue shall track the amount of all tax credits administered by the corporation that have been claimed or used to offset tax liability and the amount of all available unused tax credits under this chapter.

SECTION 3971b. 238.12 (1) of the statutes is amended to read:

238.12 **(1)** In this section, "tax benefits" means the credits under ss. 71.07 ~~(2dd), (2de), (2di), (2dj), (2dL),~~ (2dm), ~~(2dr), (2ds),~~ (2dx), (3g), and (3t), 71.28 ~~(1dd), (1de), (1di), (1dj), (1dL),~~ (1dm), ~~(1ds),~~ (1dx), (3g), and (3t), 71.47 ~~(1dd), (1de), (1di), (1dj), (1dL),~~ (1dm), ~~(1ds),~~ (1dx), (3g), and (3t), and 76.636.

SECTION 3971r. 238.123 of the statutes is created to read:

238.123 Loan reduction. (1) Except for loans made under sub. (2), the corporation may not originate more than $10,000,000 in new loans in fiscal year 2015–16, may not originate more than $5,000,000 in loans in fiscal year 2016–17, and may not originate any new loan after June 30, 2017.

(2) The corporation may continue to administer its technology development loan program as that program was constituted on January 1, 2015. The corporation may not originate more than $3,000,000 annually in loans under that program, except that all loan amounts funded from federal revenue do not count toward that limit.

SECTION 3975. 238.13 (2) (b) 2. of the statutes is repealed.

SECTION 3976. 238.13 (2) (b) 3. of the statutes is created to read:

238.13 **(2)** (b) 3. The recipient of a grant under this section shall contribute to the project an amount that is equal to at least 50 percent of the amount of the grant.

SECTION 3977. 238.13 (5) of the statutes is amended to read:

238.13 **(5)** Before the corporation awards a grant under this section, the corporation shall consider the recommendations of ~~the department of administration and~~ the department of natural resources.

SECTION 3977m. 238.14 of the statutes is created to read:

238.14 St. Croix Valley Business Incubator. From the appropriation under s. 20.192 (1) (a), the corporation shall make a grant of $250,000 to the River Falls Economic Development Corporation to construct the St. Croix Valley Business Incubator. The corporation may award the grant under this section only if federal moneys are secured for the same purpose.

SECTION 3979n. 238.145 of the statutes is created to read:

238.145 Grants for fabrication laboratories. (1) In this section:

(a) "Eligible recipient" means a person the corporation certifies under sub. (2) (b) as eligible to receive grants under this section.

(b) "Fabrication laboratory" means a medium–scale, high–technology workshop equipped with computer–controlled additive and subtractive

manufacturing components, including 3–dimensional printers, laser engravers, computer numerical control routers, or plasma cutters.

(2) (a) The corporation shall implement an economic development program to award grants under this section.

(b) The corporation may certify a person as eligible to receive grants under this section as provided in policies and procedures adopted by the corporation under sub. (6).

(c) The corporation may not certify a person under par. (b) after June 30, 2017.

(3) (a) From the appropriation under s. 20.192 (1) (a), the corporation may award up to a total of $500,000 in grants to eligible recipients.

(b) The corporation may not award grants totaling more than $75,000 to each eligible recipient, and the corporation may not award a grant of more than $25,000 to an eligible recipient in any year.

(4) An eligible recipient of a grant under this section shall use all grant moneys for the purchase of equipment used for instructional and educational purposes in one or more fabrication laboratories by elementary, middle, junior, or senior high school students.

(5) (a) The corporation shall award grants under this section annually, on a competitive basis, based on an eligible recipient's financial need; and, subject to the limitations under par. (b), the corporation may not take into account whether an eligible recipient was previously awarded a grant under this section in determining whether to award a grant to the eligible recipient.

(b) The corporation may award no more than 3 annual grants to each eligible recipient, as follows:

1. In the first grant year, the corporation may contribute up to 75 percent of the eligible recipient's equipment expenditures under sub. (4).

2. In the 2nd grant year, the corporation may contribute up to 50 percent of the eligible recipient's equipment expenditures under sub. (4).

3. In the 3rd grant year, the corporation may contribute up to 25 percent of the eligible recipient's equipment expenditures under sub. (4).

(6) The corporation shall adopt policies and procedures to implement the grant program under this section.

SECTION 3982. 238.15 (1) (f) 1. b. of the statutes is amended to read:

238.15 **(1)** (f) 1. b. Processing or assembling products, including medical devices, pharmaceuticals, computer software, computer hardware, semiconductors, any other innovative technology products, or other products that are produced using manufacturing methods that are enabled by applying ~~proprietary~~ differentiating technology.

SECTION 3983. 238.15 (1) (f) 1. c. of the statutes is amended to read:

238.15 **(1)** (f) 1. c. Services that are enabled by applying ~~proprietary~~ differentiating technology.

SECTION 3984. 238.15 (1) (f) 2. of the statutes is amended to read:

238.15 **(1)** (f) 2. It is undertaking pre–commercialization activity related to ~~proprietary~~ differentiating technology that includes conducting research, developing a new product or business process, or developing a service that is principally reliant on applying ~~proprietary~~ differentiating technology.

SECTION 3990. 238.15 (1) (m) 1. (intro.) of the statutes is amended to read:

238.15 **(1)** (m) 1. (intro.) It agrees that it will not relocate outside of this state during the 3 years after it receives an investment for which a person may claim a tax

credit under s. 71.07 (5d) and agrees to pay the corporation a penalty, in an amount determined under subd. 2., if the business relocates outside of this state during that 3–year period. For the purposes of this paragraph, except as provided in policies and procedures under sub. (3) (dm), a business relocates outside of this state when the business locates more than 51 percent of any of the following outside of this state:

SECTION 3991. 238.15 (1) (m) 3. of the statutes is created to read:

238.15 **(1)** (m) 3. Subdivision 1. does not apply to a business that the corporation certified for purposes of s. 71.07 (5d) before April 20, 2012, and that, in reliance on that certification, executed a note or bond that is convertible to an equity interest.

SECTION 3991b. 238.15 (3) (b) of the statutes is repealed.

SECTION 3991n. 238.15 (3) (d) (intro.) of the statutes is amended to read:

238.15 **(3)** (d) ~~*Rules*~~ *Administration*. (intro.) The corporation, in consultation with the department of revenue, shall ~~adopt rules~~ establish policies and procedures to administer this section~~. The rules~~ and shall further define "bona fide angel investment" for purposes of s. 71.07 (5d) (a) 1. The ~~rules shall limit the~~ aggregate amount of tax credits under s. 71.07 (5d) that may be claimed for investments in businesses certified under sub. (1) ~~at $3,000,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, $5,500,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, $6,500,000 for calendar year 2010, and $20,000,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional $250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also limit the aggregate amount~~ and of ~~the~~ tax credits under ss. 71.07

(5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) ~~at $3,500,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, $6,000,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, $8,000,000 for calendar year 2010, and $20,500,000~~ is $30,000,000 per calendar year ~~for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional $250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1)~~. The ~~rules~~ policies and procedures shall ~~also~~ provide that~~, for calendar years beginning after December 31, 2007,~~ a person who receives a credit under ~~ss.~~ s. 71.07 (5b) ~~and~~ or (5d), 71.28 (5b), 71.47 (5b), or 76.638 must keep the investment in a certified business, or with a certified fund manager, for no less than 3 years, unless the person's investment becomes worthless, as determined by the corporation, during the 3–year period or the person has kept the investment for no less than 12 months and a bona fide liquidity event, as determined by the corporation, occurs during the 3–year period. The ~~rules~~ policies and procedures shall permit the corporation to reallocate credits under this section in any calendar year that are unused in ~~any~~ that calendar year to a person eligible for tax benefits, as defined under s. 238.16 (1) (d), if all of the following apply:

SECTION 3991o. 238.15 (3) (d) (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

238.15 **(3)** (d) *Administration.* (intro.) The corporation, in consultation with the department of revenue, shall establish policies and procedures to administer this section and shall further define "bona fide angel investment" for purposes of s. 71.07 (5d) (a) 1. The aggregate amount of tax credits under s. 71.07 (5d) that may be

claimed for investments in businesses certified under sub. (1) and of tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) is $30,000,000 per calendar year. The policies and procedures shall provide that a person who receives a credit under s. 71.07 (5b) or (5d), 71.28 (5b), 71.47 (5b), or 76.638 must keep the investment in a certified business, or with a certified fund manager, for no less than 3 years, unless the person's investment becomes worthless, as determined by the corporation, during the 3–year period or the person has kept the investment for no less than 12 months and a bona fide liquidity event, as determined by the corporation, occurs during the 3–year period. The policies and procedures shall permit the corporation to reallocate credits under this section in any calendar year that are unused in that calendar year to a person eligible for tax benefits, as defined under s. ~~238.16 (1) (d)~~ 238.30 (7) (e), if all of the following apply:

SECTION 3992. 238.15 (3) (dm) of the statutes is created to read:

238.15 **(3)** (dm) The corporation's policies and procedures under this subsection shall provide that a business is considered to have not relocated outside of this state under sub. (1) (m) 1., regardless of whether the business satisfies sub. (1) (m) 1. a. and b., if the corporation determines that the business's investment and employment levels in this state have not diminished.

SECTION 3993. 238.15 (3) (e) of the statutes is amended to read:

238.15 **(3)** (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III of ch. 76, if the person receives prior authorization from the investment fund manager and the manager then notifies the corporation and the

department of revenue of the transfer and submits with the notification a copy of the transfer documents. No person may sell or otherwise transfer a credit as provided in this paragraph more than once in a 12–month period. The corporation may charge any person selling or otherwise transferring a credit under this paragraph a fee ~~equal~~ of up to ~~1~~ 5 percent of the credit amount sold or transferred.

SECTION 3993b. 238.15 (3) (f) of the statutes is created to read:

238.15 **(3)** (f) *Limit on future allocations.* 1. Beginning with December 31, 2014, tax credits that the corporation has not allocated under this section on or before December 31 of each year may not be allocated after that date.

2. Subdivision 1. does not apply to an allocation of tax credits occurring after December 31, 2014, and before the effective date of this subdivision .... [LRB inserts date].

SECTION 3995. 238.16 (4) (c) of the statutes is amended to read:

238.16 **(4)** (c) Subject to a reallocation by the corporation pursuant to ~~rules~~ policies and procedures adopted under s. 238.15 (3) (d), the corporation may allocate up to ~~$5,000,000 in tax benefits under this section in any calendar year, except that beginning on July 1, 2011, the corporation may allocate up to~~ $10,000,000 in tax benefits under this section in any calendar year.

SECTION 3995e. 238.16 (5) (a) of the statutes is repealed.

SECTION 3995f. 238.16 (5) (b) of the statutes is repealed.

SECTION 3995g. 238.16 (5) (d) of the statutes is repealed.

SECTION 3995h. 238.16 (5) (f) 3. of the statutes is amended to read:

238.16 **(5)** (f) 3. Conditions for the revocation of a certification ~~under par. (b)~~.

SECTION 3996. 238.16 (6) of the statutes is created to read:

238.16 **(6)** SUNSET. No tax benefits may be awarded under this section after December 31, 2015, unless the tax benefits were allocated to a taxpayer by the corporation in a contract that the corporation executed before that date or in a letter of intent to enter into such a contract that the corporation issued before that date.

SECTION 3997r. 238.17 of the statutes is amended to read:

238.17 Historic rehabilitation tax credit. For taxable years beginning after December 31, 2013, the corporation may certify a person to claim a tax credit under s. 71.07 (9m), 71.28 (6), or 71.47 (6), if the corporation determines that the person is conducting an eligible activity under s. 71.07 (9m), 71.28 (6), or 71.47 (6). No person may claim a tax credit under s. 71.07 (9m), 71.28 (6), or 71.47 (6) without first being certified under this section. ~~The corporation shall notify the department of revenue no later than January 15 of each year of the amount of the credits certified under this section and the name, address, and tax identification number of each person certified to claim the credit. The corporation shall notify the department of revenue of any revoked certification no later than 2 months after the revocation date.~~

SECTION 3998b. 238.23 (1) of the statutes is amended to read:

238.23 **(1)** In this section, "tax credit" means a credit under s. 71.07 ~~(2di),~~ (2dm), (2dx), or (3g), 71.28 ~~(1di),~~ (1dm), (1dx), or (3g), or 71.47 ~~(1di),~~ (1dm), (1dx), or (3g).

SECTION 3998c. 238.23 (4) (b) of the statutes is amended to read:

238.23 **(4)** (b) The corporation shall annually verify information submitted to the corporation under ss. 71.07 ~~(2di),~~ (2dm), (2dx), and (3g), 71.28 ~~(1di),~~ (1dm), (1dx), and (3g), and 71.47 ~~(1di),~~ (1dm), (1dx), and (3g).

SECTION 4001b. 238.30 (7) (b) 1. of the statutes is amended to read:

238.30 **(7)** (b) 1. Except as provided in subd. 2., in s. 238.395, "tax benefits" means ~~the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),~~

~~and 71.47 (1di) and~~ the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636. With respect to the development opportunity zones under s. 238.395 (1) (e) and (f), "tax benefits" also means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

SECTION 4001c. 238.30 (7) (e) of the statutes is created to read:

238.30 **(7)** (e) In s. 238.308, "tax benefits" means the business development tax credit under ss. 71.07 (3y), 71.28 (3y), and 71.47 (3y).

SECTION 4004b. 238.301 (2) (b) of the statutes is amended to read:

238.301 **(2)** (b) The corporation shall provide a person certified under this section ~~and the department of revenue~~ with a copy of the certification.

SECTION 4005. 238.303 (1) (a) of the statutes is amended to read:

238.303 **(1)** (a) Except as provided in pars. (am) and (b), ~~and subject to a reallocation by the corporation pursuant to rules adopted under s. 238.15 (3) (d),~~ the total tax benefits available to be allocated by the corporation under ss. 238.301 to 238.306 may not exceed the sum of the tax benefits remaining to be allocated under s. 560.71 to 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus $100,000,000.

SECTION 4005e. 238.303 (3) of the statutes is amended to read:

238.303 **(3)** NOTICE OF ELIGIBILITY. The corporation shall provide to the person ~~and to the department of revenue~~ a notice of eligibility to receive tax benefits that reports the amount of tax benefits for which the person is eligible.

SECTION 4006. 238.303 (4) of the statutes is created to read:

238.303 **(4)** SUNSET. No tax benefits may be awarded under ss. 238.301 to 238.306 after December 31, 2015, unless the tax benefits were allocated to a taxpayer

by the corporation in a contract that the corporation executed before that date or in a letter of intent to enter into such a contract that the corporation issued before that date.

SECTION 4006h. 238.3045 (2) (b) of the statutes is repealed.

SECTION 4010b. 238.308 of the statutes is created to read:

238.308 Business development tax credit. (1) DEFINITION. In this section, "eligible employee" means a person employed in a full–time job by a person certified under sub. (2).

(2) CERTIFICATION. (a) The corporation may certify a person to receive tax benefits under this section if all of the following apply:

1. The person is operating or intends to operate a business in this state.

2. The person applies under this section and enters into a contract with the corporation.

(b) The certification of a person under par. (a) may remain in effect for no more than 10 cumulative years.

(3) ELIGIBILITY FOR TAX BENEFITS. A person is eligible to receive tax benefits if, in each year for which the person claims tax benefits under this section, the person increases net employment in this state in the person's business above the net employment in this state in the person's business during the year before the person was certified under sub. (2), as determined by the corporation under its policies and procedures.

(4) AWARDS, LIMITS, EXPIRATION. (a) The corporation may award all of the following tax benefits to a person certified under sub. (2):

1. An amount equal to up to 10 percent of the amount of wages that the person paid to an eligible employee in the taxable year.

2. In addition to any tax benefits awarded for an eligible employee under subd. 1., an amount equal to up to 5 percent of the amount of wages that the person paid to the eligible employee in the taxable year, if the eligible employee is employed in an economically distressed area, as determined by the corporation.

3. An amount equal to up to 50 percent of the person's training costs incurred to undertake activities to enhance an eligible employee's general knowledge, employability, and flexibility in the workplace; to develop skills unique to the person's workplace or equipment; or to develop skills that will increase the quality of the person's product.

4. An amount equal to up to 3 percent of the person's personal property investment and up to 5 percent of the person's real property investment in a capital investment project, if the project involves a total capital investment of at least $1,000,000 or, if less than $1,000,000, the project involves a capital investment that is equal to at least $10,000 per eligible employee employed on the project.

5. An amount, as determined by the corporation, equal to a percentage of the amount of wages that the person paid to an eligible employee in the taxable year, if the position in which the eligible employee was employed was created or retained in connection with the person's location or retention of the person's corporate headquarters in Wisconsin and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions.

(b) Subject to a reallocation by the corporation under s. 238.15 (3) (d), the corporation may allocate up to $17,000,000 in tax benefits under this section in 2016 and up to $22,000,000 per year thereafter. Any unused allocation may be carried forward.

(5) DUTIES. (a) The corporation may require a person to repay any tax benefits the person claims for a year in which the person failed to employ an eligible employee required by an agreement under sub. (2) (b).

(b) The corporation shall annually verify the information submitted to it by the person claiming tax benefits under ss. 71.07 (3y), 71.28 (3y), and 71.47 (3y).

(c) The corporation shall adopt policies and procedures for the implementation and operation of this section.

SECTION 4024q. 238.395 (3) (c) of the statutes is repealed.

SECTION 4025b. 238.395 (3) (d) of the statutes is amended to read:

238.395 **(3)** (d) The corporation annually shall verify information submitted to the corporation under s. 71.07 ~~(2di),~~ (2dm)~~,~~ or (2dx), 71.28 ~~(1di),~~ (1dm)~~,~~ or (1dx), 71.47 ~~(1di),~~ (1dm)~~,~~ or (1dx), or 76.636.

SECTION 4025e. 238.395 (4) (a) of the statutes is renumbered 238.395 (4).

SECTION 4025f. 238.395 (4) (b) of the statutes is repealed.

SECTION 4029. 238.399 (3) (a) of the statutes is amended to read:

238.399 **(3)** (a) The corporation may designate not more than ~~20~~ 30 enterprise zones.

SECTION 4029s. 238.399 (6) (a) of the statutes is repealed.

SECTION 4029u. 238.399 (6) (c) of the statutes is repealed.

SECTION 4031. 250.041 (1) (b) of the statutes is repealed.

SECTION 4032. 250.041 (1) (e) of the statutes is amended to read:

250.041 **(1)** (e) A permit under s. 254.47 (1)~~,~~ or 254.64 (1) (a) or (b) ~~or 255.08 (2)~~.

SECTION 4033. 250.041 (1) (e) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 4034. 250.041 (1) (f) of the statutes is repealed.

SECTION 4036. 252.02 (4) of the statutes is amended to read:

252.02 **(4)** ~~The~~ Except as provided in ss. 93.07 (24) (e) and 97.59, the department may promulgate and enforce rules or issue orders for guarding against the introduction of any communicable disease into the state, for the control and suppression of communicable diseases, for the quarantine and disinfection of persons, localities and things infected or suspected of being infected by a communicable disease and for the sanitary care of jails, state prisons, mental health institutions, schools, ~~hotels~~ and public buildings and connected premises. Any rule or order may be made applicable to the whole or any specified part of the state, or to any vessel or other conveyance. The department may issue orders for any city, village or county by service upon the local health officer. Rules that are promulgated and orders that are issued under this subsection supersede conflicting or less stringent local regulations, orders or ordinances.

SECTION 4037. 252.04 (9m) of the statutes is created to read:

252.04 **(9m)** A pharmacist or pharmacy that administers a vaccine under this section to a person 6 to 18 years of age shall update the Wisconsin Immunization Registry established by the department within 7 days of administering the vaccine.

SECTION 4037r. 252.12 (2) (a) 8. (intro.) of the statutes is amended to read:

252.12 **(2)** (a) 8. 'Mike Johnson life care and early intervention services grants.' (intro.) The department shall award not more than ~~$3,569,900~~ $3,677,000 in each fiscal year in grants to applying organizations for the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services; counseling and therapy; homecare services and supplies; advocacy; and case management services. These services shall include early intervention services. The

department shall also award not more than $74,000 in each year from the appropriation account under s. 20.435 (5) (md) for the services under this subdivision. The state share of payment for case management services that are provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from the appropriation account under s. 20.435 (1) (am). All of the following apply to grants awarded under this subdivision:

SECTION 4040. 252.18 of the statutes is renumbered 97.59 and amended to read:

97.59 Handling foods. No person in charge of any public eating place or other establishment where food products to be consumed by others are handled may knowingly employ any person handling food products who has a disease in a form that is communicable by food handling. If required by the local health officer or any officer of the department for the purposes of an investigation, any person who is employed in the handling of foods or is suspected of having a disease in a form that is communicable by food handling shall submit to an examination by the officer or by a physician, physician assistant, or advanced practice nurse prescriber designated by the officer. The expense of the examination, if any, shall be paid by the person examined. Any person knowingly infected with a disease in a form that is communicable by food handling who handles food products to be consumed by others and any persons knowingly employing or permitting such a person to handle food products to be consumed by others shall be punished as provided by s. ~~252.25~~ <u>97.72</u>.

SECTION 4041. 252.23 of the statutes is renumbered 463.10, and 463.10 (title), (2), (3) and (4) (a), as renumbered, are amended to read:

463.10 (title) **Regulation of tattooists <u>and tattooing establishments</u>.**

(2) DEPARTMENT; DUTY. Except as provided in ~~ss. 250.041 and 252.241~~ 463.14, the department shall provide uniform, statewide licensing and regulation of tattooists and uniform, statewide licensing and regulation of tattoo establishments under this section. The department shall inspect a tattoo establishment once before issuing a license for the tattoo establishment under this section and may make additional inspections that the department determines are necessary.

(3) LICENSE REQUIRED. Except as provided in sub. (5), no person may tattoo or attempt to tattoo another, designate or represent himself or herself as a tattooist or use or assume the title "tattooist" and no tattoo establishment may be operated unless the person and the establishment are licensed by the department under this section or by a local health department that is designated as the department's agent under s. ~~252.245~~ 463.16. Except as provided in s. 463.16, fees for licenses issued under this section shall be as determined under s. 440.03 (9).

(4) (a) Except as provided in ~~ss. 250.041 and 252.241~~ s. 463.14 and subject to sub. (4m), standards and procedures~~, including fee payment to offset the cost of licensing tattooists and tattoo establishments,~~ for the annual issuance of licenses as tattooists or as tattoo establishments to applicants under this section. ~~The department may not promulgate a rule that imposes a fee for a license under sub. (3) on an individual who is eligible for the veterans fee waiver program under s. 45.44.~~

SECTION 4042. 252.24 of the statutes is renumbered 463.12, and 463.12 (2), (3) and (4) (a), as renumbered, are amended to read:

463.12 **(2)** DEPARTMENT; DUTY. Except as provided in ~~ss. 250.041 and 252.241~~ s. 463.14, the department shall provide uniform, statewide licensing and regulation of body piercers and uniform, statewide licensing and regulation of body–piercing establishments under this section. The department shall inspect a body–piercing

establishment once before issuing a license for the body–piercing establishment under this section and may make additional inspections that the department determines are necessary.

(3) LICENSE REQUIRED. Except as provided in sub. (5), no person may pierce the body of or attempt to pierce the body of another, designate or represent himself or herself as a body piercer or use or assume the title "body piercer" unless the person is licensed by the department under this section or by a local health department that is designated as the department's agent under s. 463.16. Except as provided in s. 463.16, fees for licenses issued under this section shall be as determined under s. 440.03 (9).

(4) (a) Except as provided in ~~ss. 250.041 and 252.241~~ s. 463.14 and subject to sub. (4m), standards and procedures~~, including fee payment to offset the cost of licensing body piercers and body–piercing establishments,~~ for the annual issuance of licenses as body piercers or as body–piercing establishments to applicants under this section. ~~The department may not promulgate a rule under which the department may charge an individual who is eligible for the veterans fee waiver program under s. 45.44 a fee to obtain a license under sub. (3).~~

SECTION 4043. 252.241 of the statutes is renumbered 463.14, and 463.14 (title), (1), (1m), (3), (4) and (5), as renumbered, are amended to read:

463.14 (title) **Denial, nonrenewal and revocation of license or permit based on delinquent taxes or unemployment insurance contributions. (1)** Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing or renewing a license under

s. ~~252.23 (2) or (4) (a) or 252.24 (2) or (4) (a)~~ 463.10 or 463.12, or a permit under s. 463.25.

(1m) If an individual who applies for or to renew a license or permit under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license or permit, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families. A license or permit issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

(3) Except as provided in sub. (1m), the department shall deny an application for the issuance or renewal of a license or permit specified in sub. (1) if the applicant does not provide the information specified in sub. (1).

(4) The department shall deny an application for the issuance or renewal of a license or permit specified in sub. (1), or shall revoke the license or permit specified in sub. (1), if the department of revenue certifies under s. 73.0301 that the applicant for or holder of the license or permit is liable for delinquent taxes.

(5) The department shall deny an application for the issuance or renewal of a license or permit specified in sub. (1), or shall revoke the license or permit specified in sub. (1), if the department of workforce development certifies under s. 108.227 that the applicant for or holder of the license or permit is liable for delinquent unemployment insurance contributions.

SECTION 4044. 252.245 of the statutes is renumbered 463.16, and 463.16 (1), (2), (3), (4m), (5), (6), (8) and (9), as renumbered, are amended to read:

463.16 **(1)** In the administration and enforcement of ss. ~~252.23 and 252.24~~ 463.10 and 463.12, the department may enter into a written agreement with a local

health department with a jurisdictional area that has a population greater than 5,000, which designates the local health department as the department's agent in issuing licenses to and making investigations or inspections of tattooists and tattoo establishments and body piercers and body–piercing establishments. In a jurisdictional area of a local health department without agent status, the department of ~~health services~~ safety and professional services may issue licenses, collect license fees established ~~by rule~~ under ~~ss. 252.23 (4) (a) and 252.24 (4) (a)~~ s. 440.03 (9) and make investigations or inspections of tattooists and tattoo establishments and body piercers and body–piercing establishments. If the department of safety and professional services designates a local health department as its agent, the department of safety and professional services or local health department may require no license for the same operations other than the license issued by the local health department under this subsection. If the designation is made and the services are furnished, the department of safety and professional services shall reimburse the local health department furnishing the service at the rate of 80% of the net license fee per license per year issued in the jurisdictional area.

(2) A local health department designated as the department's agent under this section shall meet standards promulgated under ss. ~~252.23~~ 463.10 (4) (a) and ~~252.24~~ 463.12 (4) (a). The department shall annually evaluate the licensing, investigation and inspection program of each local health department granted agent status. If, at any time, a local health department designated as the department's agent fails to meet the standards, the department of ~~health services~~ safety and professional services may revoke its agent status.

(3) The department shall provide education and training to agents designated under this section to ensure uniformity in the enforcement of s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 and rules promulgated under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12.

(4m) A local health department designated as the department's agent under this section may contract with the department of ~~health services~~ safety and professional services for the department of ~~health services~~ safety and professional services to collect fees and issue licenses under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. The department of safety and professional services shall collect from the local health department the actual and reasonable cost of providing the services.

(5) If, under this section, a local health department becomes an agent or its agent status is discontinued during a licensee's license year, the department of ~~health services~~ safety and professional services and the local health department shall divide any license fee paid by the licensee for that license year according to the proportions of the license year occurring before and after the local health department is designated as an agent or the agent status is discontinued. No additional fee may be required during the license year due to the change in agent status.

(6) A village, city or county may enact ordinances and a local board of health may adopt regulations regarding the licensees and premises for which the local health department is the designated agent under this section, which are stricter than s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 or rules promulgated by the department of health services under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. No such provision may conflict with s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 or with department rules.

(8) The department shall hold a hearing under ch. 227 if, in lieu of proceeding under ch. 68, any interested person in the jurisdictional area of a local health department that is designated as the department's agent under this section appeals

to the department of ~~health services~~ safety and professional services alleging that a license fee for a tattooist or tattooist establishment or for a body piercer or body–piercing establishment exceeds the license issuer's reasonable costs of issuing licenses to, making investigations and inspections of, and providing education, training and technical assistance to the tattooist or tattooist establishment or to the body piercer or body–piercing establishment.

(9) The department shall promulgate rules establishing state fees for its costs related to setting standards under ss. ~~252.23~~ 463.10 and ~~252.24~~ 463.12 and monitoring and evaluating the activities of, and providing education and training to, agent local health departments. The department may not promulgate a rule under which a local health department may charge an individual who is eligible for the veterans fee waiver program under s. 45.44 a state fee to obtain a license under s. ~~252.23~~ 463.10 (3) or ~~252.24~~ 463.12 (3). Agent local health departments shall include the state fees in the license fees established under sub. (4), collect the state fees and reimburse the department for the state fees collected. For tattooists or tattoo establishments and for body piercers or body–piercing establishments, the state fee may not exceed 20% of the license fees established under s. ~~252.23 (4) (a) or 252.24 (4) (a)~~ 440.03 (9).

SECTION 4045. 254.02 (3) (a) of the statutes is amended to read:

254.02 **(3)** (a) The department of agriculture, trade and consumer protection, the department of corrections, the department of safety and professional services, and the department of natural resources shall enter into memoranda of understanding with the department to establish protocols for the department to review proposed rules of those state agencies relating to air and water quality,

occupational health and safety, institutional sanitation, toxic substances, indoor air quality, ~~food protection~~ or waste handling and disposal.

SECTION 4045p. 254.11 (8) of the statutes is amended to read:

254.11 **(8)** "Lead–bearing paint" means any paint or other surface coating material containing more than 0.06% lead by weight, calculated as lead metal, in the total nonvolatile content of liquid paint, more than 0.5 percent lead by weight in the dried film of applied paint, or more than ~~0.7~~ 1 milligram of lead per square centimeter in the dried film of applied paint.

SECTION 4046. 254.11 (13) of the statutes is amended to read:

254.11 **(13)** "Third–party payer" means a disability insurance policy that is required to provide coverage for a blood lead test under s. 632.895 (10) (a); a health maintenance organization or preferred provider plan under ch. 609; a health care coverage plan offered by the state under s. 40.51 (6); a self–insured health plan offered by a city or village under s. 66.0137 (4), a ~~political subdivision~~ local governmental unit or technical college district under s. 66.0137 (4m), a town under s. 60.23 (25), a county under s. 59.52 (11) (c), or a school district under s. 120.13 (2) (b); or a health care plan operated by a cooperative association organized under s. 185.981.

SECTION 4047. 254.115 (1) (c) of the statutes is repealed.

SECTION 4048. 254.115 (1) (d) of the statutes is repealed.

SECTION 4048d. 254.156 of the statutes is amended to read:

254.156 Definition of ~~lead–bearing paint and~~ lead poisoning or lead exposure. Notwithstanding s. 254.11 (intro.)~~, (8)~~ and (9), whenever the centers for disease control and prevention of the federal department of health and human services specifies a standard for the determination of ~~lead–bearing paint or~~ lead

poisoning or lead exposure that differs from that specified in s. 254.11 ~~(8) or~~ (9), the department shall promulgate a rule defining ~~"lead–bearing paint" or~~ "lead poisoning or lead exposure" to correspond to the specification of the centers for disease control and prevention. Rules promulgated under this section supersede s. 254.11 ~~(8) and~~ (9) with respect to the requirements of this subchapter.

SECTION 4049d. 254.30 (2) (a) of the statutes is amended to read:

254.30 **(2)** (a) *Civil penalty.* Any person who violates ss. 254.11 to 254.178 or rules promulgated, or orders issued, under those sections may be required to forfeit not less than $100 nor more than ~~$1,000~~ $5,000 per violation. Each day of continued violation constitutes a separate offense.

SECTION 4049e. 254.30 (2) (b) of the statutes is amended to read:

254.30 **(2)** (b) *Criminal penalty.* Any person who knowingly violates any provision of ss. 254.11 to 254.178 or any rule promulgated, or order issued, under those sections shall be fined not less than $100 nor more than $5,000 per violation. The court may place the person on probation under s. 973.09 for a period not to exceed 2 years.

SECTION 4050. 254.47 (title) of the statutes is renumbered 97.67 (title) and amended to read:

97.67 (title) **Recreational ~~permits~~ licenses and fees.**

SECTION 4051. 254.47 (1) of the statutes is renumbered 97.67 (1) and amended to read:

97.67 **(1)** Except as provided in sub. (1g) and ~~ss. 250.041 and 254.115~~ s. 93.135, the department or a local health department granted agent status under s. ~~254.69 (2)~~ 97.615 (2) shall issue ~~permits~~ licenses to and regulate campgrounds and camping resorts, recreational and educational camps and public swimming pools. No person

or state or local government who has not been issued a ~~permit~~ license under this section may conduct, maintain, manage or operate a campground and camping resort, recreational camp and educational camp or public swimming pool, as defined by departmental rule.

SECTION 4052. 254.47 (1g) of the statutes is renumbered 97.67 (1g).

SECTION 4053. 254.47 (1m) of the statutes is renumbered 97.67 (1m) and amended to read:

97.67 **(1m)** The department or a local health department granted agent status under s. ~~254.69~~ 97.615 (2) may not, without a ~~preinspection~~ pre–licensing inspection, grant a ~~permit~~ license to a person intending to operate a new public swimming pool, campground, or recreational or educational camp or to a person intending to be the new operator of an existing public swimming pool, campground, or recreational or educational camp.

SECTION 4054. 254.47 (2) of the statutes is renumbered 97.67 (2) and amended to read:

97.67 **(2)** (a) A separate ~~permit~~ license is required for each campground, camping resort, recreational or educational camp, and public swimming pool. Except as provided in par. (b) or (c), no ~~permit~~ license issued under this section is transferable from one premises to another or from one person, state or local government to another.

(b) A ~~permit~~ license issued under this section may be transferred from an individual to an immediate family member, as defined in s. ~~254.64~~ 97.605 (4) (a) 2., if the individual is transferring operation of the campground, camping resort, recreational or educational camp, or public swimming pool to the immediate family member.

(c) A sole proprietorship that reorganizes as a business entity, as defined in s. 179.70 (1), or a business entity that reorganizes as a sole proprietorship or a different type of business entity may transfer a ~~permit~~ license issued under this section for a campground, camping resort, recreational or educational camp, or public swimming pool to the newly formed business entity or sole proprietorship if all of the following conditions are satisfied:

1. The campground, camping resort, recreational or educational camp, or public swimming pool remains at the location for which the ~~permit~~ license was issued.

2. At least one individual who had an ownership interest in the sole proprietorship or business entity to which the ~~permit~~ license was issued has an ownership interest in the newly formed sole proprietorship or business entity.

SECTION 4055. 254.47 (2m) of the statutes is renumbered 97.67 (2m) and amended to read:

97.67 **(2m)** Except as provided in ~~ss. 250.041 and 254.115~~ s. 93.135, the initial issuance, renewal or continued validity of a ~~permit~~ license issued under this section may be conditioned upon the requirement that the ~~permittee~~ licensee correct a violation of this section, rules promulgated by the department under this section or ordinances adopted under s. ~~254.69~~ 97.615 (2) (g), within a period of time that is specified. If the condition is not met within the specified period of time, the ~~permit~~ license is void.

SECTION 4056. 254.47 (3) of the statutes is repealed.

SECTION 4057. 254.47 (4) of the statutes is renumbered 97.67 (4) and amended to read:

97.67 **(4)** ~~Permits~~ Licenses issued under this section expire on June 30, except that ~~permits~~ licenses initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year. Except as provided in s. ~~254.69~~ 97.615 (2) (d) and (e), the department shall promulgate rules that establish, for ~~permits~~ licenses issued under this section, amounts of ~~permit~~ license fees, ~~preinspection~~ pre–licensing inspection fees, reinspection fees, fees for operating without a license, and late fees for untimely ~~permit~~ license renewal.

SECTION 4058. 254.47 (5) of the statutes is renumbered 97.67 (5) and amended to read:

97.67 **(5)** No ~~permit~~ license may be issued under this section until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the ~~permit~~ license applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees from the department, late fees and processing charges that are specified by rules promulgated by the department. If the ~~permit~~ license applicant fails to pay all applicable fees, late fees and the processing charges within 15 days after the applicant receives notice of the insufficiency, the ~~permit~~ license is void. In an appeal concerning voiding of a ~~permit~~ license under this subsection, the burden is on the ~~permit~~ license applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is ~~deemed~~ considered to be operation without a ~~permit~~ license.

SECTION 4059. 254.47 (5m) of the statutes is renumbered 97.67 (5m).

SECTION 4060. 254.47 (6) of the statutes is renumbered 97.67 (6).

SECTION 4061. 254.47 (7) of the statutes is renumbered 97.67 (7) and amended to read:

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

SECTION 4062. Subchapter VII (title) of chapter 254 [precedes 254.61] of the statutes is repealed.

SECTION 4063. 254.61 (title) of the statutes is repealed.

SECTION 4064. 254.61 (intro.) of the statutes is repealed.

SECTION 4065. 254.61 (1) of the statutes is renumbered 97.01 (1g).

SECTION 4066. 254.61 (2) of the statutes is repealed.

SECTION 4067. 254.61 (3) of the statutes is renumbered 97.01 (7).

SECTION 4068. 254.61 (3m) of the statutes is renumbered 97.01 (13g).

SECTION 4069. 254.61 (4) of the statutes is renumbered 97.01 (13r) and amended to read:

97.01 **(13r)** "Public health and safety" means the highest degree of protection against infection, contagion or disease and freedom from the danger of fire or accident that can be reasonably maintained in the operation of a hotel, ~~restaurant,~~ tourist rooming house, bed and breakfast establishment, vending machine or vending machine commissary.

SECTION 4070. 254.61 (5) of the statutes is renumbered 97.01 (14g), and 97.01 (14g) (intro.), as renumbered, is amended to read:

97.01 **(14g)** (intro.) "Restaurant" means any building, room or place ~~where meals are prepared or served or sold~~ at which the predominant activity is the preparation, service, or sale of meals to transients or the general public, ~~and~~ including all places used in connection with it and ~~includes~~ including any public or private school lunchroom for which food service is provided by contract. "Meals" does not include soft drinks, ice cream, milk, milk drinks, ices and confections. "Restaurant" does not include:

SECTION 4071. 254.61 (5m) of the statutes is renumbered 97.01 (15b).

SECTION 4072. 254.61 (5r) of the statutes is renumbered 97.01 (15f).

SECTION 4073. 254.61 (6) of the statutes is renumbered 97.01 (15k).

SECTION 4074. 254.61 (7) of the statutes is renumbered 97.01 (15p).

SECTION 4075. 254.61 (8) of the statutes is renumbered 97.01 (15s) and amended to read:

97.01 **(15s)** "Vending machine commissary" means any building, room or place where the food, beverage, ingredients, containers, transport equipment or supplies for vending machines are kept, handled, prepared or stored by a vending machine operator. "Vending machine commissary" does not mean any place at which the operator is licensed to manufacture, distribute or sell food products under ~~ch. 97~~ this chapter.

SECTION 4076. 254.61 (9) of the statutes is renumbered 97.01 (15w).

SECTION 4077. 254.61 (10) of the statutes is renumbered 97.01 (15y).

SECTION 4078. 254.62 of the statutes is renumbered 97.60.

SECTION 4079. 254.63 of the statutes is renumbered 97.603.

SECTION 4080. 254.64 of the statutes is renumbered 97.605, and 97.605 (title), (1), (1m), (1p), (2), (3), (4) (b), (d) and (e) and (5), as renumbered, are amended to read:

97.605 (title) ~~**Permit**~~ **Lodging and vending licenses. (1)** (a) No person may conduct, maintain, manage or operate a hotel, ~~restaurant, temporary restaurant,~~ tourist rooming house, vending machine commissary or vending machine if the person has not been issued an annual ~~permit~~ license by the department or by a local health department that is granted agent status under s. ~~254.69~~ 97.615 (2).

(b) No person may maintain, manage or operate a bed and breakfast establishment for more than 10 nights in a year without having first obtained an annual ~~permit~~ license from the department.

(c) Except as provided in s. ~~250.041~~ 93.135, no ~~permit~~ license may be issued under this section until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the ~~permit~~ license applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees, late fees and processing charges that are specified by rules promulgated by the department. If the ~~permit~~ license applicant fails to pay all applicable fees, late fees and processing charges within 15 days after the applicant receives notice of the insufficiency, the ~~permit~~ license is void. In an appeal concerning voiding of a ~~permit~~ license under this paragraph, the burden is on the ~~permit~~ license applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is deemed to be operation without a ~~permit~~ license.

(d) If a person or establishment otherwise licensed under ~~ch. 97~~ this chapter is incidentally engaged in an activity for which a ~~permit~~ license is required under this section, the department may, by rule, exempt the person or establishment from the ~~permit~~ license requirement under this section. ~~Rules under this paragraph shall~~

~~conform to a memorandum of understanding between the department and the department of agriculture, trade and consumer protection.~~

(1m) No county, city, village or town may require any ~~permit~~ license of, or impose any ~~permit~~ license or inspection fee on, a vending machine operator, vending machine commissary or vending machine ~~permitted~~ licensed under this ~~subchapter~~ chapter.

(1p) Except as provided in s. ~~250.041~~ 93.135, the department may condition the initial issuance, renewal or continued validity of a ~~permit~~ license issued under this section on correction by the ~~permittee~~ licensee of a violation of this subchapter, rules promulgated by the department under this subchapter or ordinances or regulations adopted under s. ~~254.69~~ 97.615 (2) (g), within a specified period of time. If the ~~permittee~~ licensee fails to meet the condition within the specified period of time, the ~~permit~~ license is void.

(2) Except as provided in sub. (3), a separate ~~permit~~ license is required for each hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary.

(3) (a) A bulk milk dispenser may be operated in a restaurant without a vending machine or vending machine operator ~~permit~~ license.

(b) A restaurant may operate as a vending machine commissary without a vending machine commissary ~~permit~~ license.

(4) (b) Except as provided in par. (d) or (e), no ~~permit~~ license is transferable from one premises to another or from one person to another.

(d) The holder of a ~~permit~~ license issued under this section may transfer the ~~permit~~ license to an individual who is an immediate family member if the holder is

transferring operation of the hotel, tourist rooming house, bed and breakfast establishment, or vending machine to the immediate family member.

(e) A sole proprietorship that reorganizes as a business entity or a business entity that reorganizes as either a sole proprietorship or a different type of business entity may transfer a ~~permit~~ license issued under this section for operation of ~~an~~ a hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary to the newly formed business entity or sole proprietorship if the following conditions are satisfied:

1. The hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary remains at the location for which the ~~permit~~ license was issued.

2. At least one individual who had an ownership interest in the sole proprietorship or business entity to which the ~~permit~~ license was issued has an ownership interest in the newly formed sole proprietorship or business entity.

(5) (a) Except as provided in par. (b), all ~~permits~~ licenses expire on June 30, except that ~~permits~~ licenses initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year.

(b) 1. The local health department of a city of the 1st class that has entered into an agreement with the department under s. ~~254.69~~ 97.615 (2) may issue a ~~permit~~ license for a ~~restaurant or~~ bed and breakfast establishment required under this section at any time during the year. A ~~permit~~ license issued under this subdivision shall expire one year from the date of its issuance.

2. The holder of a ~~permit~~ license for a ~~restaurant or~~ bed and breakfast establishment may request an extension to the term of a ~~permit~~ license issued under this section by the local health department of a city of the 1st class that has entered

into an agreement with the department under s. ~~254.69~~ 97.615 (2) for the purpose of aligning the annual term of any other license or permit issued to that ~~permit~~ license holder with the annual term of a ~~permit~~ license to be issued to that ~~permit~~ license holder under subd. 1. The local health department may require a ~~permit~~ license holder that receives an extension under this subdivision to pay a prorated fee in an amount determined by dividing the ~~permit~~ license fee imposed under s. ~~254.69~~ 97.615 (2) by 12 and multiplying the quotient by the number of months by which the ~~permit~~ license issued under this section is extended under this subdivision.

SECTION 4081. 254.65 of the statutes is renumbered 97.607 and amended to read:

97.607 ~~Preinspection~~ Pre-licensing inspection. (1) The department or a local health department granted agent status under s. ~~254.69~~ 97.615 (2) may not grant a ~~permit~~ license to a person intending to operate a new hotel, tourist rooming house, bed and breakfast establishment, ~~restaurant~~ or vending machine commissary or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed and breakfast establishment, ~~restaurant~~ or vending machine commissary without a ~~preinspection~~ pre-licensing inspection. This section does not apply ~~to a temporary restaurant or~~ when a ~~permit~~ license is transferred under s. ~~254.64~~ 97.605 (4) (d) or (e).

(2) Agents designated by the department under s. ~~254.69~~ 97.615 (1) shall make ~~preinspections~~ pre-licensing inspections of vending machine commissaries as required under this subsection and shall be reimbursed for those services at the rate of 80% of the ~~preinspection~~ pre-licensing inspection fee designated in this subsection. Agents designated by the department under s. ~~254.69~~ 97.615 (2) shall make ~~preinspections~~ pre-licensing inspections of hotels~~, restaurants~~ and tourist

rooming houses and establish and collect ~~preinspection~~ pre–licensing inspection fees under s. ~~254.69~~ 97.615 (2) (d).

SECTION 4082. 254.66 of the statutes is renumbered 97.307 and amended to read:

97.307 Average annual surveys. The department or a local health department granted agent status under s. ~~254.69 (2)~~ 97.41 shall annually make a number of inspections of restaurants in this state that shall equal the number of restaurants for which annual ~~permits~~ licenses are issued under s. ~~254.64 (1) (a)~~ 97.30.

SECTION 4083. 254.67 of the statutes is renumbered 97.61.

SECTION 4084. 254.68 of the statutes is renumbered 97.613 and amended to read:

97.613 Fees. Except as provided in s. ~~254.69~~ 97.615 (2) (d) and (e), the department shall promulgate rules that establish, for ~~permits~~ licenses issued under s. ~~254.64, permit~~ 97.605, license fees, ~~preinspection~~ pre–licensing inspection fees, reinspection fees, fees for operating without a ~~permit~~ license, late fees for untimely ~~permit~~ renewal, fees for comparable compliance or variance requests, and fees for ~~pre–permit~~ pre–license review of restaurant plans.

SECTION 4085. 254.69 of the statutes is renumbered 97.615, and 97.615 (2) (title), (am), (b), (c), (d), (dm), (e), (f), (g), (h) and (j) 1. and 2., as renumbered, are amended to read:

97.615 **(2)** (title) HOTELS, ~~RESTAURANTS,~~ TOURIST ROOMING HOUSES, AND OTHER ESTABLISHMENTS. (am) In the administration of this subchapter or s. ~~254.47~~ 97.67, the department may enter into a written agreement with a local health department with a jurisdictional area that has a population greater than 5,000, which designates

the local health department as the department's agent in issuing ~~permits~~ licenses to and making investigations or inspections of hotels, ~~restaurants, temporary restaurants,~~ tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, and public swimming pools. In a jurisdictional area of a local health department without agent status, the department ~~of health services~~ may issue ~~permits~~ licenses, collect fees established by rule under s. ~~254.68~~ 97.613 and make investigations or inspections of hotels, ~~restaurants, temporary restaurants,~~ tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, and public swimming pools. If the department designates a local health department as its agent, the department or local health department may require no ~~permit~~ license for the same operations other than the ~~permit~~ license issued by the local health department under this subsection. The department shall ~~coordinate~~ oversee the designation of agents under this subsection ~~with the department of agriculture, trade and consumer protection~~ to ensure that, to the extent feasible, the same local health department is granted agent status under this subsection and under s. 97.41. ~~Except as otherwise provided by the department, a local health department granted agent status shall regulate all types of establishments for which this subchapter permits the department of health services to delegate regulatory authority.~~

(b) A local health department granted agent status under this subsection shall meet standards promulgated, by rule, by the department ~~of health services~~. The department shall annually evaluate the licensing, investigation and inspection program of each local health department granted agent status. If, at any time, a local health department granted agent status fails to meet the standards, the department

of ~~health services~~ agriculture, trade and consumer protection may revoke its agent status.

(c) The department shall provide education and training to agents designated under this subsection to ensure uniformity in the enforcement of this subchapter, s. ~~254.47~~ 97.67 and rules promulgated under this subchapter and s. ~~254.47~~ 97.67.

(d) Except as provided in par. (dm), a local health department granted agent status under this subsection shall establish and collect the ~~permit~~ license fee for each type of establishment specified in par. (am). The local health department may establish separate fees for ~~preinspections~~ pre–licensing inspections of new establishments, for ~~preinspections~~ pre–licensing inspections of existing establishments for which a person intends to be the new operator or for the issuance of duplicate ~~permits~~ licenses. No fee may exceed the local health department's reasonable costs of issuing ~~permits~~ licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishments, plus the state fee established under par. (e). A local health department granted agent status under this subsection or under s. 97.41 may issue a single ~~permit~~ license and establish and collect a single fee which authorizes the operation on the same premises of more than one type of establishment for which it is granted agent status under this subsection or under s. 97.41.

(dm) A local health department granted agent status under this subsection may contract with the department ~~of health services~~ for the department ~~of health services~~ to collect fees and issue ~~permits~~ licenses. The department shall collect from the local health department the actual and reasonable cost of providing the services.

(e) The department shall establish state fees for its costs related to setting standards under this subchapter and s. ~~254.47~~ 97.67 and monitoring and evaluating

the activities of, and providing education and training to, agent local health departments. Agent local health departments shall include the state fees in the ~~permit~~ license fees established under par. (d), collect the state fees and reimburse the department for the state fees collected. For each type of establishment specified in par. (am), the state fee may not exceed 20% of the ~~permit~~ license fees charged under ss. ~~254.47~~ 97.67 and ~~254.68~~ 97.613.

(f) If, under this subsection, a local health department becomes an agent or its agent status is discontinued during a ~~permittee's permit~~ licensee's license year, the department ~~of health services~~ and the local health department shall divide any ~~permit~~ license fee paid by the ~~permittee~~ licensee for that ~~permit~~ license year according to the proportions of the ~~permit~~ license year occurring before and after the local health department's agent status is granted or discontinued. No additional fee may be required during the ~~permit~~ license year due to the change in agent status.

(g) A village, city or county may adopt ordinances and a local board of health may adopt regulations regarding the ~~permittees~~ licensees and premises for which the local health department is the designated agent under this subsection, which are stricter than this subchapter, s. ~~254.47~~ 97.67, or rules promulgated by the department ~~of health services~~ under this subchapter or s. ~~254.47~~ 97.67. No such provision may conflict with this subchapter or with department rules.

(h) This subsection does not limit the authority of the department to inspect hotels, tourist rooming houses, bed and breakfast establishments, or vending machine commissaries in jurisdictional areas of local health departments where agent status is granted if it inspects in response to an emergency, for the purpose of monitoring and evaluating the local health department's licensing, inspection and enforcement program or at the request of the local health department.

(j) 1. A ~~permit~~ license fee established by a local health department granted agent status exceeds the reasonable costs described under par. (d).

2. The person issuing, refusing to issue, suspending or revoking a ~~permit~~ license or making an investigation or inspection of the appellant has a financial interest in a regulated establishment specified in par. (am) which may interfere with his or her ability to properly take that action.

SECTION 4086. 254.70 of the statutes is renumbered 97.617 and amended to read:

97.617 Application; lodging and vending. (1) An applicant for a ~~permit~~ license under this subchapter shall complete the application prepared by the department or the local health department granted agent status under s. ~~254.69~~ 97.615 (2) and provide, in writing, any additional information the department of ~~health services~~ agriculture, trade and consumer protection or local health department issuing the ~~permit~~ license requires.

(2) Upon receipt of an application for a vending machine operator ~~permit~~ license, the department may cause an investigation to be made of the applicant's commissary, servicing and transport facilities, if any, and representative machines and machine locations. The operator shall maintain at his or her place of business within this state a list of all vending machines operated by him or her and their location. This information shall be kept current and shall be made available to the department upon request. The operator shall notify the department of any change in operations involving new types of vending machines or conversion of existing machines to dispense products other than those for which such machine was originally designed and constructed.

SECTION 4087. 254.71 of the statutes is renumbered 97.33, and 97.33 (2), (3), (5) and (6) (c), as renumbered, are amended to read:

97.33 **(2)** Except as provided in s. ~~250.041~~ 93.135, the department may issue a certificate of food protection practices to an individual who satisfactorily completes an approved examination or who has achieved comparable compliance.

(3) Each certificate is valid for 5 years from the date of issuance and, except as provided in s. ~~250.041~~ 93.135, may be renewed by the certificate holder if he or she satisfactorily completes an approved examination.

(5) The department shall conduct evaluations of the effect that the food protection practices certification program has on compliance by restaurants with requirements established under s. ~~254.74 (1)~~ 97.30 (5).

(6) (c) Establishing procedures for issuance, except as provided in s. ~~250.041~~ 93.135, of certificates of food protection practices, including application submittal and review.

SECTION 4088. 254.715 of the statutes is renumbered 97.305.

SECTION 4089. 254.72 of the statutes is renumbered 97.62 and amended to read:

97.62 Health and safety; standard. Every hotel, tourist rooming house, bed and breakfast establishment, ~~restaurant, temporary restaurant,~~ vending machine commissary and vending machine shall be operated and maintained with a strict regard to the public health and safety and in conformity with this subchapter and the rules and orders of the department.

SECTION 4090. 254.73 of the statutes is renumbered 97.623.

SECTION 4091. 254.74 of the statutes is renumbered 97.625, and 97.625 (1) (a), (am), (b), (d) and (e), (1p) (a) (intro.) and 2. and (b) and (2), as renumbered, are amended to read:

97.625 **(1)** (a) Administer and enforce this subchapter, the rules promulgated under this subchapter and any other rules or laws relating to the public health and safety in hotels, tourist rooming houses, bed and breakfast establishments, ~~restaurants,~~ vending machine commissaries, vending machines and vending machine locations.

(am) Promulgate rules, in consultation with the department of safety and professional services, under which the department ~~of health services~~ shall conduct regular inspections of sealed combustion units, as required under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming houses, and bed and breakfast establishments. The rules shall specify conditions under which it may issue orders as specified under s. 101.149 (8) (a). The rules may not require the department ~~of health services~~ to inspect sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer's warranty against defects.

(b) Require hotels, tourist rooming houses, ~~restaurants,~~ vending machine operators and vending machine commissaries to file reports and information the department deems necessary.

(d) Prescribe rules and fix standards, including rules covering the general sanitation and cleanliness of premises regulated under this subchapter, the proper handling and storing of food on such premises, the construction and sanitary condition of the premises and equipment to be used and the location and servicing of equipment. The rules relating to the public health and safety in bed and breakfast

establishments may not be stricter than is reasonable for the operation of a bed and breakfast establishment, shall be less stringent than rules relating to ~~other establishments~~ hotels, tourist rooming houses, and vending machine commissaries regulated by this subchapter and may not require 2nd exits for a bed and breakfast establishment on a floor above the first level.

(e) Hold a hearing under ch. 227 if, in lieu of proceeding under ch. 68, any interested person in the jurisdictional area of a local health department not granted agent status under s. ~~254.69~~ 97.615 appeals to the department ~~of health services~~ alleging that a ~~permit~~ license fee for a hotel, ~~restaurant, temporary restaurant,~~ tourist rooming house, campground, camping resort, recreational or educational camp or public swimming pool exceeds the ~~permit~~ license issuer's reasonable costs of issuing ~~permits~~ licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishment.

(1p) (a) The department may grant the holder of a ~~permit~~ license for a bed and breakfast establishment a waiver from the requirement specified under s. ~~254.61 (1) (b)~~ 97.01 (1g) (b) to allow the holder of a ~~permit~~ license for a bed and breakfast establishment to serve breakfast to other tourists or transients if all of the following conditions are met:

2. The other tourists or transients are provided sleeping accommodations in a tourist rooming house for which the ~~permit~~ license holder for the bed and breakfast establishment is the ~~permit~~ license holder.

(b) A waiver granted under par. (a) is valid for the period of validity of a ~~permit~~ license that is issued for the bed and breakfast establishment under s. ~~254.64~~ 97.605 (1) (b).

(2) A local health department designated as an agent under s. ~~254.69 (2)~~ 97.615 (2) may exercise the powers specified in sub. (1) (a) to (d), consistent with s. ~~254.69~~ 97.615 (2) (g).

SECTION 4092. 254.76 of the statutes is renumbered 97.627.

SECTION 4093. 254.78 of the statutes is renumbered 254.04 and amended to read:

254.04 Authority of department of safety and professional services. Nothing in this chapter ~~shall affect~~ affects the authority of the department of safety and professional services relative to places of employment, elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

SECTION 4094. 254.79 of the statutes is renumbered 254.05.

SECTION 4095. 254.80 of the statutes is renumbered 97.633.

SECTION 4096. 254.81 of the statutes is renumbered 97.634.

SECTION 4097. 254.82 of the statutes is renumbered 97.635.

SECTION 4098. 254.83 of the statutes is renumbered 97.638.

SECTION 4099. 254.84 (title), (1), (2), (3) and (4) of the statutes are renumbered 97.639 (title), (1), (2), (3) and (4).

SECTION 4100. 254.84 (5) of the statutes is renumbered 97.639 (5) and amended to read:

97.639 **(5)** CONSTRUCTION. Nothing in this section may be construed to require ~~establishments~~ motels, motor courts, tourist cabins, or like accommodations to have outdoor or outside signs. This section shall be liberally construed so as to prevent untrue, misleading, false, or fraudulent representations relating to rates placed on outdoor or outside signs of the establishments.

SECTION 4101. 254.84 (6) of the statutes is repealed.

SECTION 4102. 254.85 of the statutes is renumbered 97.65, and 97.65 (1), (2), (3) and (4), as renumbered, are amended to read:

97.65 **(1)** The department may enter, at reasonable hours, any premises for which a ~~permit~~ license is required under this subchapter or s. ~~254.47~~ 97.67 or any restaurant or temporary restaurant for which a license is required under s. 97.30 to inspect the premises, secure samples or specimens, examine and copy relevant documents and records, or obtain photographic or other evidence needed to enforce this subchapter or s. ~~254.47~~ 97.30 or 97.67. If samples of food are taken, the department shall pay or offer to pay the market value of the samples taken. The department shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether there is a violation of this subchapter, s. ~~254.47~~ 97.30 or 97.67, or rules promulgated by the department under this subchapter or s. ~~254.47~~ 97.30 or 97.67.

(2) (a) Whenever, as a result of an examination, the department has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation, or method of operation of the premises or equipment used on the premises creates, an immediate danger to health, the ~~administrator of the division of the~~ department ~~responsible for public health~~ may issue a temporary order and cause it to be delivered to the ~~permittee~~ licensee, or to the owner or custodian of the food, or to both. The order may prohibit the sale or movement of the food for any purpose, prohibit the continued operation or method of operation of specific equipment, require the premises to cease other operations or methods of operation which create the immediate danger to health, or set forth any combination of these requirements. The ~~administrator~~ department may order the cessation of all operations authorized by the ~~permit~~ license only if a more limited order does not

remove the immediate danger to health. Except as provided in par. (c), no temporary order is effective for longer than 14 days from the time of its delivery, but a temporary order may be reissued for one additional 14–day period, if necessary to complete the analysis or examination of samples, specimens, or other evidence.

(b) No food described in a temporary order issued and delivered under par. (a) may be sold or moved and no operation or method of operation prohibited by the temporary order may be resumed without the approval of the department, until the order has terminated or the time period specified in par. (a) has run out, whichever occurs first. If the department, upon completed analysis and examination, determines that the food, construction, sanitary condition, operation or method of operation of the premises or equipment does not constitute an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian of the food or premises shall be promptly notified in writing and the temporary order shall terminate upon his or her receipt of the written notice.

(c) If the analysis or examination shows that the food, construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian shall be notified within the effective period of the temporary order issued under par. (a). Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under sub. (3), and no food described in the temporary order may be sold or moved and no operation or method of operation prohibited by the order may be resumed without the approval of the department.

(3) A notice issued under sub. (2) (c) shall be accompanied by a statement which informs the ~~permittee~~ licensee, owner, or custodian that he or she has a right to request a hearing in writing within 15 days after issuance of the notice. The

department shall hold a hearing no later than 15 days after the department receives the written request for a hearing, unless both parties agree to a later date. A final decision shall be issued under s. 227.47 within 10 days of the conclusion of the hearing. The decision may order the destruction of food, the diversion of food to uses which do not pose a danger to health, the modification of food so that it does not create a danger to health, changes to or replacement of equipment or construction, other changes in or cessations of any operation or method of operation of the equipment or premises, or any combination of these actions necessary to remove the danger to health. The decision may order the cessation of all operations authorized by the ~~permit~~ license only if a more limited order will not remove the immediate danger to health.

(4) A proceeding under this section, or the issuance of a ~~permit~~ license for the premises after notification of procedures under this section, does not constitute a waiver by the department of its authority to rely on a violation of this subchapter, s. ~~254.47~~ 97.30 or 97.67, or any rule promulgated under this subchapter or s. ~~254.47~~ 97.30 or 97.67 as the basis for any subsequent suspension or revocation of the ~~permit~~ license or any other enforcement action arising out of the violation.

SECTION 4103. 254.86 of the statutes is renumbered 97.71 and amended to read:

97.71 Suspension or revocation of ~~permit~~ license. The department or a local health department designated as an agent under s. ~~254.69~~ 97.615 (2) or 97.41 (2) may refuse or withhold issuance of a ~~permit~~ license under this chapter or may suspend or revoke a ~~permit~~ license for violation of this ~~subchapter~~ chapter or any rule or order of the department ~~of health services~~, ordinance of the village, city or county or regulation of the local board of health.

SECTION 4104. 254.87 of the statutes is repealed.

SECTION 4105. 254.88 of the statutes is repealed.

SECTION 4108. 255.08 of the statutes is renumbered 463.25, and 463.25 (2) (a) and (b), as renumbered, are amended to read:

463.25 **(2)** (a) No person may operate a tanning facility without a permit that the department may, except as provided in ~~ss. 250.041 and 254.115~~ s. 463.14, issue under this subsection. The holder of a permit issued under this subsection shall display the permit in a conspicuous place at the tanning facility for which the permit is issued.

(b) Permits issued under this subsection shall expire annually on June 30. Except as provided in ~~ss. 250.041 and 254.115~~ s. 463.14, a permit applicant shall submit an application for a permit to the department on a form provided by the department with ~~a~~ the permit fee established by the department ~~by rule~~ under s. 440.03 (9). The application shall include the name and complete mailing address and street address of the tanning facility and any other information reasonably required by the department for the administration of this section.

SECTION 4109b. 255.35 (1m) (a) 2. of the statutes is amended to read:

255.35 **(1m)** (a) 2. Licensure as a licensed practical nurse under s. 441.10 ~~(3)~~.

SECTION 4109d. 255.35 (3) (c) of the statutes is created to read:

255.35 **(3)** (c) The department may use moneys expended from the appropriation under s. 20.435 (1) (ds) for the poison control system under this section as the state share for purposes of obtaining federal matching funds under 42 USC 1397aa to 42 USC 1397mm, if those moneys are eligible for a federal funding match.

SECTION 4109j. 256.15 (4) (c) of the statutes is amended to read:

256.15 **(4)** (c) Notwithstanding par. (a) and subject to par. (d), the department may promulgate rules that establish standards for staffing of ambulances in which the primary services provided are those which an emergency medical technician — intermediate is authorized to provide or those which an emergency medical technician — paramedic is authorized to provide.

SECTION 4109k. 256.15 (4) (d) of the statutes is created to read:

256.15 **(4)** (d) If an ambulance service provider that was initially licensed at the paramedic level in 1993 and is located in a municipality in Dodge and Jefferson counties has dispatched an ambulance containing 2 emergency medical technicians — paramedics, the department shall allow that ambulance service provider to staff an ambulance at the paramedic level for a subsequent call with one emergency medical technician — paramedic and one emergency medical technician of any level while the first ambulance containing 2 emergency medical technicians — paramedics is occupied providing service.

SECTION 4110. 257.01 (5) (a) of the statutes is amended to read:

257.01 **(5)** (a) An individual who is licensed as a physician, a physician assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed practical nurse, or nurse–midwife under ch. 441, licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary technician under ch. ~~453~~ 89, or certified as a respiratory care practitioner under ch. 448.

SECTION 4111. 257.01 (5) (b) of the statutes is amended to read:

257.01 **(5)** (b) An individual who was at any time within the previous 10 years, but is not currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed practical nurse~~,~~ or

nurse–midwife, under ch. 441, licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary technician under ch. ~~453~~ 89, or certified as a respiratory care practitioner under ch. 448, if the individual's license or certification was never revoked, limited, suspended, or denied renewal.

SECTION 4112e. 281.31 (2m) (intro.) of the statutes is amended to read:

281.31 **(2m)** (intro.) Notwithstanding any other provision of law or administrative rule, a shoreland zoning ordinance required under s. 59.692, a construction site erosion control and storm water management zoning ordinance authorized under s. 59.693, 60.627, 61.354, or 62.234, or a wetland zoning ordinance required under s. 61.351 or 62.231 does not apply to ~~lands~~ any of the following:

(a) Lands adjacent to farm drainage ditches if all of the following apply:

SECTION 4112f. 281.31 (2m) (a) of the statutes is renumbered 281.31 (2m) (a) 1. and amended to read:

281.31 **(2m)** (a) 1. ~~Such~~ The lands are not adjacent to a natural navigable stream or river~~;~~.

SECTION 4112g. 281.31 (2m) (b) of the statutes is renumbered 281.31 (2m) (a) 2. and amended to read:

281.31 **(2m)** (a) 2. Those parts of the drainage ditches adjacent to these lands were nonnavigable streams before ditching~~; and~~.

SECTION 4112h. 281.31 (2m) (bg) of the statutes is created to read:

281.31 **(2m)** (bg) Lands adjacent to artificially constructed drainage ditches, ponds, or storm water retention basins that are not hydrologically connected to a natural navigable water body.

SECTION 4112i. 281.31 (2m) (c) of the statutes is repealed.

SECTION 4117. 281.57 (7) (c) 1. of the statutes is amended to read:

281.57 **(7)** (c) 1. Metropolitan sewerage districts that serve 1st class cities are limited in each fiscal year to receiving total grant awards not to exceed 33% of the sum of the amounts in the schedule for that fiscal year for the appropriation under s. 20.165 (2) ~~(de)~~ (ke) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balance at the end of the preceding fiscal year for the amount authorized under sub. (10). This subdivision is not applicable to grant awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

SECTION 4119. 281.58 (8) (c) of the statutes is amended to read:

281.58 **(8)** (c) Except as provided in par. (k), financial assistance may be provided for the design, planning and construction of a collection system, interceptor or individual system project in an unsewered municipality or an unsewered area of a municipality, only if the department finds that at least two–thirds of the initial flow will be for wastewater originating from residences in existence ~~on October 17, 1972~~ for at least 20 years prior to the submission of the application under sub. (9) (a).

SECTION 4120. 281.58 (8) (i) of the statutes is amended to read:

281.58 **(8)** (i) After June 30, 1991, no municipality may receive for projects in a biennium an amount that exceeds 35.2% of the amount ~~approved by the legislature under s. 281.59 (3e) (b)~~ that the department of administration projects will be available to provide financial assistance for projects under this section for that biennium.

SECTION 4121. 281.58 (8) (j) of the statutes is amended to read:

281.58 **(8)** (j) The amount of a payment under sub. (6) (b) 8. may not exceed the amount ~~of subsidy~~ necessary to reduce the interest rate on the loan from market rate

to the interest rate that would have been charged on a loan to the municipality under sub. (6) (b) 4.

SECTION 4122. 281.58 (9) (e) of the statutes is amended to read:

281.58 **(9)** (e) If the department of natural resources and the department of administration determine that ~~the governor's recommendation, as set forth in the executive budget bill, for the amount under s. 281.59 (3e) (b), the amount available under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f)~~ the total amount that the department of administration projects will be available to provide financial assistance for projects under this section for a biennium, as set forth in the biennial finance plan under s. 281.59 (3) (a) 2. and as updated under s. 281.59 (3) (bm) 2., is insufficient to provide funding for all projects for which applications will be approved during that biennium, the department shall inform municipalities that, if the governor's recommendations are approved, clean water fund program assistance during a fiscal year of that biennium will be available only to municipalities that submit financial assistance applications by the ~~June 30 preceding~~ September 30 of that fiscal year.

SECTION 4123. 281.58 (9m) (a) (intro.) of the statutes is amended to read:

281.58 **(9m)** (a) (intro.) Subject to ~~pars. (c) and~~ par. (d), the department shall approve an application after all of the following occur:

SECTION 4124. 281.58 (9m) (c) of the statutes is repealed.

SECTION 4125. 281.58 (9m) (e) 1. of the statutes is amended to read:

281.58 **(9m)** (e) 1. Except as provided under par. (f) and sub. (13), if a sufficient amount of ~~subsidy~~ financial assistance under this section is available ~~under s. 281.59 (3e) (b)~~ for the municipality's project~~, based on the calculation under s. 281.59 (3e)~~

~~(f),~~ when the department approves the application under par. (a), the department of administration shall allocate that amount to the project.

SECTION 4126. 281.58 (9m) (e) 2. of the statutes is amended to read:

281.58 **(9m)** (e) 2. If a sufficient amount of ~~subsidy~~ financial assistance under this section is not available ~~under s. 281.59 (3e) (b)~~ for the municipality's project when the department approves the application under ~~subd. 1.~~ par. (a), the department shall place the project on a list for allocation when additional ~~subsidy becomes~~ financial assistance becomes available.

SECTION 4127. 281.58 (9m) (f) (intro.) of the statutes is amended to read:

281.58 **(9m)** (f) (intro.) If the department of natural resources and the department of administration determine that the amount ~~approved under s. 281.59 (3e) (b), the amount available under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f)~~ available to provide financial assistance for projects under this section for a biennium is insufficient to provide funding for all projects for which applications will be approved during that biennium, all of the following apply:

SECTION 4128. 281.58 (9m) (f) 1. of the statutes is amended to read:

281.58 **(9m)** (f) 1. The department shall establish a funding list for each fiscal year of the biennium that ranks projects of municipalities that submit financial assistance applications under sub. (9) (a) no later than the ~~June 30 preceding~~ September 30 of the fiscal year in the same order that they appear on the priority list under sub. (8e).

SECTION 4129. 281.58 (9m) (fm) of the statutes is amended to read:

281.58 **(9m)** (fm) The department, in consultation with the department of administration, shall promulgate, by rule, methods to establish deadlines for actions that must be taken by a municipality to which ~~subsidy~~ financial assistance has been

allocated. The methods may provide for extending deadlines under specified circumstances. If a municipality fails to meet a deadline, including any extension, the department of administration shall ~~release~~ rescind the ~~amount~~ allocation of ~~subsidy allocated to~~ financial assistance for the municipality's project.

SECTION 4130. 281.58 (9m) (g) of the statutes is repealed.

SECTION 4131. 281.58 (12) (a) 1. of the statutes is amended to read:

281.58 **(12)** (a) 1. Except as modified under par. (f) and except as restricted by sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. ~~and 2.~~ to 5. is ~~60~~ 75 percent of market interest rate for projects for which the subsidy ~~is~~ was allocated from the amount under s. 281.59 (3e) (b), 2013 stats., for a biennium before the ~~2011–13~~ 2015–17 biennium and ~~75~~ 70 percent of market interest rate for projects for which the ~~subsidy~~ financial assistance is allocated ~~from the amount under s. 281.59 (3e) (b)~~ under this section for the ~~2011–13~~ 2015–17 biennium or later.

SECTION 4132m. 281.58 (12) (a) 2. of the statutes is repealed.

SECTION 4133m. 281.58 (12) (a) 3. of the statutes is repealed.

SECTION 4134. 281.58 (13m) (b) of the statutes is amended to read:

281.58 **(13m)** (b) Grants provided under this subsection are not included for the purposes of determining under sub. (8) (i) the amount that a municipality may receive for projects under the clean water fund program. ~~Grants awarded under this subsection are not considered for the purposes of sub. (9m) (e) or s. 281.59 (3e) (b).~~

SECTION 4135. 281.58 (15) (a) of the statutes is amended to read:

281.58 **(15)** (a) The department and the department of administration may, at the request of a municipality, issue a notice of financial assistance commitment to the municipality after the department approves the municipality's application under

sub. (9m) (a) and the department of administration has allocated ~~subsidy~~ financial assistance for the municipality's project.

SECTION 4136. 281.59 (1) (b) of the statutes is amended to read:

281.59 **(1)** (b) "Market interest rate" means the effective interest rate on a fixed–rate revenue obligation issued by the state to fund a loan made under this section or, ~~for a variable rate~~ if the department of administration determines that there has been a significant change in interest rates after the fixed–rate revenue obligation has been issued or if a fixed–rate revenue obligation has not been issued by the state to fund a loan made under this section, the effective interest rate that the department of administration determines would have been paid if ~~the variable rate~~ a fixed–rate revenue obligation had been ~~sold at a fixed rate~~ issued on the date financial assistance is allotted.

SECTION 4137. 281.59 (1) (d) of the statutes is repealed.

SECTION 4139. 281.59 (3) (a) 2. of the statutes is amended to read:

281.59 **(3)** (a) 2. The total amount ~~of~~ that the department of administration projects will be available to provide financial assistance ~~planned to be provided or committed~~ for projects under subd. 1. during the next biennium.

SECTION 4140. 281.59 (3) (a) 6. of the statutes is repealed.

SECTION 4141. 281.59 (3) (a) 6e. of the statutes is repealed.

SECTION 4142. 281.59 (3) (a) 6m. of the statutes is repealed.

SECTION 4143. 281.59 (3) (a) 7. of the statutes is repealed.

SECTION 4144. 281.59 (3) (j) of the statutes is amended to read:

281.59 **(3)** (j) No later than November 1 of each odd–numbered year, the department of administration and the department jointly shall submit a report, to the building commission and committees as required under par. (bm), ~~on the~~

~~implementation of the amount established under sub. (3e) (b) as required under s. 281.58 (9m) (e), and~~ on the operations and activities of the clean water fund program, the safe drinking water loan program and the land recycling loan program for the previous biennium.

SECTION 4145. 281.59 (3e) (a) of the statutes is repealed.

SECTION 4146. 281.59 (3e) (b) of the statutes is repealed.

SECTION 4147. 281.59 (3e) (c) of the statutes is repealed.

SECTION 4148. 281.59 (3e) (d) of the statutes is amended to read:

281.59 **(3e)** (d) The department may expend, for financial assistance in a biennium other than financial hardship assistance under s. 281.58 (13) (e), an amount up to 95 percent of the amount ~~approved by the legislature under par. (b)~~ available to provide financial assistance for projects under this section for that biennium. The department may expend such amount only from the percentage of the amount ~~approved under par. (b)~~ that is not available under par. (e) for financial hardship assistance.

SECTION 4149. 281.59 (3e) (e) of the statutes is amended to read:

281.59 **(3e)** (e) The department may expend, for financial hardship assistance in a biennium under s. 281.58 (13) (e), an amount up to 5 percent of the amount ~~approved by the legislature under par. (b)~~ available to provide financial assistance for projects under this section for that biennium. The department may expend such amount only from the percentage of the amount ~~approved by the legislature under par. (b)~~ that is not available under par. (d) for financial assistance.

SECTION 4150. 281.59 (3e) (f) of the statutes is repealed.

SECTION 4151. 281.59 (3m) of the statutes is repealed.

SECTION 4152. 281.59 (3s) of the statutes is repealed.

SECTION 4152m. 281.59 (4) (f) of the statutes is amended to read:

281.59 **(4)** (f) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection, and all payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection, can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection for the clean water fund program shall not exceed ~~$2,708,900,000~~ $2,526,700,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

SECTION 4153. 281.59 (9) (am) of the statutes is amended to read:

281.59 **(9)** (am) The department of administration, in consultation with the department, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation, as set forth under sub. (13f), if applicable, is required for the repayment of the financial assistance. Any terms and conditions established under this paragraph by the department of administration shall comply with the requirements of this section and s. 281.58, 281.60 or 281.61. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

SECTION 4154. 281.59 (11) (a) of the statutes is amended to read:

281.59 **(11)** (a) The department of natural resources and the department of administration may enter into a financial assistance agreement with an applicant for which the department of administration has allocated ~~subsidy~~ financial

assistance under s. 281.58 (9m), 281.60 (8) or 281.61 (8) if the applicant meets the conditions under sub. (9) and the other requirements under this section and s. 281.58, 281.60 or 281.61.

SECTION 4155. 281.60 (7) (d) of the statutes is repealed.

SECTION 4156. 281.60 (8) (a) of the statutes is renumbered 281.60 (8).

SECTION 4157. 281.60 (8) (b) of the statutes is repealed.

SECTION 4158. 281.60 (8s) of the statutes is amended to read:

281.60 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment under sub. (2r) (d) may not exceed the amount ~~of subsidy~~ necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the political subdivision under sub. (2r) (a).

SECTION 4159. 281.60 (12) (b) 3. of the statutes is amended to read:

281.60 **(12)** (b) 3. If the sale proceeds are greater than the cost of the land plus the cost of the cleanup, pay to the department of administration an amount equal to the remaining loan balance plus the lesser of 75% of the amount by which the sale proceeds exceed the cost of the land plus the cost of the cleanup or the ~~amount of subsidy incurred for the project~~ difference between the amount of interest paid on the loan and the amount of interest that would have been paid if the loan had been made at the market rate, and retain the remainder of the sale proceeds.

SECTION 4160. 281.61 (1) (a) of the statutes is renumbered 281.61 (1) (am).

SECTION 4161. 281.61 (1) (ag) of the statutes is created to read:

281.61 **(1)** (ag) "Community water system" means a public water system that serves at least 15 service connections used by year–round residents or that regularly serves at least 25 year–round residents.

SECTION 4163. 281.61 (2) of the statutes is amended to read:

281.61 **(2)** GENERAL. The department and the department of administration shall administer a program to provide financial assistance to local governmental units and to the private owners of community water systems that serve local governmental units for projects for the planning, designing, construction or modification of public water systems, if the projects will facilitate compliance with national primary drinking water regulations under 42 USC 300g–1 or otherwise significantly further the health protection objectives of the Safe Drinking Water Act, 42 USC 300f to 300j–26.

SECTION 4164. 281.61 (2g) of the statutes is amended to read:

281.61 **(2g)** INELIGIBLE PROJECTS. A local governmental unit or the private owner of a community water system that serves a local governmental unit is not eligible for financial assistance under this section if the local governmental unit or the private owner of the community water system that serves a local governmental unit does not have the technical, managerial or financial capacity to ensure compliance with the Safe Drinking Water Act, 42 USC 300f to 300j–26, or the public water system operated by the local governmental unit or private owner of the community water system that serves a local governmental unit is in significant noncompliance with any requirement of a primary drinking water regulation or variance under 42 USC 300g–1 unless the financial assistance will ensure compliance with the Safe Drinking Water Act.

SECTION 4165. 281.61 (2r) (b) of the statutes is amended to read:

281.61 **(2r)** (b) Purchasing or refinancing the obligation of a local governmental unit or private owner of a community water system that serves a local governmental unit if the obligation was incurred to finance the cost of a project described in sub. (2) and the obligation was initially incurred after July 1, 1993.

SECTION 4165m. 281.61 (2r) (e) of the statutes is amended to read:

281.61 **(2r)** (e) Using funds received as federal capitalization grants under 42 USC 300j–12, any other method that is consistent with the federal program for safe drinking water state loan funds under 42 USC 300j–12 or any other federal law providing funding for or otherwise relating to that program, except that funds received as federal capitalization grants may not be used to provide principal forgiveness to a private owner of a community water system.

SECTION 4166. 281.61 (3) of the statutes is amended to read:

281.61 **(3)** NOTICE OF INTENT TO APPLY. (a) A local governmental unit or private owner of a community water system that serves a local governmental unit shall submit notice of its intent to apply for financial assistance under the safe drinking water loan program at least 6 months before the beginning of the fiscal year in which it intends to receive the financial assistance. The notice shall be in a form prescribed by the department and the department of administration.

(c) The department may waive par. (a) upon the written request of a local governmental unit or private owner of a community water system that serves a local governmental unit.

SECTION 4167. 281.61 (4) of the statutes is amended to read:

281.61 **(4)** ENGINEERING REPORT. A local governmental unit or private owner of a community water system that serves a local governmental unit seeking financial assistance for a project under this section shall submit an engineering report, as required by the department by rule.

SECTION 4168. 281.61 (5) of the statutes is renumbered 281.61 (5) (a) and amended to read:

281.61 **(5)** (a) After the department approves ~~a local governmental unit's~~ an engineering report submitted under sub. (4), the local governmental unit or private owner of a community water system that serves a local governmental unit shall submit an application for safe drinking water financial assistance to the department. The applicant shall submit the application on or before the June 30 preceding the beginning of the fiscal year in which the applicant wishes to receive the financial assistance, except that if funds are available in a fiscal year after funding has been allocated under sub. (8) for all approved applications submitted before the June 30 preceding that fiscal year, the department of administration may allocate funding for approved applications submitted after June 30. The application shall be in the form and include the information required by the department and the department of administration and shall include plans and specifications that are approvable by the department under this section. An applicant may not submit more than one application per project per year.

SECTION 4169. 281.61 (5) (b) of the statutes is created to read:

281.61 **(5)** (b) The department of administration and the department jointly may charge and collect service fees, established by rule, which shall cover the estimated costs of reviewing and acting upon the application and servicing the financial assistance agreement. No service fee established by rule under this paragraph may be charged to or collected from an applicant for financial assistance under s. 281.59 (13). The fees collected under this paragraph shall be credited to the environmental improvement fund.

SECTION 4170. 281.61 (6) of the statutes is amended to read:

281.61 **(6)** PRIORITY LIST. The department shall establish a priority list that ranks each safe drinking water loan program project. The department shall

promulgate rules for determining project rankings that, to the extent possible, give priority to projects that address the most serious risks to human health, that are necessary to ensure compliance with the Safe Drinking Water Act, 42 USC 300f to 300j–26, and that assist ~~local governmental units~~ applicants that are most in need on a per household basis, according to affordability criteria specified in the rules. For the purpose of ranking projects under this subsection, the department shall treat a project to upgrade a public water system to provide continuous disinfection of the water that it distributes as if the public water system were a surface water system that federal law requires to provide continuous disinfection.

SECTION 4171. 281.61 (7) (c) of the statutes is amended to read:

281.61 **(7)** (c) The department of administration determines that the ~~local governmental unit~~ applicant will meet the requirements of s. 281.59 (9) (b).

SECTION 4172. 281.61 (7) (d) of the statutes is repealed.

SECTION 4173. 281.61 (8) (a) (intro.) of the statutes is renumbered 281.61 (8) (intro.) and amended to read:

281.61 **(8)** (intro.) The department shall establish a funding list for each fiscal year that ranks projects of ~~local governmental units~~ applicants that submit approvable applications under sub. (5) in the same order that they appear on the priority list under sub. (6). If sufficient funds are not available to fund all approved applications for financial assistance, the department of administration shall allocate funding to projects that are approved under sub. (7) in the order that they appear on the funding list, except as follows:

SECTION 4174. 281.61 (8) (a) 1. of the statutes is renumbered 281.61 (8) (a).

SECTION 4175. 281.61 (8) (a) 2. of the statutes is renumbered 281.61 (8) (bL) and amended to read:

281.61 **(8)** (bL) In any biennium, no ~~local governmental unit~~ applicant may receive more than 25% of the ~~funds that the department of administration projects will be available~~ amount of financial assistance planned to be provided or committed for projects under this section for that biennium.

SECTION 4176. 281.61 (8) (b) of the statutes is repealed.

SECTION 4177. 281.61 (8m) (intro.) of the statutes is amended to read:

281.61 **(8m)** CONDITIONS OF FINANCIAL ASSISTANCE FOR LOCAL GOVERNMENTAL UNITS. (intro.) As a condition of receiving financial assistance under the safe drinking water loan program, a local governmental unit shall do all of the following:

SECTION 4178. 281.61 (8p) of the statutes is created to read:

281.61 **(8p)** CONDITIONS OF FINANCIAL ASSISTANCE FOR PRIVATE OWNERS. As a condition of receiving financial assistance under the safe drinking water loan program, a private owner of a community water system that serves a local governmental unit shall do all of the following:

(a) Demonstrate that there is adequate security for the repayment of the financial assistance.

(b) Comply with those provisions of 42 USC 300f to 300j–26 and this chapter and the regulations and rules promulgated under those provisions that the department specifies.

SECTION 4179. 281.61 (8s) of the statutes is amended to read:

281.61 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment under sub. (2r) (d) may not exceed the amount ~~of subsidy~~ necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the local governmental unit under sub. (2r) (a).

SECTION 4180. 281.61 (11) (a) 1. of the statutes is amended to read:

281.61 **(11)** (a) 1. For ~~a local governmental unit~~ an applicant that does not meet financial eligibility criteria established by the department by rule, 55% of market interest rate.

SECTION 4181. 281.61 (11) (a) 2. of the statutes is amended to read:

281.61 **(11)** (a) 2. For ~~a local governmental unit~~ an applicant that meets financial eligibility criteria established by the department by rule, 33% of market interest rate.

SECTION 4182. 281.61 (12) (g) of the statutes is amended to read:

281.61 **(12)** (g) Have the lead state role with local governmental units and private owners of community water systems that serve a local governmental unit in providing safe drinking water loan program information, and cooperate with the department of administration in providing that information ~~to local governmental units~~.

SECTION 4183. 281.625 (1) (b) of the statutes is amended to read:

281.625 **(1)** (b) "Local governmental unit" has the meaning given in s. 281.61 (1) ~~(a)~~ (am), except that the term does not include a joint local water authority created under s. 66.0823.

SECTION 4188t. 281.66 (4) (a) of the statutes is amended to read:

281.66 **(4)** (a) The department may provide local assistance grants and cost–sharing grants under this section. A local assistance grant ~~may not exceed 70% of eligible costs. A~~ or cost–sharing grant may not exceed 50% of eligible costs.

SECTION 4189d. 281.665 (4) (a) of the statutes is amended to read:

281.665 **(4)** (a) The department may provide local assistance grants and cost–sharing grants under this section. A local assistance grant may not exceed ~~70%~~ 50 percent of eligible costs, including planning and design costs. A cost–sharing

grant may not exceed ~~70%~~ 50 percent of eligible costs for construction and real estate acquisition.

SECTION 4203. 283.35 (1m) (c) of the statutes is repealed.

SECTION 4203d. 283.83 (1) (intro.) of the statutes is amended to read:

283.83 **(1)** (intro.) The department shall establish a continuing water ~~pollution control~~ quality management planning process which is consistent with applicable state requirements. The continuing planning process shall result in plans for all waters of the state, which plans shall include:

SECTION 4203f. 283.83 (1) (b) of the statutes is amended to read:

283.83 **(1)** (b) The incorporation of all elements of any applicable areawide ~~waste~~ water quality management plans, basin plans and statewide land use plans;

SECTION 4203m. 283.83 (1m) of the statutes is created to read:

283.83 **(1m)** (a) The department shall approve or reject proposed revisions to the areawide water quality management plan for the area consisting of Dane County. The department shall base a decision under this paragraph on whether the proposed revision complies with the water quality standards under s. 281.15. The department may place conditions on its approval of a proposed revision to the plan.

(b) The department, or a person contracting with the department under par. (f), may not require information concerning a proposed revision to the areawide water quality management plan for the area consisting of Dane County other than information that is reasonably necessary to determine whether the proposed revision complies with water quality standards under s. 281.15.

(c) 1. Except as provided under subd. 2., the department shall approve or reject a proposed revision to the areawide water quality management plan for the area consisting of Dane County no later than the 90th day after the day on which the

department, or a person contracting with the department under par. (f), receives the formal application for the proposed revision, including a letter from the applicant certifying that the proposed revision is consistent with water quality standards and information supporting the certification. If the department determines that the application is incomplete, the department shall notify the applicant in writing within 10 days after the department receives the application and may make only one request for additional information during the 90–day period under this subdivision.

2. If the department does not approve or reject a proposed revision to the areawide water quality management plan by the 90th day after the day on which the request is received, the revision is approved on the 120th day after the day on which the department receives the formal application for the revision, unless the department petitions the circuit court for an order extending the time to act on the proposed revision. The court may issue an order extending the time for the department to act on the proposed revision by an amount it determines is reasonable.

(d) The governor may not under 33 USC 1288 (a) (2) designate Dane County or any of its subunits, including the Dane County lakes and watershed commission, to develop the areawide water quality management plan for the area consisting of Dane County or to review proposed revisions to the plan.

(e) The department may not contract with Dane County or any of its subunits, including the Dane County lakes and watershed commission, to provide advisory services relating to the review of proposed revisions to the areawide water quality management plan for the area consisting of Dane County.

(f) Except as provided in par. (e), the department may contract with a regional planning commission or other entity to provide advisory services relating to the review of proposed revisions to the areawide water quality management plan for the

area consisting of Dane County, but the department may not delegate its authority to approve or reject proposed revisions. The deadline under par. (c) 1. is not affected by a contract entered into under this paragraph.

SECTION 4212. 292.63 (3) (a) (intro.) of the statutes is amended to read:

292.63 **(3)** (a) *Who may submit a claim.* (intro.) Subject to pars. (ac), (ae), (ah), (am) and (ap), an owner or operator or a person owning a home oil tank system may submit a claim to the department for an award under sub. (4) to reimburse the owner or operator or the person for the eligible costs under sub. (4) (b) that the owner or operator or the person incurs because of a petroleum products discharge from a petroleum product storage system or home oil tank system if all of the following apply:

SECTION 4213. 292.63 (3) (ac) of the statutes is created to read:

292.63 **(3)** (ac) *Claim deadline; sunset.* 1. An owner or operator or person owning a home oil tank system is not eligible for an award under this section for costs for which the owner or operator or person does not submit a claim within 180 days after incurring the costs, or by the first day of the 7th month after the effective date of this subdivision .... [LRB inserts date], whichever is later.

2. An owner or operator or person owning a home oil tank system is not eligible for an award under this section for costs incurred because of a petroleum product discharge if the owner or operator or person does not provide notification under par. (a) 3. concerning the discharge before July 1, 2017.

3. An owner or operator or person owning a home oil tank system is not eligible for an award under this section if the owner or operator or person does not submit a claim for the costs before July 1, 2020.

SECTION 4221b. 301.01 (1n) of the statutes is created to read:

301.01 **(1n)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) (a), or (7g), or 938.357 (4).

SECTION 4222b. 301.01 (1n) of the statutes, as created by 2015 Wisconsin Act .... (this act), is amended to read:

301.01 **(1n)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) ~~(a)~~, or (7g), or 938.357 (4).

SECTION 4223. 301.025 of the statutes is amended to read:

301.025 Division of juvenile corrections. The division of juvenile corrections shall exercise the powers and perform the duties of the department that relate to juvenile correctional services and institutions, juvenile offender review, aftercare, corrective sanctions, <u>and</u> the serious juvenile offender program under s. 938.538~~, and youth aids~~.

SECTION 4224. 301.025 of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

301.025 Division of juvenile corrections. The division of juvenile corrections shall exercise the powers and perform the duties of the department that relate to juvenile correctional services and institutions, juvenile offender review, ~~aftercare, corrective sanctions,~~ <u>community supervision under s. 938.533,</u> and the serious juvenile offender program under s. 938.538.

SECTION 4225. 301.03 (5h) of the statutes is amended to read:

301.03 **(5h)** Develop, with the assistance of the ~~office~~ <u>division</u> of ~~state employment relations~~ <u>personnel management in the department of administration</u>,

a policy for staff assignments that shall consider an employee's seniority when assigning shifts.

SECTION 4226b. 301.03 (9) of the statutes is amended to read:

301.03 **(9)** Supervise all persons placed ~~under s. 938.183~~ in a state prison under s. 938.183, all persons placed under court–ordered departmental supervision under s. 938.34 (2), all persons placed in the serious juvenile offender program under s. 938.34 (4h), all persons placed in a juvenile correctional facility or a secured residential treatment center for children and youth under s. 938.34 (4m) or 938.357 (4), all persons placed on departmental aftercare under s. 938.34 (4n) (a) or 938.357 (4), and all persons placed in an experiential education program under the supervision of the department under s. 938.34 (7g).

SECTION 4227b. 301.03 (9) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

301.03 **(9)** Supervise all persons placed in a state prison under s. 938.183, all persons placed under court–ordered departmental supervision under s. 938.34 (2), all persons placed in the serious juvenile offender program under s. 938.34 (4h), all persons placed in a juvenile correctional facility or a secured residential treatment center for children and youth under s. 938.34 (4m) or 938.357 (4), all persons placed ~~on departmental aftercare~~ under community supervision under s. 938.34 (4n) ~~(a)~~ or 938.357 (4), and all persons placed in an experiential education program under the supervision of the department under s. 938.34 (7g).

SECTION 4228. 301.03 (9r) of the statutes is repealed.

SECTION 4229. 301.03 (10) (a) of the statutes is amended to read:

301.03 **(10)** (a) Execute the laws relating to the detention, reformation, and correction of ~~delinquents~~ delinquent juveniles placed under its jurisdiction.

SECTION 4230. 301.03 (10) (b) of the statutes is amended to read:

301.03 **(10)** (b) ~~Direct the aftercare of and supervise all delinquents~~ Supervise all juveniles under its jurisdiction who have been adjudicated delinquent and exercise such functions as ~~it deems~~ the department considers appropriate for the prevention of delinquency.

SECTION 4231. 301.03 (10) (c) of the statutes is amended to read:

301.03 **(10)** (c) Promote the enforcement of laws for the protection of delinquent ~~children~~ juveniles under its jurisdiction. To this end, the department shall cooperate with courts assigned to exercise jurisdiction under chs. 48 and 938, the department of children and families, county departments under ss. 46.215, 46.22, and 46.23 ~~and~~, licensed child welfare agencies, and institutions in providing community–based programming, including in–home programming and intensive supervision, for delinquent ~~children~~ juveniles under its jurisdiction. The department shall also establish and enforce standards for the development and delivery of services provided by the department under ch. 938 in regard to juveniles who have been adjudicated delinquent and placed under the jurisdiction of the department.

SECTION 4232. 301.03 (10) (d) of the statutes is amended to read:

301.03 **(10)** (d) Administer the office of juvenile offender review in the division of juvenile corrections in the department. The office shall be responsible for decisions regarding case planning and the release of juvenile offenders from juvenile correctional facilities or secured residential care centers for children and youth to aftercare or community supervision placements.

SECTION 4233. 301.03 (18) (a) of the statutes is amended to read:

301.03 **(18)** (a) Except as provided in s. 301.12 (14) (b) and (c), establish a uniform system of fees for juvenile ~~delinquency–related services provided or~~

~~purchased~~ correctional services purchased or provided by the department or purchased by a county department under s. 46.215, 46.22, or 46.23, except for services provided to courts; outreach, information and referral services; or when, as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. A county department under s. 46.215, 46.22, or 46.23 shall apply the fees that it collects under this program to cover the cost of those services.

SECTION 4234. 301.03 (18) (am) of the statutes is renumbered 49.32 (1) (ap).

SECTION 4235. 301.03 (18) (b) of the statutes is amended to read:

301.03 **(18)** (b) Except as provided in s. 301.12 (14) (b) and (c), hold liable for the services purchased or provided ~~or purchased~~ under par. (a) in the amount of the fee established under par. (a) any person receiving those services or the spouse of the person and, in the case of a minor, the parents of the person, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption.

SECTION 4236. 301.031 (1) (a) of the statutes is amended to read:

301.031 **(1)** (a) Each county department under s. 46.215, 46.22, or 46.23 shall submit to the department by December 31 annually its final budget for juvenile correctional services ~~directly provided or~~ purchased.

SECTION 4237. 301.031 (2) of the statutes is amended to read:

301.031 **(2)** ASSESSMENT OF NEEDS. Before developing and submitting a proposed budget for the purchase of juvenile correctional services to the county executive or county administrator or the county board, the county departments listed

in sub. (1) shall assess needs and inventory resources and services, using an open public participation process.

SECTION 4238. 301.031 (2g) (a) of the statutes is amended to read:

301.031 **(2g)** (a) The department shall annually submit to the county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department a proposed written contract containing the allocation of funds <u>for the purchase of juvenile correctional services</u> and such administrative requirements as necessary. The contract as approved may contain conditions of participation consistent with federal and state law. The contract may also include provisions necessary to ensure uniform cost accounting of services. Any changes to the proposed contract shall be mutually agreed upon. The county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department shall approve the contract before January 1 of the year in which it takes effect unless the department grants an extension. The county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department may designate an agent to approve addenda to any contract after the contract has been approved.

SECTION 4239. 301.031 (2g) (b) of the statutes is amended to read:

301.031 **(2g)** (b) The department may not approve contracts for amounts in excess of available revenues. The county board of supervisors in a county with a single–county department or the county boards of supervisors in counties with a multicounty department may appropriate funds for <u>the purchase of</u> juvenile ~~delinquency–related~~ <u>correctional</u> services. Actual expenditure of county funds shall

be reported in compliance with procedures developed by the department, and shall comply with standards guaranteeing quality of care comparable to similar facilities.

SECTION 4240. 301.031 (2g) (c) of the statutes is amended to read:

301.031 **(2g)** (c) The joint committee on finance may require the department to submit contracts between county departments under ss. 46.215, 46.22, and 46.23 and providers of ~~service~~ juvenile correctional services to the committee for review and approval.

SECTION 4241. 301.031 (2r) (a) 1. of the statutes is amended to read:

301.031 **(2r)** (a) 1. Is for juvenile correctional services ~~which~~ that duplicate or are inconsistent with services being purchased or provided ~~or purchased~~ by the department or other county departments receiving grants–in–aid or reimbursement ~~from the department~~ for the purchase of those services.

SECTION 4242. 301.031 (2r) (a) 2. of the statutes is amended to read:

301.031 **(2r)** (a) 2. Is inconsistent with state or federal statutes, rules, or regulations, in which case the department may also arrange for provision of juvenile correctional services by an alternate agency. The department may not arrange for the provision of those services by an alternate agency unless the joint committee on finance or a review body designated by the committee reviews and approves the department's determination.

SECTION 4243. 301.032 (title) of the statutes is amended to read:

301.032 (title) **Juvenile ~~delinquency–related~~ correctional services; supervisory functions of state department.**

SECTION 4244. 301.032 (1) (a) of the statutes is amended to read:

301.032 **(1)** (a) The department shall supervise the administration of juvenile ~~delinquency–related~~ correctional services. The department shall submit to the

federal authorities state plans for the administration of juvenile ~~delinquency–related~~ correctional services in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their correctness.

SECTION 4245. 301.032 (1) (b) of the statutes is amended to read:

301.032 **(1)** (b) All records of the department and all county records relating to juvenile ~~delinquency–related~~ correctional services shall be open to inspection at all reasonable hours by authorized representatives of the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county records relating to the ~~administration~~ purchase of those services shall be open to inspection at all reasonable hours by authorized representatives of the department.

SECTION 4246d. 301.032 (1) (c) of the statutes is amended to read:

301.032 **(1)** (c) The department may at any time audit all county records relating to the ~~administration~~ purchase of juvenile ~~delinquency–related~~ correctional services ~~and may at any time conduct administrative reviews of county departments under ss. 46.215, 46.22 and 46.23~~. If the department conducts such an audit ~~or administrative review~~ in a county, the department shall furnish a copy of the audit ~~or administrative review~~ report to the chairperson of the county board of supervisors and the county clerk in a county with a single–county department or to the county boards of supervisors and the county clerks in counties with a multicounty department, and to the director of the county department under s. 46.21, 46.22, or 46.23.

SECTION 4247. 301.032 (2) of the statutes is amended to read:

301.032 **(2)** The county administration of all laws relating to the purchase of juvenile ~~delinquency–related~~ correctional services shall be vested in the officers and agencies designated in the statutes.

SECTION 4248. 301.067 of the statutes is repealed.

SECTION 4249. 301.07 of the statutes is amended to read:

301.07 Cooperation and contracts with federal government. The department may cooperate with the federal government in carrying out federal acts concerning adult corrections and ~~youth corrections~~ juvenile correctional services and may enter into contracts with the federal government under 18 USC 5003.

SECTION 4250. 301.08 (2) (a) of the statutes is amended to read:

301.08 **(2)** (a) All care and services purchased by the department and all ~~care and services relating to juvenile delinquency~~ juvenile correctional services purchased by a county department under s. 46.215, 46.22, or 46.23 shall be authorized and contracted for under the standards established under this subsection. For purchases of $10,000 or less the requirement for a written contract may be waived by the department. No contract is required for care provided by foster homes required to be licensed under s. 48.62. If the department directly contracts for services, it shall follow the procedures in this subsection in addition to meeting purchasing requirements established in s. 16.75.

SECTION 4250c. 301.08 (2) (c) 1. of the statutes is amended to read:

301.08 **(2)** (c) 1. ~~Purchase of service contracts~~ Contracts under this section shall be written in accordance with rules and procedures established by the department. Contracts for client services shall show the total dollar amount to be purchased ~~and~~; shall show for each service the number of clients to be served, number of client service units, the unit rate per client service, and the total dollar amount for each service;

shall permit the provider of a rate–based service to generate a surplus of revenue earned under the contract over allowable costs incurred in the contract period; and shall permit a nonprofit corporation that is a provider of a rate–based service or a rate–regulated service to retain from that surplus the amounts specified in par. (em) 2., 3., 4., or 5., whichever is applicable. Nothing in this subdivision shall be construed to guarantee the generation of a surplus by a provider of a rate–based service.

SECTION 4250e. 301.08 (2) (c) 3. of the statutes is amended to read:

301.08 **(2)** (c) 3. For proprietary agencies, contracts may include a percentage add–on for profit according to rules promulgated by the department. In calculating profits generated by a rate–regulated service, a proprietary agency may combine revenues in the same manner that a nonprofit corporation is permitted to combine revenues under par. (em) 3. a. and may offset surpluses generated by affiliated providers against deficits generated by such providers in the same manner that a nonprofit corporation is permitted to offset surpluses against deficits under par. (em) 3. b. In calculating profits generated by a rate–based service, a proprietary agency that is a successor provider following a merger, acquisition, consolidation, reorganization, sale, or other transfer may offset surpluses generated by a preexisting provider against deficits generated by such a provider in the same manner that a nonprofit corporation is permitted to offset surpluses against deficits under par. (em) 4.

SECTION 4250h. 301.08 (2) (e) of the statutes is amended to read:

301.08 **(2)** (e) ~~The~~ Except as provided in par. (em), the purchaser shall recover from provider agencies money paid in excess of the conditions of the contract from subsequent payments made to the provider.

SECTION 4250k. 301.08 (2) (em) of the statutes is created to read:

301.08 **(2)** (em) 1. In this paragraph:

a. "Affiliated provider" means a provider that has control of, is subject to the control of, or is under common control with another provider.

b. "Combined revenues" means the aggregate revenues received by a provider from all purchasers of all rate–regulated services provided by the provider.

c. "Control" means the possession of the power, directly or indirectly, to direct or cause the direction of the management and policies of a provider through the ownership of more than 50 percent of the voting rights of the provider, by contract, or otherwise.

d. "Provider" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that contracts under this section to provide client services on the basis of a unit rate per client service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that contracts under this section to provide client services on the basis of a unit rate per client service.

e. "Rate–based service" means a service or a group of similar services, as determined by the department, provided under one or more contracts between a provider and the purchaser of those services that is reimbursed through a prospectively set rate and that is distinguishable from other services or groups of similar services by the purpose for which funds are provided for that service or group of similar services and by the source of funding for that service or group of similar services.

f. "Rate–regulated service" means a rate–based service that is reimbursed through a rate established under s. 49.343.

2. Subject to subds. 3., 4., and 5., if revenue under a contract for the provision of a rate–based service exceeds allowable costs incurred in the contract period, the provider shall be permitted to retain any surplus generated by that rate–based service as provided in this subdivision and to use that retained amount, in the sole discretion of the provider, to cover any allowable costs specified in 2 CFR Part 200 or in any other applicable federal law or regulation. If on December 31 of any year the amount accumulated by a provider from all contract periods ending during that year for a rate–based service exceeds 5 percent of the total revenue received from all of those contract periods, the provider shall provide written notice of that excess to all purchasers of that rate–based service and, upon the written request of such a purchaser received no later than 6 months after the date of the notice, shall return to the purchaser the purchaser's proportional share of that excess. Subject to subds. 3., 4., and 5., a provider may accumulate funds from more than one contract period under this subdivision. A contract for a rate–based service may not limit the provider to retaining from any surplus generated by that service an amount that is less than 5 percent of the revenue received under the contract. Nothing in this subdivision shall be construed to guarantee the generation of a surplus by a provider of a rate–based service.

3. a. Subject to subds. 3. b. and 4., if on December 31 of any year the combined revenues from all contract periods ending during that year for all rate–regulated services exceed the allowable costs related to the provision of those rate–regulated services in that year, the provider shall be permitted to retain any surplus generated by those rate–regulated services as provided in this subd. 3. a. and to use that retained amount, in the sole discretion of the provider, to cover any allowable costs specified in 2 CFR Part 200 or in any other applicable federal law or regulation. If

on December 31 of any year the amount accumulated by a provider from all contract periods ending during that year for a rate–regulated service exceeds 5 percent of the total revenue received from all of those contract periods, the provider shall provide written notice of that excess to all purchasers of that rate–regulated service and, upon the written request of such a purchaser received no later than 6 months after the date of the notice, shall return to the purchaser the purchaser's proportional share of that excess. A contract for a rate–regulated service may not limit the provider to retaining from any surplus generated by that service an amount that is less than 5 percent of the revenue received under the contract. Nothing in this subd. 3. a. shall be construed to guarantee the generation of a surplus by the provider of a rate–regulated service.

b. In calculating under subd. 3. a. the surplus generated by 2 or more affiliated providers, any surplus of combined revenues over allowable costs generated by one or more of those affiliated providers shall be reduced, but not below zero, by any deficit between combined revenues and allowable costs generated by any one or more of those affiliated providers. If after that reduction there remains any net surplus, that net surplus shall be allocated among the affiliated providers that generated a surplus in proportion to the amount of surplus generated by each such affiliated provider and subd. 3. a. shall apply to each such affiliated provider's proportionate share of that surplus.

4. In making the calculations under subds. 2. and 3., if 2 or more providers engage in a merger, acquisition, consolidation, reorganization, sale, or other transfer resulting in a single successor provider, all surpluses generated by a rate–based service or a rate–regulated service provided by a preexisting provider shall be offset against all deficits generated by that service provided by a preexisting provider and

those net surpluses or deficits shall be the surpluses or deficits of the successor provider.

5. Notwithstanding subd. 2., a county department under s. 46.215 providing client services in a county having a population of 750,000 or more or a nonstock, nonprofit corporation providing client services in such a county may not retain a surplus generated by a rate–based service or accumulate funds from more than one contract period for a rate–based service from revenues that are used to meet the maintenance–of–effort requirement under the federal temporary assistance for needy families program under 42 USC 601 to 619.

6. All providers that are subject to this paragraph shall comply with any financial reporting and auditing requirements that the department may prescribe. Those requirements shall include a requirement that a provider provide to any purchaser and the department any information that the department needs to claim federal reimbursement for the cost of any services purchased from the provider and a requirement that a provider provide audit reports to any purchaser and the department according to standards specified in the provider's contract and any other standards that the department may prescribe.

SECTION 4251. 301.085 (2) of the statutes is amended to read:

301.085 **(2)** The department may make payments for juvenile ~~delinquency–related payments~~ correctional services directly to recipients, vendors, or providers in accordance with law and rules of the department on behalf of the counties which have contracts to have ~~such~~ those payments made on their behalf.

SECTION 4252. 301.12 (14) (e) 1. of the statutes is amended to read:

301.12 **(14)** (e) 1. An order issued under s. 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2) for support determined under this subsection constitutes an

assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108 and other money due or to be due in the future to the county department under s. 46.215, 46.22 or 46.23 in the county where the order was entered or to the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

SECTION 4253. 301.16 (1o) (b) of the statutes is amended to read:

301.16 **(1o)** (b) In the selection of classified service employees of the institution specified in par. (a), the appointing authority shall, whenever possible, use the expanded certification program under rules of the ~~administrator of the division~~ director of the bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration to ensure that employees of the institution reflect the general population of either the county in which the institution is located or the most populous county contiguous to the county in which the institution is located, whichever population is greater. The ~~administrator~~ director of the ~~division~~ bureau of merit recruitment and selection in the department of administration shall provide guidelines for the administration of this selection procedure.

SECTION 4254. 301.26 (title) of the statutes is amended to read:

301.26 (title) **~~Community youth and family aids~~ Juvenile correctional services; state services.**

SECTION 4255. 301.26 (1) of the statutes is amended to read:

301.26 **(1)** PROCEDURES. The department shall develop procedures for the implementation of this section and standards for the development and delivery of

juvenile ~~delinquency–related services under ch. 938~~ correctional services, and shall provide consultation and technical assistance to aid counties in ~~implementation and service delivery~~ the purchase of those services. The department shall establish information systems~~,~~ and monitoring and evaluation procedures to report periodically to the governor and legislature on the ~~state~~ statewide impact of this section.

SECTION 4256. 301.26 (2) of the statutes is renumbered 48.526 (2) and amended to read:

48.526 **(2)** RECEIPT OF FUNDS. (a) All funds to counties under this section shall be allocated to county departments under ss. ~~46.21,~~ 46.215, 46.22 and 46.23 subject to ss. ~~46.495 (2) and 301.031, except that monthly advance payments to the counties may be less than one–twelfth of the contracted amounts~~ 48.569 (2) and 49.325. No reimbursement may be made to any multicounty department until the counties ~~which~~ that established the department have drawn up a detailed contractual agreement, approved by the secretary, setting forth the plans for joint sponsorship.

(b) Uniform fees collected or received by counties under s. ~~301.03 (18)~~ 49.32 (1) for services provided under this section shall be applied to cover the cost of the services.

(c) All funds to counties under this section shall be used to purchase or provide community–based juvenile delinquency–related services ~~under ch. 938~~, as defined in s. 46.011 (1c), and to purchase juvenile correctional services, as defined in s. 46.011 (1p), except that no funds to counties under this section may be used for purposes of land purchase, building construction, or maintenance of buildings under s. 46.17, 46.175, or 301.37, for reimbursement of costs under s. 938.209, for city lockups, or for reimbursement of care costs in temporary shelter care under s. 938.22. Funds to

counties under this section may be used for reimbursement of costs of program services, other than basic care and supervision costs, in juvenile detention facilities.

SECTION 4257. 301.26 (2m) of the statutes is renumbered 48.526 (2m) and amended to read:

48.526 **(2m)** PUBLIC PARTICIPATION PROCESS. In determining the use of funds under this section, county departments under ss. ~~46.21,~~ 46.215, 46.22 and 46.23 shall assess needs using an open public participation process ~~which~~ that involves representatives of those receiving services.

SECTION 4258. 301.26 (3) (title) of the statutes is renumbered 48.526 (3) (title).

SECTION 4259. 301.26 (3) (a) of the statutes is renumbered 48.526 (3) (a) and amended to read:

48.526 **(3)** (a) Receipt of funds under this subsection is contingent upon use of ~~a~~ the public participation process required under sub. (2m).

SECTION 4260. 301.26 (3) (c) of the statutes is renumbered 48.526 (3) (c) and amended to read:

48.526 **(3)** (c) Within the limits of the appropriations under s. ~~20.410 (3) (cd) and (ko)~~ 20.437 (1) (cj) and (o), the department shall allocate funds to each county for services under this section.

SECTION 4261. 301.26 (3) (dm) of the statutes is renumbered 48.526 (3) (dm).

SECTION 4262. 301.26 (3) (e) of the statutes is renumbered 48.526 (3) (e) and amended to read:

48.526 **(3)** (e) The department may carry forward $500,000 or 10% of its funds allocated under this subsection and not encumbered or carried forward under par. (dm) by counties by December 31, whichever is greater, to the next 2 calendar years. The department may transfer moneys from or within s. ~~20.410 (3) (cd)~~ 20.437 (1) (cj)

to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next 2 calendar years to improve community–based juvenile delinquency–related services, as defined in s. 46.011 (1c). The allocation does not affect a county's base allocation.

SECTION 4263. 301.26 (3) (em) of the statutes is renumbered 48.526 (3) (em) and amended to read:

48.526 **(3)** (em) The department may carry forward any emergency funds allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm) by December 31 to the next 2 calendar years. The department may transfer moneys from or within s. ~~20.410 (3) (cd)~~ 20.437 (1) (cj) to accomplish this purpose. The department may allocate these transferred moneys to counties that are eligible for emergency payments under sub. (7) (e). The allocation does not affect a county's base allocation.

SECTION 4264. 301.26 (4) (a) of the statutes is amended to read:

301.26 **(4)** (a) Except as provided in pars. (c) and (cm), the department of corrections shall bill counties, or the department of children and families shall deduct from the allocations under s. ~~20.410 (3) (cd)~~ 20.437 (1) (cj), for the costs of care, services, and supplies purchased or provided by the department of corrections for each person receiving services under s. 938.183 or 938.34 or the department of health services for each person receiving services under s. 46.057 or 51.35 (3). The department of corrections may not bill a county ~~for or~~, and the department of children and families may not deduct from a county's allocation, for the cost of care, services, and supplies provided to a person subject to an order under s. 938.183 after the person reaches 18 years of age. Payment shall be due within 60 days after the billing

date. If any payment has not been received within those 60 days, the department of ~~corrections~~ children and families may withhold aid payments in the amount due from the appropriation under s. ~~20.410 (3) (cd)~~ 20.437 (1) (cj).

SECTION 4265. 301.26 (4) (b) of the statutes is amended to read:

301.26 **(4)** (b) Assessment of costs under par. (a) shall be made periodically on the basis of the per person per day cost estimate specified in par. (d) 2., 3., and 4. Except as provided in pars. (bm), (c), and (cm), liability shall apply to county departments under s. ~~46.21,~~ 46.215, 46.22, or 46.23 in the county of the court exercising jurisdiction under ch. 938 for each person receiving services from the department of corrections under s. 938.183 or 938.34 or the department of health services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under ~~sub.~~ s. 48.526 (3) (c) to the total applicable estimated costs of care, services, and supplies provided by the department of corrections under ss. 938.183 and 938.34 and the department of health services under s. 46.057 or 51.35 (3).

SECTION 4266. 301.26 (4) (bm) of the statutes is amended to read:

301.26 **(4)** (bm) Notwithstanding par. (b), the county department under s. ~~46.21,~~ 46.215, 46.22, or 46.23 of the county of residency of a juvenile who has been adjudicated delinquent by a court of another county or by a court of another multicounty jurisdiction may voluntarily assume liability for the costs payable under par. (a). A county department may assume liability under this paragraph by a written agreement signed by the director of the county department that assumes

liability under this paragraph and the director of the county department that is otherwise liable under par. (b).

SECTION 4267. 301.26 (4) (cm) 1. of the statutes is amended to read:

301.26 **(4)** (cm) 1. Notwithstanding pars. (a), (b), and (bm), the department shall transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations under s. 20.410 (3) (hm), (ho), and (hr) for the purpose of reimbursing juvenile correctional facilities, secured residential care centers for children and youth, alternate care providers, ~~aftercare supervision providers, and corrective sanctions~~ <u>and community</u> supervision providers for costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age or over who has been placed in a juvenile correctional facility based on a delinquent act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or s. 948.36, 1999 stats., or s. 939.32 (1) (a), 940.03, 940.06, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1), 948.025 (1), or 948.30 (2), that is a conspiracy to commit any of those violations, or that is an attempted violation of s. 943.32 (2) and for the care of any juvenile 10 years of age or over who has been placed in a juvenile correctional facility or secured residential care center for children and youth for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

SECTION 4268. 301.26 (4) (cx) of the statutes is amended to read:

301.26 **(4)** (cx) If, notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and 20.903, there is a deficit in the appropriation account under s. 20.410 (3) (hm) at the close of a fiscal biennium, the governor shall, to address that deficit, increase each of the rates specified under s. 301.26 (4) (d) 2. and 3. for care in a Type 1 juvenile correctional ~~institution~~ <u>facility</u> and for care for juveniles transferred from a

correctional institution by ~~$17~~ $6, in addition to any increase due to actual costs, in the executive budget bill for each fiscal biennium, until the deficit under s. 20.410 (3) (hm) is eliminated.

SECTION 4269. 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 **(4)** (d) 2. Beginning on July 1, ~~2013~~ 2015, and ending on June 30, ~~2014~~ 2016, the per person daily cost assessment to counties shall be ~~$294~~ $284 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~$294~~ $284 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$125~~ $148 for departmental corrective sanctions services, and ~~$41~~ $46 for departmental aftercare services.

SECTION 4270. 301.26 (4) (d) 2. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

301.26 **(4)** (d) 2. Beginning on July 1, ~~2015~~ 2017, and ending on June 30, ~~2016~~ 2018, the per person daily cost assessment to counties shall be $284 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and $284 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3)~~, $148 for departmental corrective sanctions services, and $46 for departmental aftercare services~~.

SECTION 4271. 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 **(4)** (d) 3. Beginning on July 1, ~~2014~~ 2016, and ending on June 30, ~~2015~~ 2017, the per person daily cost assessment to counties shall be ~~$301~~ $292 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~$301~~ $292 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$128~~ $152 for departmental corrective sanctions services, and ~~$41~~ $48 for departmental aftercare services.

SECTION 4272. 301.26 (4) (d) 3. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

301.26 **(4)** (d) 3. Beginning on July 1, ~~2016~~ 2018, and ending on June 30, ~~2017~~ 2019, the per person daily cost assessment to counties shall be $292 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and $292 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3)~~, $152 for departmental corrective sanctions services, and $48 for departmental aftercare services~~.

SECTION 4273. 301.26 (4) (d) 5. of the statutes is created to read:

301.26 **(4)** (d) 5. The per person daily cost assessment to counties for community supervision services under s. 938.533 shall be an amount determined by the department based on the cost of providing those services. In determining that assessment, the department may establish multiple rates for varying types and levels of service. The department shall calculate the amounts of that assessment and, if applicable, those rates prior to the beginning of each fiscal year and the secretary shall submit that proposed assessment and, if applicable, those proposed rates to the cochairpersons of the joint committee on finance for review of the committee. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing that proposed assessment and, if applicable, those proposed rates within 14 working days after the date of the secretary's submittal, the department may implement that proposed assessment and those proposed rates. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing that proposed assessment and, if applicable, those proposed rates, the department may

implement that proposed assessment and those proposed rates only as approved by the committee.

SECTION 4274. 301.26 (4) (eg) of the statutes is amended to read:

301.26 **(4)** (eg) For ~~corrective sanctions~~ community supervision services under s. 938.533 (2), all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be credited to the appropriation account under s. 20.410 (3) (hr).

SECTION 4275. 301.26 (4) (g) of the statutes is amended to read:

301.26 **(4)** (g) For juvenile ~~field and~~ institutional ~~aftercare~~ services under ch. 938 and for the office of juvenile offender review, all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be credited to the appropriation account under s. 20.410 (3) (hm).

SECTION 4276. 301.26 (6) (title) of the statutes is renumbered 48.526 (6) (title).

SECTION 4277. 301.26 (6) (a) of the statutes is renumbered 48.526 (6) (a) and amended to read:

48.526 **(6)** (a) The ~~intent of this subsection is to~~ department shall develop criteria as provided in par. (b) to assist the legislature in allocating funding, excluding funding for base allocations, from the appropriations under s. ~~20.410 (3) (cd) and (ko)~~ 20.437 (1) (cj) and (o) for purposes described in this section.

SECTION 4278. 301.26 (6) (b) of the statutes is renumbered 48.526 (6) (b) and amended to read:

48.526 **(6)** (b) The ~~department shall submit recommendations to the joint committee on finance regarding~~ criteria developed under par. (a) shall include performance standards criteria to be used to determine whether counties are successfully diverting juveniles from juvenile correctional ~~institutions and into~~

facilities to less restrictive community programs and are successfully rehabilitating ~~children~~ juveniles who are adjudged delinquent ~~on or before December 31, 1987. Beginning on January 1, 1988, counties.~~ Counties shall provide information requested by the department in order to apply the criteria and assess their performances.

SECTION 4279. 301.26 (7) (intro.) of the statutes is amended to read:

301.26 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~2013~~ 2015, and ending on June 30, ~~2015~~ 2017, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

SECTION 4280. 301.26 (7) (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (intro.) and amended to read:

48.526 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of the appropriations under s. ~~20.410 (3) (cd) and (ko)~~ 20.437 (1) (cj) and (o), the department shall allocate funds for community youth and family aids for the period beginning on July 1, 2015, and ending on June 30, 2017, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

SECTION 4281. 301.26 (7) (a) of the statutes is amended to read:

301.26 **(7)** (a) For community youth and family aids under this section, amounts not to exceed ~~$45,478,000~~ $45,572,100 for the last 6 months of ~~2013, $90,956,100~~ 2015, $91,150,200 for ~~2014~~ 2016, and ~~$45,478,100~~ $45,578,100 for the first 6 months of ~~2015~~ 2017.

SECTION 4282. 301.26 (7) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (a).

SECTION 4283. 301.26 (7) (b) (intro.) of the statutes is amended to read:

301.26 **(7)** (b) (intro.) Of the amounts specified in par. (a), the department shall allocate $2,000,000 for the last 6 months of ~~2013~~ 2015, $4,000,000 for ~~2014~~ 2016, and $2,000,000 for the first 6 months of ~~2015~~ 2017 to counties based on each of the following factors weighted equally:

SECTION 4284. 301.26 (7) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (b).

SECTION 4285. 301.26 (7) (bm) of the statutes is amended to read:

301.26 **(7)** (bm) Of the amounts specified in par. (a), the department shall allocate $6,250,000 for the last 6 months of ~~2013~~ 2015, $12,500,000 for ~~2014~~ 2016, and $6,250,000 for the first 6 months of ~~2015~~ 2017 to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent 3–year period for which that information is available.

SECTION 4286. 301.26 (7) (bm) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (bm).

SECTION 4287. 301.26 (7) (c) of the statutes is amended to read:

301.26 **(7)** (c) Of the amounts specified in par. (a), the department shall allocate $1,053,200 for the last 6 months of ~~2013~~ 2015, $2,106,500 for ~~2014~~ 2016, and $1,053,300 for the first 6 months of ~~2015~~ 2017 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93% nor more than 115% of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

SECTION 4288. 301.26 (7) (c) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (c).

SECTION 4289. 301.26 (7) (e) of the statutes is amended to read:

301.26 **(7)** (e) For emergencies related to community youth and family aids under this section, amounts not to exceed $125,000 for the last 6 months of ~~2013~~ 2015, $250,000 for ~~2014~~ 2016, and $125,000 for the first 6 months of ~~2015~~ 2017. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

SECTION 4290. 301.26 (7) (e) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (e).

SECTION 4291. 301.26 (7) (h) of the statutes is amended to read:

301.26 **(7)** (h) For counties that are participating in the corrective sanctions program under s. 938.533 (2), $1,062,400 in the last 6 months of ~~2013~~ 2015, $2,124,800 in ~~2014~~ 2016, and $1,062,400 in the first 6 months of ~~2015~~ 2017 for the provision of corrective sanctions services for juveniles from that county. In distributing funds to counties under this paragraph, the department shall determine a county's distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county.

SECTION 4292. 301.26 (7) (h) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (7) (h).

SECTION 4293. 301.26 (8) of the statutes is amended to read:

301.26 **(8)** ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the allocations specified in sub. (7) (a), the department shall allocate $666,700 in the last 6 months of ~~2013~~ 2015, $1,333,400 in ~~2014~~ 2016, and $666,700 in the first 6 months of ~~2015~~ 2017 for alcohol and other drug abuse treatment programs.

SECTION 4294. 301.26 (8) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.526 (8).

SECTION 4295. 301.263 (title) of the statutes is renumbered 48.528 (title).

SECTION 4296. 301.263 (1) of the statutes is amended to read:

301.263 **(1)** ~~From the appropriation~~ In each fiscal year, the department shall distribute the amount appropriated under s. 20.410 (3) (f)~~, the department shall distribute $3,750,000 in each year~~ to counties for early intervention services for first offenders and for intensive community–based intervention services for seriously chronic offenders.

SECTION 4297. 301.263 (1) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 48.528 (1) and amended to read:

48.528 **(1)** In each fiscal year, the department shall distribute the amount appropriated under s. ~~20.410 (3) (f)~~ 20.437 (1) (cm) to counties for early intervention services for first offenders and for intensive community–based intervention services for seriously chronic offenders.

SECTION 4298. 301.263 (2) of the statutes is renumbered 48.528 (2).

SECTION 4299. 301.263 (3) of the statutes is renumbered 48.528 (3).

SECTION 4301. 301.45 (1g) (b) of the statutes is amended to read:

301.45 **(1g)** (b) Is in prison, a juvenile correctional facility, or a secured residential care center for children and youth or is on probation, extended

supervision, parole, supervision, community supervision, or aftercare supervision on or after December 25, 1993, for a sex offense.

SECTION 4302. 301.45 (1g) (bm) of the statutes is amended to read:

301.45 **(1g)** (bm) Is in prison, a juvenile correctional facility, or a secured residential care center for children and youth or is on probation, extended supervision, parole, supervision, community supervision, or aftercare supervision on or after December 25, 1993, for a violation, or for the solicitation, conspiracy, or attempt to commit a violation, of a law of this state that is comparable to a sex offense.

SECTION 4303. 301.45 (2) (e) 1. of the statutes is amended to read:

301.45 **(2)** (e) 1. Within 10 days after the person is placed on probation, supervision, community supervision, aftercare supervision, conditional release, or supervised release.

SECTION 4304. 301.45 (3) (a) 2. of the statutes is amended to read:

301.45 **(3)** (a) 2. If the person has been sentenced to prison or placed in a juvenile correctional facility or a secured residential care center for children and youth, he or she is subject to this subsection upon being released on parole, extended supervision, community supervision, or aftercare supervision.

SECTION 4305. 301.45 (3) (b) 2. of the statutes is amended to read:

301.45 **(3)** (b) 2. The department shall notify a person who is being released from prison in this state because he or she has reached the expiration date of his or her sentence and who is covered under sub. (1g) of the need to comply with the requirements of this section. Also, probation, extended supervision, and parole agents, community supervision agents, aftercare agents, and agencies providing supervision shall notify any client who is covered under sub. (1g) of the need to comply with the requirements of this section at the time that the client is placed on

probation, extended supervision, parole, supervision, community supervision, or aftercare supervision or, if the client is on probation, extended supervision, parole, or other supervision from another state under s. 304.13 (1m), 304.135, 304.16, or 938.988, when the client enters this state.

SECTION 4306. 301.45 (3) (b) 4. of the statutes is amended to read:

301.45 **(3)** (b) 4. It is not a defense to liability under sub. (6) (a) or (ag) that the person subject to sub. (1g) was not required to read and sign a form under subd. 3m., was not provided with a form to read and sign under subd. 3m. or failed or refused to read or sign a form under subd. 3m. It is not a defense to liability under sub. (6) (a) or (ag) that the person subject to sub. (1g) did not receive notice under this paragraph from the department of health services, the department of corrections, a probation, extended supervision, and parole agent, a community supervision agent, an aftercare agent, or an agency providing supervision.

SECTION 4307. 301.45 (5) (a) 2. of the statutes is amended to read:

301.45 **(5)** (a) 2. If the person has been sentenced to prison for a sex offense or placed in a juvenile correctional facility or a secured residential care center for children and youth for a sex offense, 15 years after discharge from parole, extended supervision, community supervision, or aftercare supervision for the sex offense.

SECTION 4308. 302.31 (7) of the statutes is amended to read:

302.31 **(7)** The temporary placement of persons in the custody of the department, other than persons under 17 years of age, and persons who have attained the age of 17 years but have not attained the age of 25 years who are under the supervision of the department under s. 938.355 (4) and who have been taken into custody pending revocation of community supervision or aftercare supervision under s. 938.357 (5) (e).

SECTION 4309. 302.386 (5) (c) of the statutes is amended to read:

302.386 **(5)** (c) Any ~~participant in the corrective sanctions program~~ person who is subject to community supervision under s. 938.533 unless the ~~participant~~ person is placed in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19).

SECTION 4312. 304.074 (2) of the statutes is amended to read:

304.074 **(2)** The department shall charge a reasonable fee as determined by the department to probationers, parolees, and persons on extended supervision to partially reimburse the department for the costs of providing supervision and services. ~~The department shall set varying rates for probationers, parolees, or persons on extended supervision based on ability to pay and with the goal of receiving at least $1 per day, if appropriate, from each probationer, parolee, and person on extended supervision. The department shall not charge a fee while the probationer, parolee, or person on extended supervision is exempt under sub. (3).~~ The department shall collect moneys for the fees charged under this subsection and credit those moneys to the appropriation account under s. 20.410 (1) (gf).

SECTION 4313. 304.074 (3) (intro.) of the statutes is renumbered 304.074 (3) and amended to read:

304.074 **(3)** The department may decide ~~not~~ to ~~charge~~ waive for a period a fee under sub. (2) ~~to any probationer, parolee or person on extended supervision while he or she meets any of the following conditions:~~ for reasons established under department policy, including if the person is unemployed, has a health issue or is disabled, or is participating in education or treatment–related programming.

SECTION 4314. 304.074 (3) (a), (b), (c) and (d) of the statutes are repealed.

SECTION 4315. 304.074 (5) of the statutes is amended to read:

304.074 **(5)** The department shall promulgate rules ~~setting rates under sub. (2) and~~ providing the procedure and timing for collecting fees charged under sub. (2).

SECTION 4316m. 321.40 (5) (c) of the statutes is amended to read:

321.40 **(5)** (c) No guard member may receive a tuition grant under sub. (3) for any semester in which he or she received a payment under s. 45.20 (2) ~~or 45.205 (2)~~.

SECTION 4317. 321.60 (1) (a) 4. of the statutes is amended to read:

321.60 **(1)** (a) 4. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), ~~252.23 (2), 252.24 (2),~~ 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

SECTION 4318. 321.60 (1) (a) 4. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

321.60 **(1)** (a) 4. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 97.33 (2), 97.605 (1) (a) or (b), 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), ~~254.64 (1) (a) or (b), 254.71 (2),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305 (6) (a) or a ~~permit~~ license for the operation of a campground specified in s. ~~254.47 (1)~~ 97.67 (1).

SECTION 4319. 321.60 (1) (a) 6m. of the statutes is created to read:

321.60 **(1)** (a) 6m. A license, certification, or permit issued under s. 89.06 or 89.072.

SECTION 4323. 321.62 (1) (bm) of the statutes is created to read:

321.62 **(1)** (bm) "Public agency" means a county, city, village, town, public inland lake protection and rehabilitation district, lake sanitary district, or school district or an agency of this state or of a county, city, village, town, public inland lake protection and rehabilitation district, lake sanitary district, or school district.

SECTION 4324. 321.62 (9) of the statutes is amended to read:

321.62 **(9)** STATUTES OF LIMITATIONS. The period of state active duty may not be included in computing any period for the bringing of any action or proceeding in any court or before any public agency~~, as defined in s. 36.54 (2) (a) 2.,~~ by or against a person in state active duty or by or against his or her heirs, personal representatives, or assigns, whether the cause of action or proceeding or the right to bring the action or proceeding accrued before or during the period of state active duty.

SECTION 4325. 321.62 (22) (d) 1. (intro.) of the statutes is amended to read:

321.62 **(22)** (d) 1. (intro.) Any action or proceeding in any court or before any public agency~~, as defined in s. 36.54 (2) (a) 2.,~~ based on the alleged professional negligence or other professional liability of a service member whose professional liability insurance coverage has been suspended under par. (a) shall be stayed until the end of the period of suspension if all of the following apply:

SECTION 4326. 321.64 (1) (c) of the statutes is amended to read:

321.64 **(1)** (c) If a dispute arises regarding a classified employee of the state relating to the provisions of par. (a), the complaint shall be filed with the ~~director~~ administrator of the ~~office~~ division of ~~state employment relations~~ personnel management. A decision of the ~~director~~ administrator of the ~~office~~ division of ~~state employment relations~~ personnel management in the department of administration may be reviewed under ch. 227.

SECTION 4328. 340.01 (23g) (a) of the statutes is amended to read:

340.01 **(23g)** (a) Means a motor vehicle which is not painted in accordance with s. 347.44 (1) and which is used for the purpose of transporting ~~disabled persons~~ individuals with disabilities as defined in s. ~~85.21 (2) (cm)~~ 85.22 (2) (bm) or ~~elderly persons~~ seniors as defined in s. 85.22 (2) ~~(b)~~ (d) in connection with any transportation assistance program for ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities.

SECTION 4329. 340.01 (56) (am) of the statutes is amended to read:

340.01 **(56)** (am) Means a motor vehicle which is painted in accordance with s. 347.44 (1) and is used for the purpose of transporting ~~disabled persons~~ individuals with disabilities as defined in s. ~~85.21 (2) (cm)~~ 85.22 (2) (bm) or ~~elderly persons~~ seniors as defined in s. 85.22 (2) ~~(b)~~ (d) in connection with any transportation assistance program for ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities.

SECTION 4329m. 341.05 (7) of the statutes is amended to read:

341.05 **(7)** The vehicle is a farm tractor used exclusively in agricultural operations, including threshing, or used exclusively to provide power to drive other machinery, or to transport from job to job machinery driven by a farm tractor; used for special occasions such as display and parade purposes or for participation in tractor or antique vehicle clubs, including traveling to and from such events; or used for occasional personal use, but not for regular daily transportation.

SECTION 4334m. 343.15 (1) (a) of the statutes is amended to read:

343.15 **(1)** (a) Except as provided in sub. (4), the application of any person under 18 years of age for a license shall be signed and verified by either of the applicant's parents, or a stepparent of the applicant or other adult sponsor, as defined by the department by rule. The application shall be signed and verified before a traffic

officer, a duly authorized agent of the department or a person duly authorized to administer oaths. A signature and verification under this paragraph may be provided electronically in a format designated by the department.

SECTION 4334r. 343.16 (2) (b) of the statutes is amended to read:

343.16 **(2)** (b) *Specific requirements.* The standards developed by the department under par. (c) shall provide that the examination for persons making their first application for an operator's license shall include, subject to sub. (3) (am), a test of the applicant's eyesight, ability to read and understand highway signs regulating, warning and directing traffic, knowledge of the traffic laws, including ss. 346.072 and 346.26, understanding of fuel–efficient driving habits and the relative costs and availability of other modes of transportation, knowledge of the need for anatomical gifts and the ability to make an anatomical gift through the use of a donor card issued under s. 343.175 (2), and an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The test of knowledge of the traffic laws shall include questions on the provisions of ss. 343.30 (1q), 343.303 to 343.31 and 346.63 to 346.655, relating to the operation of a motor vehicle and the consumption of alcohol beverages. The test of knowledge may also include questions on the social, medical and economic effects of alcohol and other drug abuse. The examination of applicants for authorization to operate 'Class M' vehicles shall test an applicant's knowledge of Type 1 motorcycle safety, including proper eye protection to be worn during hours of darkness. The department may require persons changing their residence to this state from another jurisdiction and persons applying for a reinstated license after termination of a revocation period to take all or parts of the examination required of persons making their first application for an operator's license. Any applicant who is required to give an actual

demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle shall furnish a representative vehicle in safe operating condition for use in testing ability.

SECTION 4334t. 343.16 (2) (f) 3. of the statutes is amended to read:

343.16 **(2)** (f) 3. Notwithstanding pars. (a) to (c) and sub. (1) (a), with respect to equivalent classes of vehicles under s. 343.04 (1), the department shall treat an application for a commercial driver license submitted with a military commercial driver license and other related documentation the same as an application for that license submitted by a person holding a commercial driver license from another jurisdiction, except that the department shall <u>waive the initial issuance or upgrading fees under s. 343.21 (1) (d) and (n) for the commercial driver license and any applicable endorsement, and shall</u> require the applicant to take and pass the applicable knowledge tests, unless the applicant is exempt from, or eligible for a waiver of, these knowledge tests under 49 CFR 383.

SECTION 4334u. 343.16 (3) (a) of the statutes is amended to read:

343.16 **(3)** (a) Except as provided in s. 343.165 (4) (d), the department shall examine every applicant for the renewal of an operator's license once every 8 years. The department may institute a method of selecting the date of renewal so that such examination shall be required for each applicant for renewal of a license to gain a uniform rate of examinations. ~~The~~ <u>Subject to par. (am), the</u> examination shall consist of a test of eyesight. The department shall make provisions for giving such examinations at examining stations in each county to all applicants for an operator's license. The person to be examined shall appear at the examining station nearest the person's place of residence or at such time and place as the department designates in answer to an applicant's request. In lieu of examination, the applicant

may present or mail to the department a report of examination of the applicant's eyesight by an ophthalmologist, optometrist or physician licensed to practice medicine. The report shall be based on an examination made not more than 3 months prior to the date it is submitted. The report shall be on a form furnished and in the form required by the department. The department shall decide whether, in each case, the eyesight reported is sufficient to meet the current eyesight standards.

SECTION 4335d. 343.16 (3) (am) of the statutes is created to read:

343.16 **(3)** (am) 1. If an applicant for a probationary license authorizing operation of only "Class D" vehicles satisfies eligibility criteria established by the department under subd. 3., the applicant may apply for the license, and the department may issue the license, by any electronic means offered by the department. A license may be issued under this subdivision without a test of eyesight and without a photograph being taken.

2. If an applicant for the renewal of a license authorizing operation of only "Class D" vehicles is currently a probationary license holder and satisfies eligibility criteria established by the department under subd. 3., the applicant may apply for the license, and the department may renew the license, by any electronic means offered by the department. A license may be renewed under this subdivision without a test of eyesight and without a photograph being taken.

3. The department shall establish criteria for eligibility for license issuance and renewal by electronic means under this paragraph.

SECTION 4337. 343.20 (1) (a) of the statutes is amended to read:

343.20 **(1)** (a) Except as otherwise expressly provided in this chapter, probationary licenses issued under s. 343.085 ~~and original licenses other than instruction permits~~ shall expire 2 years from the date of the applicant's next

birthday. Licenses issued after cancellation shall expire on the expiration date for the prior license at the time of cancellation. Subject to s. 343.125 (3), all other licenses and license endorsements shall expire 8 years after the date of issuance. The department may institute any system of initial license issuance which it deems advisable for the purpose of gaining a uniform rate of renewals. In order to put such a system into operation, the department may issue licenses which are valid for any period less than the ordinary effective period of such license. If the department issues a license that is valid for less than the ordinary effective period as authorized by this paragraph, the fees due under s. 343.21 (1) (b) and (d) shall be prorated accordingly.

SECTION 4338. 343.20 (1) (e) of the statutes is repealed.

SECTION 4339. 343.20 (1m) of the statutes is amended to read:

343.20 **(1m)** Notwithstanding sub. (1) (a) ~~and (e)~~, and except as provided in s. 343.165 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person who is not a United States citizen or permanent resident and who provides documentary proof of legal status as provided under s. 343.14 (2) (es) 2., 4., 5., 6., or 7. shall expire on the date that the person's legal presence in the United States is no longer authorized or on the expiration date determined under sub. (1), whichever date is earlier. If the documentary proof as provided under s. 343.14 (2) (es) does not state the date that the person's legal presence in the United States is no longer authorized, sub. (1) shall apply except that, if the license was issued or renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the license shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

SECTION 4340. 343.21 (1) (a) of the statutes is amended to read:

343.21 **(1)** (a) For the initial issuance or renewal of a license authorizing only the operation of "Class D" motor vehicles, ~~$18~~ other than a probationary license under s. 343.085, $24.

SECTION 4341. 343.21 (1) (ag) of the statutes is created to read:

343.21 **(1)** (ag) For the issuance of a probationary license under s. 343.085, $18.

SECTION 4342. 343.21 (1) (am) of the statutes is repealed.

SECTION 4343. 343.21 (1) (d) of the statutes is amended to read:

343.21 **(1)** (d) ~~For~~ Except as provided in s. 343.16 (2) (f) 3., for the initial issuance or renewal of authorization to operate "Class A", "Class B" or "Class C" motor vehicles, or upgrading an existing regular license which only authorizes the operation of "Class D" motor vehicles, $64. This fee includes issuance of any "H", "N", "P", or "T" endorsements or "Class D" authorization applied for at the same time for which the applicant is qualified. ~~An~~ Except as provided in s. 343.16 (2) (f) 3., an additional fee of $5 is required for the issuance or renewal of any "S" endorsement applied for or renewed at the same time for which the applicant is qualified.

SECTION 4344. 343.21 (1) (n) of the statutes is amended to read:

343.21 **(1)** (n) ~~In~~ Except as provided in s. 343.16 (2) (f) 3., in addition to any other fee under this subsection, for the issuance, renewal, upgrading, or reinstatement of any license, endorsement, or instruction permit, a license issuance fee of $10.

SECTION 4345. 343.21 (1m) of the statutes is amended to read:

343.21 **(1m)** In addition to the fee specified in sub. (1) ~~(am)~~ (a), (b), or (d), an applicant whose application for renewal of a license or authorization under sub. (1) ~~(am)~~ (a), (b), or (d) is filed after the date of expiration of the license or authorization shall pay to the department a late fee of $5.

SECTION 4345m. 343.30 (1z) of the statutes is amended to read:

343.30 **(1z)** If a court imposes a driver improvement surcharge under s. 346.655 or a safe ride program surcharge under s. 346.657 and the person fails to pay ~~the surcharge~~ all surcharges imposed under s. 346.655 or 346.657 within 60 days after the date by which the court ordered ~~the surcharge to be paid~~ payment, the court may suspend the person's operating privilege until the person pays ~~the surcharge~~ all surcharges imposed under s. 346.655 or 346.657, except that the suspension period may not exceed 2 years.

SECTION 4346. 343.50 (5) (b) of the statutes is amended to read:

343.50 **(5)** (b) Except as provided in ~~par.~~ pars. (c) and (d) and s. 343.165 (4) (c), an original or reinstated card shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance, and a renewed card shall be valid for the succeeding period of 8 years from the card's last expiration date.

SECTION 4347. 343.50 (5) (d) of the statutes is created to read:

343.50 **(5)** (d) Except as provided in par. (c), an identification card that is issued to a person who is 65 years of age or older at the time of issuance may be non–expiring. A non–expiring card under this paragraph shall, in addition to any other required legend or design, be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar or identical to the marking described in s. 343.03 (3r).

SECTION 4348. 346.45 (1) (g) of the statutes is created to read:

346.45 **(1)** (g) Every cargo tank motor vehicle, whether loaded or empty, transporting a commodity under exemption in accordance with 49 CFR part 107, subpart B.

SECTION 4349. 346.65 (2m) (b) of the statutes is amended to read:

346.65 **(2m)** (b) The court shall consider a report submitted under s. ~~85.53~~ 51.49 (2) (d) when imposing a sentence under sub. (2), (2q), or (3m).

SECTION 4349m. 346.657 of the statutes is created to read:

346.657 Safe ride program surcharge. (1) If a court imposes a fine or a forfeiture for a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a safe ride program surcharge under ch. 814 in an amount of $50 in addition to the fine or forfeiture, plus costs, fees, and other surcharges imposed under ch. 814.

(2) (a) Except as provided in par. (b), the clerk of court shall collect and transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration as provided in s. 59.25 (3) (f) 2.

(b) If the forfeiture is imposed by a municipal court, the court shall transmit the amount under sub. (1) to the treasurer of the county, city, town, or village, and that treasurer shall make payment to the secretary of administration as provided in s. 66.0114 (1) (bm).

(3) Any person who fails to pay a driver improvement surcharge imposed under sub. (1) is subject to s. 343.30 (1z).

SECTION 4350b. 348.01 (2) (bd) of the statutes is created to read:

348.01 **(2)** (bd) "I 41 corridor" means that portion of I 41 from I 94 at the zoo interchange, as defined in s. 84.014 (5m) (ag) 2., through the interchange with I 43 in the village of Howard.

SECTION 4350c. 348.15 (3) (bg) of the statutes is amended to read:

348.15 **(3)** (bg) In the case of a vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm, the gross

weight imposed on the highway by the wheels of any one axle may not exceed 21,000 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350d. 348.15 (3) (br) of the statutes is amended to read:

348.15 **(3)** (br) In the case of a vehicle or combination of vehicles transporting exclusively peeled or unpeeled forest products cut crosswise or in the case of a vehicle or combination of vehicles transporting exclusively scrap metal, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350e. 348.15 (3) (bv) of the statutes is amended to read:

348.15 **(3)** (bv) In the case of a vehicle or combination of vehicles used primarily for the transportation of septage, as defined in s. 281.49 (1) (m), the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive

axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or, for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350f. 348.15 (3) (e) of the statutes is amended to read:

348.15 **(3)** (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination of vehicles transporting exclusively livestock, the gross weight imposed on the highway by the wheels of any one axle or axle group may exceed the applicable weight limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle or combination of vehicles does not exceed the maximum gross weight specified for that vehicle or combination of vehicles under par. (c). This paragraph does not apply to the national system of interstate and defense highways, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350g. 348.15 (9) (d) of the statutes, as affected by 2015 Wisconsin Act 15, is amended to read:

348.15 **(9)** (d) The increased weight allowance for implements of husbandry and agricultural commercial motor vehicles under sub. (3) (b) and (g) does not apply on any highway that is a part of the national system of interstate and defense

highways, except for the I 41 corridor. The increased weight allowance for 2–vehicle combinations transporting implements of husbandry or agricultural commercial motor vehicles under sub. (3) (b) and (g) does not apply on any highway that is a part of the national system of interstate and defense highways.

SECTION 4350h. 348.15 (9) (e) 3. of the statutes, as affected by 2015 Wisconsin Act 15, is amended to read:

348.15 **(9)** (e) 3. Subdivisions 1., 2., and 4. do not apply on any highway ~~that is a part of the national system of interstate and defense highways or~~ that is posted with a weight limitation as provided in s. 348.17 (1). Subdivisions 1. and 2. do not apply on any highway that is a part of the national system of interstate and defense highways, except for the I 41 corridor. Subdivision 4. does not apply on any highway that is a part of the national system of interstate and defense highways.

SECTION 4350i. 348.17 (3) of the statutes is amended to read:

348.17 **(3)** During an energy emergency, after consultation with the department of administration, the department may waive the divisible load limitation of s. 348.25 (4) and authorize for a period not to exceed 30 days the operation of overweight vehicles having a registered gross weight of 50,000 pounds or more and carrying energy resources or fuel or milk commodities designated by the governor or a designee, regardless of the highways involved, to conserve energy. Such authorization may only allow weights not more than 10% greater than the gross axle and axle combination weight limitations, and not more than 15% greater than the gross vehicle weight limitations under ss. 348.15 and 348.16. Nothing in this subsection shall be construed to permit the department to waive the requirements of ss. 348.05 to 348.07. This subsection does not apply to vehicles on highways designated as parts of the national system of interstate and defense highways, except

for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350j. 348.17 (5) (b) of the statutes is amended to read:

348.17 **(5)** (b) This subsection does not apply to the national system of interstate and defense highways, except for the I 41 corridor and that portion of I 39 between USH 51 and I 90/94.

SECTION 4350k. 348.17 (6) (b) of the statutes is amended to read:

348.17 **(6)** (b) This subsection does not apply to the national system of interstate and defense highways, except for the I 41 corridor.

SECTION 4350L. 348.175 of the statutes is amended to read:

348.175 Seasonal operation of vehicles hauling peeled or unpeeled forest products cut crosswise or abrasives or salt for highway winter maintenance. The transportation of peeled or unpeeled forest products cut crosswise or of abrasives or salt for highway winter maintenance in excess of gross weight limitations under s. 348.15 shall be permitted during the winter months when the highways are so frozen that no damage may result thereto by reason of such transportation. If at any time any person is so transporting such products or abrasives or salt upon a class "A" highway in such frozen condition then that person may likewise use a class "B" highway without other limitation, except that chains and other traction devices are prohibited on class "A" highways but such chains and devices may be used in cases of necessity. On the first day that conditions warrant their determination of such frozen condition and freedom of damage to such highways by transportation, the officers or agencies in charge of maintenance of highways shall declare particular highways, or highways within areas of the state,

as eligible for increased weight limitations, and each declaration shall be effective as of 12:01 a.m. on the 2nd day following the declaration. Such declaration shall include the maximum weight on each axle, combination of axles and the gross weight allowed. Any person transporting any such product over any highway of this state under this section is liable to the maintaining authority for any damage caused to such highway. This section does not apply to the national system of interstate and defense highways, except for the I 41 corridor and that portion of I 39 between USH 51 and I 90/94.

SECTION 4350m. 348.19 (2) (b) of the statutes is amended to read:

348.19 **(2)** (b) If upon weighing a vehicle transporting livestock a traffic officer determines that the gross weight of the vehicle exceeds the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or a limitation posted as provided in s. 348.17 (1), and if the point of apprehension is 15 miles or less from the destination of the vehicle, the traffic officer shall permit the operator of the vehicle to proceed to such destination without requiring the vehicle to be reloaded or unloaded as provided in par. (a). This paragraph does not apply to vehicles transporting livestock on the national system of interstate and defense highways, except for the I 41 corridor and that portion of I 39 between USH 51 and I 90/94.

SECTION 4350n. 348.19 (4) of the statutes is amended to read:

348.19 **(4)** Subsection (1) (b) shall not apply to vehicles transporting peeled or unpeeled forest products on the national, interstate or defense highway systems, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350o. 348.27 (4) of the statutes is amended to read:

348.27 **(4)** INDUSTRIAL INTERPLANT PERMITS. The department may issue, to industries and to their agent motor carriers owning and operating oversize vehicles in connection with interplant, and from plant to state line, operations in this state, annual or consecutive month permits for the operation of such vehicles over designated routes, provided that such permit shall not be issued under this section to agent motor carriers or, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~, from plant to state line for vehicles or loads of width exceeding 102 inches upon routes of the national system of interstate and defense highways. If the routes desired to be used by the applicant involve city or village streets or county or town highways, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the highway in question.

SECTION 4350p. 348.27 (9m) (a) 1. of the statutes is amended to read:

348.27 **(9m)** (a) 1. Raw forest products or of fruits or vegetables from field to storage or processing facilities in vehicles or vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit under this subdivision is not valid on highways designated as part of the national system of interstate and defense highways, except on the I 41 corridor and on I 39 between STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon, Portage, Waushara, Marquette and Columbia counties.

SECTION 4350q. 348.27 (9m) (a) 4. of the statutes is amended to read:

348.27 **(9m)** (a) 4. Raw forest products in vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 18,000 pounds if the vehicle combination has 6 or more axles and the gross weight imposed

on the highway by the wheels of any one axle of the vehicle combination does not exceed 18,000 pounds, except that the gross weight imposed on the highway by the wheels of any steering axle on the power unit may not exceed the greater of 13,000 pounds or the manufacturer's rated capacity, but not to exceed 18,000 pounds. Notwithstanding s. 348.15 (8), any axle of a vehicle combination that does not impose on the highway at least 8 percent of the gross weight of the vehicle combination may not be counted as an axle for the purposes of this subdivision. Subject to par. (c), a permit under this subdivision is not valid on any interstate highway designated under s. 84.29 (2) except for the I 41 corridor, any highway or bridge with a posted weight limitation that is less than the vehicle combination's gross weight, and any part of the state trunk highway system that the department has designated by rule as a route on which a permit issued under this subsection is not valid.

SECTION 4350r. 348.27 (9r) of the statutes is amended to read:

348.27 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or consecutive month permit for the transportation of metallic or nonmetallic scrap for the purpose of recycling or processing on a vehicle or combination of vehicles which exceeds statutory weight or length limitations and for the return of the vehicle or combination of vehicles when empty. This subsection does not apply to the transportation of scrap on highways designated as part of the national system of interstate and defense highways, except for the I 41 corridor and that portion of ~~USH 51 between Wausau and STH 78 and that portion of STH 78~~ I 39 between USH 51 and ~~the~~ I 90/94 ~~interchange near Portage upon their federal designation as I 39~~.

SECTION 4350s. 348.27 (10) of the statutes is amended to read:

348.27 **(10)** TRANSPORTATION OF GRAIN OR COAL OR IRON. The department may issue annual or consecutive month permits for the transportation of loads of grain, as defined in s. 126.01 (13), coal, iron ore concentrates or alloyed iron on a vehicle or a combination of 2 or more vehicles that exceeds statutory weight or length limitations and for the return of the empty vehicle or combination of vehicles over any class of highway for a distance not to exceed 5 miles from the Wisconsin state line. If the roads desired to be used by the applicant involve streets or highways other than those within the state trunk highway system, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the other highway. This subsection does not apply to highways designated as part of the national system of interstate and defense highways<u>, except for the I 41 corridor</u>.

SECTION 4350t. 348.27 (15) (a) of the statutes is amended to read:

348.27 **(15)** (a) The department shall issue to qualifying applicants multiple trip permits for the transportation of granular roofing material in vehicles or vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit issued under this subsection does not authorize the operation of any vehicle or vehicle combination at a maximum gross weight in excess of 90,000 pounds. A permit under this subsection may be issued only by the department, regardless of the highways to be used. A permit under this subsection is not valid on highways designated as part of the national system of interstate and defense highways except that a permit may be issued that is valid <u>on the I 41 corridor or</u> on not more than 2.5 miles of any state trunk highway if such issuance of the permit is consistent with federal law.

SECTION 4350u. 348.27 (19) (c) 4. of the statutes is amended to read:

348.27 **(19)** (c) 4. A no–fee permit issued under ~~this subsection~~ subd. 1. is not valid on any highway that is a part of the national system of interstate and defense highways, except for the I 41 corridor. A no–fee permit issued under subd. 1m. is not valid on any highway that is a part of the national system of interstate and defense highways.

SECTION 4353. 350.01 (9m) (a) of the statutes is amended to read:

350.01 **(9m)** (a) A bed and breakfast establishment, as defined in s. ~~254.61 (1)~~ 97.01 (1g).

SECTION 4354. 350.01 (9m) (b) of the statutes is amended to read:

350.01 **(9m)** (b) A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

SECTION 4355. 350.01 (9m) (c) of the statutes is amended to read:

350.01 **(9m)** (c) A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

SECTION 4356. 350.12 (3) (b) 1. of the statutes is amended to read:

350.12 **(3)** (b) 1. Any person who is a resident of this state and the owner of a snowmobile may register the snowmobile as an antique snowmobile if it is at least 35 years old at the time that the owner applies for such registration. Upon payment of a fee of $20, the owner shall be furnished a registration certificate and decals of a distinctive design, in lieu of the design on the decals issued under par. (d). The design shall show that the snowmobile is an antique. The registration certificate shall be valid for ~~2~~ 3 years. If the snowmobile is registered before April 1, the ~~2–year~~ 3–year period begins on the July 1 before the date of application. If the snowmobile is registered on or after April 1 of a given year, the ~~2–year~~ 3–year period begins on the July 1 after the date of application. The fee for issuance of the initial registration certificate is $20. The fee for renewal of the registration is $5.

SECTION 4357. 350.12 (3j) (br) of the statutes, as created by 2013 Wisconsin Act 142, is amended to read:

350.12 **(3j)** (br) There is no fee for a trail use sticker issued for a snowmobile that has a model year that is at least ~~30~~ 35 years earlier than the year in which the trail use sticker is issued.

SECTION 4359m. 350.12 (4) (br) of the statutes is renumbered 350.12 (4) (br) (intro.) and amended to read:

350.12 **(4)** (br) *Supplemental trail aids; insufficient funding.* (intro.) If the aid that is payable to counties and to the department under par. (bm) exceeds the moneys available under par. (bg), the department may ~~prorate~~ only do the following or any combination of the following:

1. Prorate the payments ~~or may request.~~

2. Request, in writing, that the joint committee on finance ~~to take action under s. 13.101. The requirement of a finding of emergency under s. 13.101 (3) (a) 1. does not apply to such a request~~ authorize the department to pay any or all of the insufficiency from the appropriations under s. 20.370 (5) (cr) or (cs). The department may proceed with the requested action if within 14 working days of the request the committee does not schedule a meeting for the purpose of reviewing the department's request. If the committee schedules a meeting for the purpose of reviewing the department's request, the department may not take the requested action unless the committee approves the request.

SECTION 4372. 440.03 (13) (b) 73. of the statutes is repealed.

SECTION 4373. 440.03 (13) (b) 74. of the statutes is repealed.

SECTION 4377. 440.08 (2) (a) (intro.) of the statutes, as affected by 2013 Wisconsin Act 240, is amended to read:

440.08 **(2)** (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03, 444.11, 447.04 (2) (c) 2., 449.17 (1m) (d), ~~and~~ 449.18 (2) (d), 463.10, 463.12, and 463.25 and subch. II of ch. 448, the renewal dates for credentials are as follows:

SECTION 4383. 440.08 (2) (a) 70. of the statutes is repealed.

SECTION 4384. 440.08 (2) (a) 71. of the statutes is repealed.

SECTION 4416g. 441.05 of the statutes is repealed.

SECTION 4416r. 441.06 (1) (e) of the statutes is amended to read:

441.06 **(1)** (e) The applicant passes the examination ~~under s. 441.05~~ approved by the board to receive a license as a registered nurse in this state. The applicant may not take the examination before receiving a diploma under par. (c) unless the applicant obtains a certificate of approval to take the examination from the school of nursing the applicant attends and submits that certificate to the board prior to examination.

SECTION 4417c. 441.10 (2) of the statutes is repealed.

SECTION 4417g. 441.10 (3) (title) of the statutes is repealed.

SECTION 4417n. 441.10 (3) (a) of the statutes is renumbered 441.10 (1), and 441.10 (1) (f), as renumbered, is amended to read:

441.10 **(1)** (f) The applicant passes the examination ~~under sub. (2)~~ approved by the board for licensure as a licensed practical nurse in this state. The applicant may not take the examination before receiving a diploma under ~~subd. 4.~~ par. (d) unless the applicant obtains a certificate of approval to take the examination from the school of nursing the applicant attends and submits that certificate to the board prior to examination.

SECTION 4417r. 441.10 (3) (ag) of the statutes is renumbered 441.10 (4).

SECTION 4417w. 441.10 (3) (ar) of the statutes is renumbered 441.10 (5) and amended to read:

441.10 **(5)** The holder of a license under this ~~subsection~~ section is a "licensed practical nurse" and may append the letters "L.P.N." to his or her name. The board may reprimand or may limit, suspend, or revoke the license of a licensed practical nurse under s. 441.07.

SECTION 4418c. 441.10 (3) (b) of the statutes is renumbered 441.10 (6).

SECTION 4418e. 441.10 (3) (c) of the statutes is renumbered 441.10 (7) and amended to read:

441.10 **(7)** No license is required for practical nursing, but, except as provided in s. 257.03, no person without a license may hold himself or herself out as a licensed practical nurse or licensed attendant, use the title or letters "Trained Practical Nurse" or "T.P.N.", "Licensed Practical Nurse" or "L.P.N.", "Licensed Attendant" or "L.A.", "Trained Attendant" or "T.A.", or otherwise seek to indicate that he or she is a licensed practical nurse or licensed attendant. No licensed practical nurse or licensed attendant may use the title, or otherwise seek to act as a registered, licensed, graduate or professional nurse. Anyone violating this subsection shall be subject to the penalties prescribed by s. 441.13. The board shall grant without examination a license as a licensed practical nurse to any person who was on July 1, 1949, a licensed attendant. This ~~paragraph~~ subsection does not apply to any person who is licensed to practice practical nursing by a jurisdiction, other than this state, that has adopted the nurse licensure compact under s. 441.50.

SECTION 4418m. 441.10 (3) (d) of the statutes is renumbered 441.10 (8).

SECTION 4418s. 441.10 (3) (e) of the statutes is renumbered 441.10 (9).

SECTION 4467g. 450.02 (2g) (b) of the statutes is amended to read:

450.02 **(2g)** (b) The board shall promulgate rules that establish requirements and procedures for the administration of a drug product or device, as defined in s. 450.035 (1g), by a pharmacist under s. 450.035 (1r). ~~Notwithstanding s. 15.08 (5) (b), the board may promulgate rules under this paragraph only if the rules are identical to rules recommended by the pharmacist advisory council. The board may amend or repeal rules promulgated under this paragraph only upon the recommendation of the pharmacist advisory council.~~

SECTION 4467r. 450.025 of the statutes is repealed.

SECTION 4468. 450.03 (1) (e) of the statutes is amended to read:

450.03 **(1)** (e) Any person lawfully practicing within the scope of a license, permit, registration, certificate or certification granted to practice professional or practical nursing or nurse–midwifery under ch. 441, to practice dentistry or dental hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice optometry under ch. 449 or to practice veterinary medicine under ch. ~~453~~ 89, or as otherwise provided by statute.

SECTION 4468e. 450.072 (2) (a) of the statutes is renumbered 450.072 (2) (ar) and amended to read:

450.072 **(2)** (ar) A manufacturer or wholesale distributor may not deliver prescription drugs to a person unless the person is licensed under s. 450.071 or 450.06 or by the appropriate licensing authority of another state or unless the person is a faculty member of an institution of higher education~~, as defined in s. 36.32 (1),~~ and is obtaining the prescription drugs for the purpose of lawful research, teaching, or testing and not for resale. A manufacturer or wholesale distributor may not deliver prescription drugs to a person that is not known to the manufacturer or wholesale distributor unless the manufacturer or wholesale distributor has verified

with the board or with the licensing authority of the state in which the person is located that the person is licensed to receive prescription drugs or unless the person is a faculty member of an institution of higher education~~, as defined in s. 36.32 (1)~~, and is obtaining the prescription drugs for the purpose of lawful research, teaching, or testing and not for resale.

SECTION 4468m. 450.072 (2) (ag) of the statutes is created to read:

450.072 **(2)** (ag) In this subsection, "institution of higher education" means an institution within the University of Wisconsin System or a private educational institution located in this state that awards a bachelor's or higher degree or provides a program that is acceptable toward such a degree.

SECTION 4468s. 450.074 (3) (c) of the statutes is amended to read:

450.074 **(3)** (c) Violates s. 450.072 (2) ~~(a)~~ (ar), if the person is required to obtain a license under s. 450.071.

SECTION 4473. 450.10 (3) (a) 8. of the statutes is amended to read:

450.10 **(3)** (a) 8. A veterinarian licensed under ch. ~~453~~ 89.

SECTION 4474. 450.11 (1b) (bm) of the statutes is amended to read:

450.11 **(1b)** (bm) A pharmacist or other person dispensing or delivering a drug shall legibly record the name on each identification card presented under par. (b) to the pharmacist or other person, and the name of each person to whom a drug is dispensed or delivered subject to par. (e) 2., and shall maintain that record for a time established by the board by rule or, for a record that is subject to s. ~~450.19~~ 961.385, until the name is delivered to the controlled substances board under s. ~~450.19~~ 961.385, whichever is sooner.

SECTION 4475. 450.11 (1m) of the statutes is amended to read:

450.11 **(1m)** ELECTRONIC TRANSMISSION. Except as provided in s. ~~453.068~~ 89.068 (1) (c) 4., a practitioner may transmit a prescription order electronically only if the patient approves the transmission and the prescription order is transmitted to a pharmacy designated by the patient.

SECTION 4476. 450.125 of the statutes is amended to read:

450.125 Drugs for animal use. In addition to complying with the other requirements in this chapter for distributing and dispensing, a pharmacist who distributes or dispenses a drug for animal use shall comply with s. ~~453.068~~ 89.068.

SECTION 4477. 450.19 of the statutes is renumbered 961.385, and 961.385 (1) (ar), (2) (a) (intro.) and 3., (c), (d), (e) and (f) and (2m) (a) and (b), as renumbered, are amended to read:

961.385 **(1)** (ar) "Practitioner" has the meaning given in s. 450.01 (17) but does not include a veterinarian licensed under ch. ~~453~~ 89.

(2) (a) (intro.) Require a pharmacy or a practitioner to generate a record documenting each dispensing of a monitored prescription drug at the pharmacy or, if the monitored prescription drug is not dispensed at a pharmacy, by the practitioner and to ~~deliver~~ submit the record to the board, except that the program may not require the generation of a record in any of the following circumstances:

3. The prescription order is for a monitored prescription drug that is a substance listed in the schedule in s. 961.22 and is not a narcotic drug, ~~as defined in s. 961.01 (15),~~ and the prescription order is for a number of doses that is intended to last the patient 7 days or less.

(c) Specify the persons to whom a record may be disclosed and the circumstances under which the disclosure may occur. The rule promulgated under this paragraph shall comply with s. 146.82, except that the rule shall permit the

board to ~~share~~ disclose a record generated by the program ~~with~~ to relevant state boards and agencies, relevant agencies of other states, and relevant law enforcement agencies, as defined in s. 165.77 (1) (b), including under circumstances indicating suspicious or critically dangerous conduct or practices of a pharmacy, pharmacist, practitioner, or patient. The board shall define what constitutes suspicious or critically dangerous conduct or practices for purposes of the rule promulgated under this paragraph.

(d) Specify a secure electronic format for ~~delivery~~ submittal of a record generated under the program and authorize the board to grant a pharmacy or practitioner a waiver of the specified format.

(e) Specify a deadline for the ~~delivery~~ submittal of a record to the board.

(f) ~~Specify~~ Permit the board to refer to the appropriate licensing or regulatory board for discipline ~~for failure~~, or the appropriate law enforcement agency for investigation and possible prosecution, a pharmacist, pharmacy, or practitioner that fails to comply with rules promulgated under this subsection, including by failure to generate a record that is required by the program.

(2m) (a) The rules promulgated under sub. (2) may not require that a record ~~delivered~~ submitted to the board before 2 years after April 9, 2014, contain the name recorded under s. 450.11 (1b) (bm).

(b) After consultation with representatives of licensed pharmacists and pharmacies, and subject to the approval of the secretary of safety and professional services, the board may delay the requirement that a record ~~delivered~~ submitted to the board contain the name recorded under s. 450.11 (1b) (bm) for an additional period beyond the date specified in par. (a).

SECTION 4490. Chapter 453 (title) of the statutes is renumbered chapter 89 (title).

SECTION 4491. 453.02 of the statutes is renumbered 89.02.

SECTION 4492. 453.03 of the statutes is renumbered 89.03, and 89.03 (1), as renumbered, is amended to read:

89.03 **(1)** The examining board shall promulgate rules, within the limits of the definition under s. ~~453.02~~ 89.02 (6), establishing the scope of practice permitted for veterinarians and veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, ~~certificate~~ certification, or temporary permit, unprofessional conduct, and disciplinary proceedings.

SECTION 4493. 453.04 of the statutes is renumbered 89.04.

SECTION 4494. 453.05 of the statutes is renumbered 89.05, and 89.05 (2) (g), as renumbered, is amended to read:

89.05 **(2)** (g) Employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals only as a part of their employment and who are licensed under s. ~~453.06~~ 89.06 (2m).

SECTION 4495. 453.06 of the statutes is renumbered 89.06, and 89.06 (1), as renumbered, is amended to read:

89.06 **(1)** Except as provided under s. ~~453.072~~ 89.072, veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pay the fee ~~specified in~~ established under s. ~~440.05 (1)~~ 89.063. An applicant for an initial license shall be a graduate of a veterinary college that has been approved by the examining board or have successfully completed either the

educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association or the program for the assessment of veterinary education equivalence offered by the American Association of Veterinary State Boards. Persons who qualify for examination may be granted temporary permits to engage in the practice of veterinary medicine in the employment and under the supervision of a veterinarian until the results of the next examination conducted by the examining board are available. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

SECTION 4496. 453.062 of the statutes is renumbered 89.062, and 89.062 (1), as renumbered, is amended to read:

89.062 **(1)** RENEWAL. The renewal ~~dates~~ date for veterinary licenses and veterinary technician certifications ~~are specified under s. 440.08 (2) (a)~~ is December 15 of each odd–numbered year, and the renewal fees for such licenses and certifications are determined by the department under s. ~~440.03 (9) (a)~~ 89.063.

SECTION 4497. 453.065 of the statutes is renumbered 89.065.

SECTION 4498. 453.068 of the statutes is renumbered 89.068.

SECTION 4499. 453.07 of the statutes is renumbered 89.07, and 89.07 (1) (b), (2) (intro.) and (3), as renumbered, are amended to read:

89.07 **(1)** (b) Violating this chapter ~~or ch. 440~~ or any federal or state statute or rule ~~which~~ that substantially relates to the practice of veterinary medicine.

(2) (intro.) Subject to subch. II of ch. 111 ~~and the rules adopted under s. 440.03 (1)~~, the examining board may, by order, reprimand any person holding a license, certificate, or permit under this chapter or deny, revoke, suspend, limit, or any

combination thereof, the person's license, ~~certificate~~ certification, or permit if the person has:

(3) In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license, ~~certificate~~ certification, or permit under sub. (2), the examining board may assess against the applicant for or the holder of the license, ~~certificate~~ certification, or permit a forfeiture of not more than $5,000 for each violation of s. ~~453.068~~ 89.068.

SECTION 4500. 453.072 of the statutes is renumbered 89.072 and amended to read:

89.072 Licensees of other jurisdictions. (1) Upon application and payment of the fee ~~specified in~~ established under s. ~~440.05 (2)~~ 89.063, the examining board may issue a license to practice veterinary medicine to any person licensed to practice veterinary medicine in another state or territory of the United States or in another country if the applicant is not currently under investigation and has never been disciplined by the licensing authority in the other state, territory or country, has not been found guilty of a crime the circumstances of which are substantially related to the practice of veterinary medicine, is not currently a party in pending litigation in which it is alleged that the applicant is liable for damages for acts committed in the course of practice and has never been found liable for damages for acts committed in the course of practice which evidenced a lack of ability or fitness to practice.

(2) Upon application and payment of the fee ~~specified in~~ established under s. ~~440.05 (6)~~ 89.063, the examining board may issue a temporary consulting permit to practice veterinary medicine in this state for up to 60 days per year to any nonresident licensed to practice veterinary medicine in another state or territory of the United States or in another country.

SECTION 4501. 453.075 of the statutes is renumbered 89.075.

SECTION 4502. 453.08 of the statutes is renumbered 89.08.

SECTION 4524. Chapter 463 (title) of the statutes is created to read:

CHAPTER 463

BODY ART AND TANNING FACILITIES

SECTION 4525. 463.18 of the statutes is created to read:

463.18 Violation of law relating to body art. Any person who willfully violates or obstructs the execution of any state statute or rule, county, city, or village ordinance or departmental order under this chapter and relating to the public health, for which no other penalty is prescribed, shall be fined not more than $500 or imprisoned for not more than 30 days or both.

SECTION 4546m. 563.03 (12d) of the statutes is created to read:

563.03 **(12d)** "Progressive raffle" means a raffle in which a series of drawings, as defined in sub. (5r) (a), is held and to which all of the following apply:

(a) All drawings are held successively on the same day or on different days.

(b) The winner of a drawing selects from a set of cards, one of which is designated as a prize card and each of which is enclosed in a separate envelope. Winners of all drawings in the series select from the same set of cards, not including the cards selected by previous winners of drawings in the series.

(c) If the winner of a drawing does not select the prize card, tickets are sold for a new drawing and a new drawing is held. Tickets sold for a specific drawing are ineligible for future drawings.

(d) No drawings are held after the winner of a drawing selects the prize card.

(e) If the winner of a drawing selects the prize card, the total amount of money collected from the sale of tickets for all drawings held in the series is distributed in the following manner:

1. The organization conducting the raffle awards 50 percent to the drawing winner who selected the prize card.

2. The organization conducting the raffle keeps 50 percent.

SECTION 4546p. 563.908 of the statutes, as affected by 2015 Wisconsin Act 6, is amended to read:

563.908 Requirements of raffles. A raffle may not be conducted in this state unless any winner in the raffle is determined by a drawing<u>, or by a drawing followed by the selection of a prize card from among a set of cards, as described in s. 563.03 (12d),</u> with all tickets <u>purchased for a specific drawing</u> or <u>all</u> calendars having an equal opportunity to win.

SECTION 4546r. 563.92 (1m) (c) 1. of the statutes, as affected by 2015 Wisconsin Act 6, is amended to read:

563.92 **(1m)** (c) 1. Conduct multiple–container raffles<u>, progressive raffles,</u> or plastic or rubber duck races if the raffles or races are authorized under s. 563.908.

SECTION 4546t. 563.935 (11) of the statutes is created to read:

563.935 **(11)** An organization that conducts a progressive raffle shall do all of the following:

(a) Establish the price of a ticket for a drawing in the raffle before tickets for the first drawing are sold and sell all tickets for all drawings in the raffle for the same price.

(b) During the raffle, keep all unselected cards in a locked container to which only the officers of the organization have access.

(c) Display all cards selected by previous drawing winners before selling tickets for a drawing.

SECTION 4548g. 565.05 (1) (a) of the statutes is amended to read:

565.05 **(1)** (a) ~~Have~~ Except as provided in sub. (1m), have a direct or indirect interest in, or be employed by, any vendor while serving as an employee in the lottery division of the department or as secretary, deputy secretary, or assistant deputy secretary of revenue for 2 years following the person's termination of service.

SECTION 4548r. 565.05 (1m) of the statutes is created to read:

565.05 **(1m)** A former employee of the lottery division of the department may be employed by a vendor at any time following the termination of the employee's employment with the lottery division of the department if the department has entered into a contract with the vendor to perform services that were previously performed by employees of the lottery division of the department. An employee of the lottery division of the department may discuss future employment with a vendor while the vendor is attempting to enter into a major procurement contract with the department relating to the lottery only if the employee has the prior written consent of the administrator. This subsection does not apply to the administrator, deputy administrator, or any bureau director in the lottery division of the department.

SECTION 4567. 605.03 (1) (a) of the statutes is amended to read:

605.03 **(1)** (a) *Mandatory coverage.* ~~The~~ Subject to par. (f), the property fund shall provide protection against fire and extended coverage perils. The coverage shall be at least as favorable as that customarily provided by policies filed with the commissioner for the use of private insurers in insuring comparable property.

SECTION 4568. 605.03 (1) (d) of the statutes is amended to read:

605.03 **(1)** (d) *Term of policy.* ~~The~~ Subject to par. (f) 1., the manager may prescribe the time periods for which coverage is to be provided.

SECTION 4569. 605.03 (1) (f) of the statutes is created to read:

605.03 **(1)** (f) *Limits on issuance, renewal, and filing claims; final distribution.* 1. No coverage under the property fund may be issued on or after July 1, 2015. No coverage may be renewed after January 1, 2018. No coverage may terminate later than December 31, 2018.

2. All claims must be filed with the property fund by no later than July 1, 2019. No claim filed after July 1, 2019, will be covered by the fund.

3. Upon the cessation of all operations of the property fund, the manager shall distribute any moneys remaining in the fund among the local governmental units that were insured under the fund on July 1, 2017.

SECTION 4569e. 605.03 (4) of the statutes is created to read:

605.03 **(4)** RATES AND STRUCTURE. The manager shall adopt the policy rates and structure recommended by the property fund advisory committee at its meeting on April 9, 2015.

SECTION 4570. 605.21 (1) of the statutes is amended to read:

605.21 **(1)** PLACING INSURANCE. ~~The~~ Subject to s. 605.03 (1) (f), the property fund shall insure property described in s. 605.02 after receipt from the clerk of the local governmental unit of a certified copy of the resolution authorizing insurance in the property fund. The clerk shall report to the manager each policy then in force upon such property, stating the property covered by the policy and the dates of issue and of expiration, the amounts and rates of insurance and the premiums. Property already insured shall become insured by the property fund as existing policies expire or are canceled. Thereafter the insurance on all property described in s. 605.02 shall

be provided. Premiums shall be certified by the manager to the clerk of the appropriate unit.

SECTION 4571. 605.23 (1) of the statutes is amended to read:

605.23 **(1)** PAYMENT FOR LOSSES. ~~The~~ Subject to s. 605.03 (1) (f) 2., the manager shall determine within a reasonable time any loss on insured property owned by a local governmental unit or for which the unit is liable and promptly certify the amount to the department of administration, which shall issue a warrant on the property fund payable to the treasurer of the local governmental unit for the amount of the loss less any applicable amounts under s. 605.03 (2) or (3).

SECTION 4572. 605.35 of the statutes is repealed.

SECTION 4583m. 618.43 (1) (a) 2. of the statutes is amended to read:

618.43 **(1)** (a) 2. The insurance is transacted by an unauthorized insurer ~~which~~ that is a risk retention group, including a foreign risk retention group authorized to provide health care liability insurance under s. 655.23 (3) (am) that has not been issued a certificate of authority under s. 618.12.

SECTION 4588. 632.697 of the statutes is amended to read:

632.697 Benefits subject to department's right to recover. Death benefits payable under a life insurance policy or an annuity are subject to the right of the department of health services to recover under s. 46.27 (7g), 49.496, 49.682, or 49.849 an amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal to aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785 that is recoverable under s. 49.682 (2) (a) or (am), or an amount equal to long–term community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the deceased policyholder or annuitant.

SECTION 4590p. 632.865 of the statutes is created to read:

632.865 Pharmacy benefit managers. (1) DEFINITIONS. In this section:

(a) "Pharmacist" has the meaning given in s. 450.01 (15).

(b) "Pharmacy" means an entity licensed under s. 450.06 or 450.065.

(c) "Pharmacy benefit manager" means an entity doing business in this state that contracts to administer or manage prescription drug benefits on behalf of any insurer or other entity that provides prescription drug benefits to residents of this state.

(d) "Prescribed drug or device" has the meaning given in s. 450.01 (18).

(e) "Prescription drug benefit" means coverage of or payment or assistance for prescribed drugs or devices.

(2) PRICING TRANSPARENCY. (a) The pharmacy benefit manager shall agree in each contract or renewal to do all of the following:

1. Update maximum allowable cost pricing information for prescribed drugs or devices at least every 7 business days and provide a means by which contracted pharmacies may promptly review pricing updates in a format that is readily available and accessible.

2. Reimburse pharmacists and pharmacies for prescribed drugs or devices subject to maximum allowable cost information that has been updated at least every 7 business days.

3. Eliminate prescribed drugs or devices from the maximum allowable cost information or modify maximum allowable cost in a timely fashion consistent with availability of prescribed drugs or devices and pricing changes in the marketplace.

(b) A pharmacy benefit manger shall include in each contract with a pharmacy a process to appeal, investigate, and resolve disputes regarding maximum allowable cost pricing that includes all of the following:

1. A 21–day limit on the right to appeal following the initial claim.

2. A requirement that the appeal be investigated and resolved within 21 days after the date of the appeal.

3. A dedicated telephone number at which the pharmacy may contact the pharmacy benefit manager to speak to a person responsible for processing appeals.

4. A requirement that a pharmacy benefit manager provide a reason for any appeal denial and the national drug code published in a directory by the federal food and drug administration of a prescribed drug or device that may be purchased by retail network pharmacies at a price at or below the maximum allowable cost.

5. A requirement that a pharmacy benefit manager make a pricing adjustment no later than one day after the date of the final determination of the appeal.

SECTION 4590r. 632.876 of the statutes is created to read:

632.876 Independent dispute resolution process relating to chiropractic treatment. The commissioner shall promulgate rules that provide for a fast, fair, cost–effective, and binding independent process for resolving disputes related to insurer conduct under s. 632.87 (3). The rules shall include at least all of the following:

(1) The procedures for making a request to the commissioner for an independent dispute resolution, including specification of who is eligible to request an independent dispute resolution.

(2) A requirement that individuals requesting an independent dispute resolution must first exhaust any internal grievance procedure established by the insurer for grievances related to conduct under s. 632.87 (3).

(3) The application procedure and qualifications, including conflict of interest provisions, for individuals to act as independent reviewers under the independent

dispute resolution process and the inclusion of retired members of the state judiciary as individuals who are eligible to act as independent reviewers.

(4) The procedure for selecting an independent reviewer to review a particular complaint.

(5) The procedures, including timelines, that an independent reviewer must follow when reviewing a complaint and a requirement that an independent reviewer must render a decision regarding a particular complaint within 9 months after the commissioner receives the request for independent dispute resolution.

(6) Procedures for setting and paying the fees of the independent reviewers.

(7) A requirement that the insurer about which the independent dispute resolution is requested pay the fees of the independent reviewer.

(8) The relief to which an individual who requests independent dispute resolution and who prevails is entitled, including injunctive and declaratory relief and monetary relief due to underpayments by the insurer.

SECTION 4591. 632.895 (10) (a) of the statutes is amended to read:

632.895 **(10)** (a) Except as provided in par. (b), every disability insurance policy and every health care benefits plan provided on a self–insured basis by a county board under s. 59.52 (11), by a city or village under s. 66.0137 (4), by a ~~political subdivision~~ <u>local governmental unit or technical college district</u> under s. 66.0137 (4m), by a town under s. 60.23 (25), or by a school district under s. 120.13 (2) shall provide coverage for blood lead tests for children under 6 years of age, which shall be conducted in accordance with any recommended lead screening methods and intervals contained in any rules promulgated by the department of health services under s. 254.158.

SECTION 4594g. 655.001 (8c) of the statutes is created to read:

655.001 **(8c)** "Insurer" includes a foreign insurer that is a risk retention group that issues health care liability insurance under this chapter.

SECTION 4594m. 655.23 (3) (am) of the statutes is created to read:

655.23 **(3)** (am) For purposes of par. (a) only, a foreign insurer that is a risk retention group and that has not been issued a certificate of authority under s. 618.12 is authorized to do business in this state if the risk retention group is registered with the commissioner, is approved by the commissioner to provide health care liability insurance coverage under this chapter, and has and maintains a risk–based capital ratio of at least 300 percent as determined under the risk–based capital instructions adopted by the National Association of Insurance Commissioners.

SECTION 4594r. 703.195 (1) (c) of the statutes is amended to read:

703.195 **(1)** (c) "Condemnor" means a person ~~specified in s. 32.01 (1)~~ who has the authority to condemn property under ch. 32.

SECTION 4595. 705.04 (2g) of the statutes is amended to read:

705.04 **(2g)** Notwithstanding subs. (1) and (2), the department of health services may collect, from funds of a decedent that are held by the decedent immediately before death in a joint account or a P.O.D. account, an amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal to aid under s. 49.68, 49.683, ~~or~~ 49.685<u>, or 49.785</u> that is recoverable under s. 49.682 (2) (a) <u>or (am)</u>, or an amount equal to long–term community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or the decedent's spouse.

SECTION 4595c. 706.22 of the statutes is created to read:

706.22 Prohibition on imposing time-of-sale requirements. (1) DEFINITIONS. In this section:

(a) "Actions with respect to the property" include such actions as having an inspection made by an employee or agent of, or contractor with, the local governmental unit; making improvements or repairs; removing junk or debris; mowing or pruning; performing maintenance or upkeep activities; weatherproofing; upgrading electrical systems; paving; painting; repairing or replacing appliances; replacing or installing fixtures or other items; and actions relating to compliance with building codes or other property condition standards.

(b) "Local governmental unit" means any of the following:

1. A political subdivision of this state.

2. A special purpose district in this state.

3. An agency or corporation of a political subdivision or special purpose district in this state.

4. A combination or subunit of any entity under subds. 1. to 3.

5. An employee or committee of any entity under subds. 1. to 4.

(2) REQUIREMENTS TIED TO SALE OF PROPERTY PROHIBITED. (a) Except as provided in par. (b), no local governmental unit may by ordinance, resolution, or any other means restrict the ability of an owner of real property to sell or otherwise transfer title to or refinance the property by requiring the owner or an agent of the owner to take certain actions with respect to the property or pay a related fee, to show compliance with taking certain actions with respect to the property, or to pay a fee for failing to take certain actions with respect to the property, at any of the following times:

1. Before the owner may sell, refinance, or transfer title to the property.

2. At the time of the sale or refinancing of, or the transfer of title to, the property.

3. Within a certain period of time after selling, refinancing, or transferring title to the property.

(b) Paragraph (a) does not prohibit a local governmental unit from requiring a real property owner or the owner's agent to take certain actions with respect to the property not in connection with the sale or refinancing of, or the transfer of title to, the property.

(3) EXISTING ORDINANCE, RESOLUTION, OR POLICY UNENFORCEABLE. If a local governmental unit has in effect on the effective date of this subsection .... [LRB inserts date], an ordinance, resolution, or policy that is inconsistent with sub. (2) (a), the ordinance, resolution, or policy does not apply and may not be enforced.

SECTION 4598. 753.061 (5) of the statutes is repealed.

SECTION 4601b. 758.19 (5) (a) of the statutes is repealed.

SECTION 4601e. 758.19 (5) (b) of the statutes is repealed and recreated to read:

758.19 **(5)** (b) From the appropriation under s. 20.625 (1) (d), the director of state courts shall make payments to counties for circuit court costs. The director of state courts, at the direction of the supreme court, shall define circuit court costs for the purposes of this subsection.

SECTION 4601h. 758.19 (5) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

758.19 **(5)** (b) From the appropriation under s. 20.625 (1) ~~(d)~~ (cg), the director of state courts shall make payments to counties for circuit court costs. The director of state courts, at the direction of the supreme court, shall define circuit court costs for the purposes of this subsection.

SECTION 4601L. 758.19 (5) (c) of the statutes is repealed.

SECTION 4601p. 758.19 (5) (d) of the statutes is repealed.

SECTION 4601r. 758.19 (5) (f) of the statutes is amended to read:

758.19 **(5)** (f) A county that fails to meet the requirements under par. (e) is not eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3), after the May 15 that the information was not provided, or until the information is provided, whichever is earlier. Except as provided in this paragraph ~~and par. (g)~~, the information regarding the amount of actual costs reported under par. (e) does not affect the amount paid to a county under par. (b).

SECTION 4601u. 758.19 (5) (g) of the statutes is repealed.

SECTION 4601y. 758.19 (5) (h) of the statutes is repealed.

SECTION 4602. 758.19 (6) of the statutes is repealed.

SECTION 4603. 758.19 (8) of the statutes is repealed.

SECTION 4603m. 758.20 of the statutes is created to read:

758.20 Consolidated court automation programs. (1) In this section, "Wisconsin Circuit Court Access Internet site" means the Internet site of the consolidated court automation programs, which is the statewide circuit court automated information system established under s. 758.19 (4) and maintained by the director of state courts.

(2) The director of state courts shall remove from the Wisconsin Circuit Court Access Internet site all information relating to a criminal case if all of the following apply:

(a) All charges in the case were dismissed by the court before trial.

(b) All charges that were dismissed were for offenses for which the maximum period of imprisonment was 6 years or fewer.

(c) No charge that was dismissed was for a violent offense, as defined in s. 301.048 (2) (bm) 1.

(d) A court having jurisdiction has entered an order for removal of the information.

(e) All charges that were dismissed were filed against the person before he or she attained the age of 25.

SECTION 4605. 767.75 (1f) of the statutes is amended to read:

767.75 **(1f)** PAYMENT ORDER AS ASSIGNMENT OF INCOME. A payment order constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, lottery prizes that are payable in installments, and other money due or to be due in the future to the department or its designee. The assignment shall be for an amount sufficient to ensure payment under the order, obligation, or stipulation and to pay any arrearages due at a periodic rate not to exceed 50% of the amount of support due under the order, obligation, or stipulation so long as the addition of the amount toward arrearages does not leave the party at an income below the poverty line established under 42 USC 9902 (2).

SECTION 4606. 767.75 (2m) (a) 1. of the statutes is amended to read:

767.75 **(2m)** (a) 1. An obligation to pay unpaid fees under s. 767.57 (1e) (b) 1m. constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, lottery prizes that are payable in installments, and other money due or to be due in the future to the department or its designee.

SECTION 4607. 767.75 (2m) (a) 2. of the statutes is amended to read:

767.75 **(2m)** (a) 2. An obligation to pay unpaid fees under s. 767.57 (1e) (b) 2m. constitutes an assignment of all commissions, earnings, salaries, wages, pension

benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, lottery prizes that are payable in installments, and other money due or to be due in the future to the clerk of court to whom the fees are owed, or to his or her successor.

SECTION 4610b. 800.09 (1j) of the statutes is amended to read:

800.09 **(1j)** If the court orders the defendant to perform community service work in lieu of making restitution or of paying the forfeiture, surcharges, fees and costs, or both, the court may order that the defendant perform community service work for a public agency or a nonprofit charitable organization that is approved by the court and agreed to by the public agency or nonprofit charitable organization. Community service work may be in lieu of restitution only if also agreed to by the person to whom restitution is owed. The number of hours of community service work required may not exceed the number determined by dividing the amount owed on the forfeiture by the minimum wage established under ~~ch. 104 for adults in nonagriculture, nontipped employment~~ s. 104.035 (1). The court shall ensure that the defendant is provided a written statement of the terms of the community service order and that the community service order is monitored.

SECTION 4610d. 800.095 (1) (d) of the statutes is amended to read:

800.095 **(1)** (d) That the defendant perform community service work for a public agency or nonprofit charitable organization approved by the court and agreed to by the agency or nonprofit charitable organization. If the community service work is in lieu of restitution, then the person to whom restitution is owed must agree; the defendant shall be given credit at the rate of not less than the minimum wage established under ~~ch. 104 for adults in nonagriculture, nontipped employment~~ s. 104.035 (1) for each one hour of community service completed. The defendant shall

be given a written statement of the community service order. Nothing in this paragraph makes the defendant an employee or agent of the court or the municipality. The defendant shall be responsible for providing the court with proof that the community service hours have been completed.

SECTION 4610f. 801.02 (1) of the statutes is amended to read:

801.02 **(1)** ~~Except as provided in s. 20.931 (5) (b), a~~ A civil action in which a personal judgment is sought is commenced as to any defendant when a summons and a complaint naming the person as defendant are filed with the court, provided service of an authenticated copy of the summons and of the complaint is made upon the defendant under this chapter within 90 days after filing.

SECTION 4610g. 803.09 (1) of the statutes is amended to read:

803.09 **(1)** ~~Except as provided in s. 20.931, upon~~ Upon timely motion anyone shall be permitted to intervene in an action when the movant claims an interest relating to the property or transaction which is the subject of the action and the movant is so situated that the disposition of the action may as a practical matter impair or impede the movant's ability to protect that interest, unless the movant's interest is adequately represented by existing parties.

SECTION 4610j. 803.09 (2) of the statutes is amended to read:

803.09 **(2)** ~~Except as provided in s. 20.931, upon~~ Upon timely motion anyone may be permitted to intervene in an action when a movant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order or rule administered by a federal or state governmental officer or agency or upon any regulation, order, rule, requirement or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely motion may be permitted

to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

SECTION 4610n. 804.01 (2) (intro.) of the statutes is amended to read:

804.01 **(2)** SCOPE OF DISCOVERY. (intro.) ~~Except as provided in s. 20.931 (9), and unless~~ Unless otherwise limited by order of the court in accordance with the provisions of this chapter, the scope of discovery is as follows:

SECTION 4610p. 805.04 (1) of the statutes is amended to read:

805.04 **(1)** BY PLAINTIFF; BY STIPULATION. ~~Except as provided in sub. (2m), an~~ An action may be dismissed by the plaintiff without order of court by serving and filing a notice of dismissal at any time before service by an adverse party of responsive pleading or motion or by the filing of a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the notice of dismissal or stipulation, the dismissal is not on the merits, except that a notice of dismissal operates as an adjudication on the merits when filed by a plaintiff who has once dismissed in any court an action based on or including the same claim.

SECTION 4610r. 805.04 (2m) of the statutes is repealed.

SECTION 4610t. 812.33 of the statutes is amended to read:

812.33 Garnishee ~~fee~~ fees. The creditor shall pay a $15 fee to the garnishee for each earnings garnishment or each stipulated extension of that earnings garnishment~~. This fee~~ and a $3 fee to the garnishee for each payment delivered to the creditor after the first payment. These fees shall be included as a cost in the creditor's claim in the earnings garnishment.

SECTION 4610v. 812.35 (4) (a) of the statutes is amended to read:

812.35 **(4)** (a) The creditor shall tender the garnishee ~~fee~~ fees under s. 812.33 to the garnishee at the time that the earnings garnishment form is served.

SECTION 4610y. 812.40 of the statutes is amended to read:

812.40 Stipulated extension. At any time while an earnings garnishment is in effect, the debtor and creditor may stipulate in writing to an extension of the earnings garnishment for additional pay periods. The extension may commence on the first day after the earnings garnishment ends and shall end within 13 weeks after the last day of the last pay period affected by the earnings garnishment. The garnishee shall be bound by the extension if a copy of the stipulation is delivered or mailed to the garnishee, together with ~~an~~ the additional garnishee ~~fee~~ fees under s. 812.33, before the last day of the last pay period affected by the earnings garnishment or any prior stipulated extension of the earnings garnishment. A stipulated extension is void and the garnishee ~~fee~~ fees shall be refunded if, prior to the last day of the last pay period affected by the earnings garnishment, the garnishee is served under s. 812.35 (3) by a creditor seeking to satisfy a different judgment against the debtor.

SECTION 4613. 814.61 (1) (c) 1m. of the statutes is created to read:

814.61 **(1)** (c) 1m. An action under s. 767.805 (3) that is brought by the state or its delegate or commenced on behalf of the child by an attorney appointed under s. 767.407.

SECTION 4616. 814.63 (3m) (a) of the statutes is amended to read:

814.63 **(3m)** (a) Except as provided in par. (d), if a defendant is required to appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the court shall impose and collect from the defendant any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood if the court finds

that the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101, or a local ordinance in conformity therewith.

SECTION 4618. 814.65 (4m) (a) of the statutes is amended to read:

814.65 **(4m)** (a) Except as provided in par. (d), if a defendant is required to appear in municipal court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the municipal court shall impose and collect from the defendant any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood if the court finds that the defendant violated a local ordinance in conformity with s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101.

SECTION 4619. 814.75 (8r) of the statutes is created to read:

814.75 **(8r)** The crime prevention funding board surcharge under s. 973.0455.

SECTION 4619p. 814.75 (9g) of the statutes is created to read:

814.75 **(9g)** The safe ride program surcharge under s. 346.657.

SECTION 4620. 814.76 (4m) of the statutes is created to read:

814.76 **(4m)** The crime prevention funding board surcharge under s. 973.0455.

SECTION 4620g. 814.76 (7g) of the statutes is created to read:

814.76 **(7g)** The safe ride program surcharge under s. 346.657.

SECTION 4620m. 814.78 (7g) of the statutes is created to read:

814.78 **(7g)** The safe ride program surcharge under s. 346.657.

SECTION 4620r. 814.79 (4p) of the statutes is created to read:

814.79 **(4p)** The safe ride program surcharge under s. 346.657.

SECTION 4622. 815.29 (1) of the statutes is amended to read:

815.29 **(1)** No execution sale of personal property shall be made unless 20 days previous notice of such sale has been given by posting a notice thereof in one public place of the town or municipality where such sale is to be had and, if the county where

such sale is to be had maintains a Web site, by posting a notice on the Web site. If the town or municipality where such sale is to be had maintains a Web site, the town or municipality may also post a notice on its Web site. The notice shall specify the time and place of sale but when any property seized is likely to perish or depreciate in value before the expiration of the 20 days the court or a judge may order the same to be sold in such manner and upon such terms as the best interests of the parties demand. Every such sale shall be made at auction between the ~~hour~~ hours of 9 a.m. and 5 p.m. and no property shall be sold unless it is in view of those attending the sale, except as provided in s. 71.91 (5) (c) 2. and in the case of the sale of the interest of the judgment debtor in property in the possession of a secured party. It shall be offered for sale in such lots and parcels as is calculated to bring the highest price.

SECTION 4623. 859.07 (2) (a) 3. of the statutes is amended to read:

859.07 **(2)** (a) 3. The decedent or the decedent's spouse received services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785.

SECTION 4624. 867.01 (3) (am) 4. of the statutes is amended to read:

867.01 **(3)** (am) 4. Whether the decedent or the decedent's spouse received services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683 ~~or~~, 49.685, or 49.785.

SECTION 4625. 867.01 (3) (d) of the statutes is amended to read:

867.01 **(3)** (d) *Notice.* The court may hear the matter without notice or order notice to be given under s. 879.03. If the decedent or the decedent's spouse received services provided as a benefit under a long–term care program, as defined in s. 49.496

(1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785, the petitioner shall give notice by certified mail to the department of health services as soon as practicable after filing the petition with the court.

SECTION 4626. 867.02 (2) (am) 6. of the statutes is amended to read:

867.02 **(2)** (am) 6. Whether the decedent or the decedent's spouse received services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785.

SECTION 4627. 867.03 (1g) (c) of the statutes is amended to read:

867.03 **(1g)** (c) Whether the decedent or the decedent's spouse ever received services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683 ~~or~~, 49.685, or 49.875.

SECTION 4628. 867.03 (1m) (a) of the statutes is amended to read:

867.03 **(1m)** (a) Whenever an heir, trustee, or person who was guardian of the decedent at the time of the decedent's death intends to transfer a decedent's property by affidavit under sub. (1g) and the decedent or the decedent's spouse ever received services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785, the heir, trustee, or person who was guardian of the decedent at the time of the decedent's death shall give notice to the department of health services of his or her intent. The notice shall include the information in the affidavit under sub. (1g) and

the heir, trustee, or person who was guardian of the decedent at the time of the decedent's death shall give the notice by certified mail, return receipt requested.

SECTION 4629. 867.03 (1m) (b) of the statutes is amended to read:

867.03 **(1m)** (b) An heir, trustee, or person who was guardian of the decedent at the time of the decedent's death who files an affidavit under sub. (1g) that states that the decedent or the decedent's spouse received services provided as a benefit under a long–term care program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785 shall attach to the affidavit the proof of mail delivery of the notice required under par. (a) showing the delivery date.

SECTION 4630. 867.03 (2g) (b) of the statutes is amended to read:

867.03 **(2g)** (b) Property transferred under this section to or by an heir, trustee, or guardian is subject to the right of the department of health services to recover under s. 46.27 (7g), 49.496, 49.682, or 49.849 an amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal to aid under s. 49.68, 49.683, ~~or~~ 49.685, or 49.785 that is recoverable under s. 49.682 (2) (a) or (am), or an amount equal to long–term community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or the decedent's spouse. Upon request, the heir, trustee, or guardian shall provide to the department of health services information about any of the decedent's property that the heir, trustee, or guardian has distributed and information about the persons to whom the property was distributed.

SECTION 4631. 885.38 (8) (a) 1. of the statutes is amended to read:

885.38 **(8)** (a) 1. The county in which the circuit court is located shall pay the expenses in all proceedings before a circuit court and when the clerk of circuit court uses a qualified interpreter under sub. (3) (d). The county shall be reimbursed ~~as provided~~ in the manner determined by the director of state courts under s. 758.19 ~~(8)~~ for expenses paid under this subdivision.

SECTION 4639g. 893.981 of the statutes is repealed.

SECTION 4639m. 895.035 (2m) (c) of the statutes is amended to read:

895.035 **(2m)** (c) The court assigned to exercise jurisdiction under chs. 48 and 938 may order that the juvenile perform community service work for a public agency or nonprofit charitable organization that is designated by the court in lieu of making restitution or paying the forfeiture or surcharge. If the parent agrees to perform community service work in lieu of making restitution or paying the forfeiture or surcharge, the court may order that the parent perform community service work for a public agency or a nonprofit charitable organization that is designated by the court. Community service work may be in lieu of restitution only if also agreed to by the public agency or nonprofit charitable organization and by the person to whom restitution is owed. The court may utilize any available resources, including any community service work program, in ordering the juvenile or parent to perform community service work. The number of hours of community service work required may not exceed the number determined by dividing the amount owed on the restitution, forfeiture, or surcharge by the minimum wage established under ~~ch. 104 for adults in nonagriculture, nontipped employment~~ s. 104.035 (1). The court shall ensure that the juvenile or parent is provided with a written statement of the terms of the community service order and that the community service order is monitored.

SECTION 4642. 895.514 (3) (b) of the statutes is amended to read:

895.514 **(3)** (b) All of the expenses incurred by the authority, or the commissioner, or any agent, employee, or representative of the commissioner, in exercising its duties and powers under ch. 149, 2011 stats., under 2013 Wisconsin Act 20, section 9122 (1L), or under 2013 Wisconsin Act 116, section 32 (1) (b), shall be payable only from funds of the authority ~~or from the appropriation under s. 20.145 (5) (g) or (k), or from any combination of those payment sources~~.

SECTION 4642m. 895.523 (1) (a) of the statutes is amended to read:

895.523 **(1)** (a) "Governing body of a charter school" means the person that operates a charter school established under s. 118.40 (2) or (2m) or the entity that operates a charter school established under s. 118.40 (2r) <u>or (2x)</u>.

SECTION 4644s. 905.17 of the statutes is created to read:

905.17 Communications involving legislators and legislative staff; records. (1) DEFINITIONS. As used in this section:

(a) "Clerk staff" means all of the following:

1. The assembly chief clerk and employees assigned to the assembly chief clerk's office.

2. The senate chief clerk and employees assigned to the senate chief clerk's office.

(b) "Employee" includes paid and unpaid interns.

(c) 1. "Legislative business" means all aspects of the legislative process, shall be broadly construed, and includes all of the following:

a. Researching, drafting, circulating, discussing, introducing, and amending legislative proposals.

b. The development of public policy, including research, analysis, consideration, and discussion of issues relevant to public policy.

c. All aspects of legislative proceedings.

d. All matters related to the policies, practices, and procedures of the legislative branch.

e. All matters related to the work of a legislative committee.

f. Investigations and oversight.

g. Constituent relations.

h. All other powers, duties, and functions assigned by law, rule, custom, policy, or practice to the legislature, one house of the legislature, a committee of the legislature, or a member of the legislature.

2. "Legislative business" does not include criminal conduct or political campaigning.

(d) "Legislative staff member" means a member of the clerk staff, sergeant staff, nonpartisan staff, or personal staff.

(e) "Legislator" means a current or former member of the legislature or a legislator–elect. For purposes of the privileges under this section, a legislator's term of office shall be considered to begin on the date of certification of the legislator's election to that office.

(f) "Nonpartisan staff" means the heads and employees of the nonpartisan legislative service agencies under ss. 13.91, 13.92, 13.94, 13.95, and 13.96.

(g) "Personal staff" means the employees assigned to or interning in the office of a legislator.

(h) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(i) "Sergeant staff" means all of the following:

1. The assembly sergeant at arms and employees assigned to the assembly sergeant at arms' office.

2. The senate sergeant at arms and employees assigned to the senate sergeant at arms' office.

(2) GENERAL RULE OF PRIVILEGE. (a) A legislator has a privilege to refuse to disclose and to prevent a legislative staff member from disclosing all of the following communications, if made within the course of legislative business during the legislator's term of office:

1. A communication between the legislator or a member of the legislator's personal staff, or another person acting on behalf of the legislator, and a member of the nonpartisan staff, clerk staff, or sergeant staff.

2. A communication between the legislator or a person acting on behalf of the legislator and a member of the legislator's personal staff.

3. A communication between 2 or more members of the nonpartisan staff, clerk staff, or sergeant staff related to the legislative business of a legislator.

4. A communication between 2 or more members of the legislator's personal staff.

5. A communication between the legislator or a member of the legislator's personal staff, or another person acting on behalf of the legislator, and any other person.

(b) A legislator has a privilege to refuse to disclose and to prevent a legislative staff member from disclosing all records relating to a communication made under par. (a) 1. to 5.

(c) A legislator has a privilege to refuse to disclose and to prevent a legislative staff member from disclosing information from which can be ascertained the identity

of any person who communicates with the legislator within the course of legislative business during the legislator's term of office.

(d) Any privilege that may be claimed by a legislator under pars. (a) to (c) continues to apply with respect to a former legislative staff member to the same extent the privilege applied with respect to that legislative staff member when he or she was a legislative staff member.

(e) A legislator's privilege to prevent a personal staff member from disclosing a communication, record, or information under pars. (a) to (c) only applies with respect to the personal staff of that legislator.

(3) EXPRESS WAIVER REQUIRED. (a) A privilege under this section may be waived only by the express personal waiver of each legislator who may claim the privilege.

(b) Disclosure of a communication, record, or information that is privileged under this section by any person to any other person, regardless of whether that disclosure is authorized by the legislator and including a disclosure under s. 13.97 (2), shall not constitute a waiver.

(c) A legislative staff member or former legislative staff member shall assert and may not waive a privilege under this section on behalf of a legislator who may claim the privilege.

(4) CONSTRUCTION. Nothing in this section shall be construed to limit or restrict in any way a privilege or other protection available to a legislator under common law or any other law.

SECTION 4645b. 938.02 (4) of the statutes is amended to read:

938.02 **(4)** "Department" means <u>the department of children and families, except that with respect to a juvenile who is under the supervision of the department</u>

of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) (a), or (7g), or 938.357 (4), "department" means the department of corrections.

SECTION 4646b. 938.02 (4) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.02 **(4)** "Department" means the department of children and families, except that with respect to a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), (4h), (4m), (4n) ~~(a)~~, or (7g), or 938.357 (4), "department" means the department of corrections.

SECTION 4646c. 938.02 (6) of the statutes is amended to read:

938.02 **(6)** "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) and that provides care and maintenance for no more than 4 juveniles or, if necessary to enable a sibling group to remain together, for no more than 6 juveniles or, if the department ~~of children and families~~ promulgates rules permitting a different number of juveniles, for the number of juveniles permitted under those rules.

SECTION 4646e. 938.02 (7) of the statutes is amended to read:

938.02 **(7)** "Group home" means any facility operated by a person required to be licensed by the department ~~of children and families~~ under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

SECTION 4646h. 938.02 (10r) of the statutes is amended to read:

938.02 **(10r)** "Juvenile detention facility" means a locked facility approved by the department of corrections under s. 301.36 for the secure, temporary holding in custody of juveniles.

SECTION 4646n. 938.02 (17) of the statutes is amended to read:

938.02 **(17)** "Shelter care facility" means a nonsecure place of temporary care and physical custody for juveniles, including a holdover room, licensed by the department ~~of children and families~~ under s. 48.66 (1) (a).

SECTION 4646q. 938.02 (19r) of the statutes is amended to read:

938.02 **(19r)** "Type 2 residential care center for children and youth" means a residential care center for children and youth that is designated by the department of corrections to provide care and maintenance for juveniles who have been placed in the residential care center for children and youth under the supervision of a county department under s. 938.34 (4d).

SECTION 4647. 938.06 (4) of the statutes is amended to read:

938.06 **(4)** STATE AID. State aid to any county for juvenile delinquency–related court services under this section shall be at the same net effective rate that each county is reimbursed for county administration under s. 48.569, except as provided in s. ~~301.26~~ 48.526. Counties having a population of less than 750,000 may use funds received under ss. 48.569 (1) (d) and ~~301.26~~ 48.526, including county or federal revenue sharing funds allocated to match funds received under s. 48.569 (1) (d), for the cost of providing court attached intake services in amounts not to exceed 50 percent of the cost of providing court attached intake services or $30,000 per county per calendar year, whichever is less.

SECTION 4648b. 938.069 (1) (intro.) of the statutes is amended to read:

938.069 **(1)** DUTIES. (intro.) Subject to sub. (2), the staff of the department of corrections, the court, a county department, or a licensed child welfare agency designated by the court to carry out the objectives of this chapter shall:

SECTION 4648bm. 938.069 (1) (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.069 **(1)** DUTIES. (intro.) The staff of the department of corrections shall provide community supervision services for juveniles as provided in s. 938.533. Subject to sub. (2), the staff of the department of corrections, the court, a county department, or a licensed child welfare agency designated by the court to carry out the objectives of this chapter shall:

SECTION 4648c. 938.069 (2) of the statutes is amended to read:

938.069 **(2)** AGENCY APPROVAL NEEDED. Licensed child welfare agencies and the department of corrections shall provide services under this section only upon the approval of the agency from whom services are requested.

SECTION 4648f. 938.08 (3) (a) (intro.) of the statutes is amended to read:

938.08 **(3)** (a) (intro.) In addition to the law enforcement authority under sub. (2), ~~department~~ personnel of the department of corrections designated by ~~the~~ that department and personnel of an agency contracted with under s. 301.08 (1) (b) 3. and designated by agreement between the agency and the department of corrections have the power of law enforcement authorities to take a juvenile into physical custody under the following conditions:

SECTION 4648t. 938.183 (3) of the statutes is amended to read:

938.183 **(3)** PLACEMENT IN STATE PRISON; PAROLE. When a juvenile who is subject to a criminal penalty under sub. (1m) or s. 938.183 (2), 2003 stats., attains the age of 17 years, the department of corrections may place the juvenile in a state prison named in s. 302.01, except that ~~the~~ that department may not place any person under the age of 18 years in the correctional institution authorized in s. 301.16 (1n). A juvenile who is subject to a criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for an act committed before December 31, 1999, is eligible for parole under s. 304.06.

SECTION 4648v. 938.185 (2m) of the statutes is created to read:

938.185 **(2m)** EXTENDED OUT-OF-HOME CARE. Venue for a proceeding under s. 938.366 (3) (am) shall be in the county where the most recent order specified in s. 938.366 (1) (a) was issued.

SECTION 4649b. 938.19 (1) (d) 6. of the statutes is amended to read:

938.19 **(1)** (d) 6. The juvenile has violated a condition of court-ordered supervision or aftercare supervision administered by the department <u>of corrections</u> or a county department, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 4649bm. 938.19 (1) (d) 6. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.19 **(1)** (d) 6. The juvenile has violated a condition of court-ordered supervision<u>, community supervision,</u> or aftercare supervision ~~administered by the department of corrections or a county department,~~<u>;</u> a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth~~,~~<u>;</u> or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 4650b. 938.20 (2) (cm) of the statutes is amended to read:

938.20 **(2)** (cm) If the juvenile has violated a condition of aftercare supervision administered by the department <u>of corrections</u> or a county department, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, the person who

took the juvenile into custody may release the juvenile to the department of corrections or county department, whichever has supervision over the juvenile.

SECTION 4650bm. 938.20 (2) (cm) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.20 **(2)** (cm) If the juvenile has violated a condition of community supervision or aftercare supervision ~~administered by the department of corrections or a county department~~, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, the person who took the juvenile into custody may release the juvenile to the department of corrections or county department, whichever has supervision over the juvenile.

SECTION 4651b. 938.20 (7) (c) 1m. of the statutes is amended to read:

938.20 **(7)** (c) 1m. In the case of a juvenile who has violated a condition of aftercare supervision administered by the department of corrections or a county department, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, to the department of corrections or county department, whichever has supervision of the juvenile.

SECTION 4651bm. 938.20 (7) (c) 1m. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.20 **(7)** (c) 1m. In the case of a juvenile who has violated a condition of community supervision or aftercare supervision ~~administered by the department of corrections or a county department~~, a condition of the juvenile's placement in a Type

2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, to the department of corrections or county department, whichever has supervision of the juvenile.

SECTION 4652b. 938.20 (8) (c) of the statutes is amended to read:

938.20 **(8)** (c) If a juvenile who has violated a condition of aftercare supervision administered by the department <u>of corrections</u> or a county department, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534 is held in custody, the intake worker shall also notify the department <u>of corrections</u> or county department, whichever has supervision over the juvenile, of the reasons for holding the juvenile in custody, of the juvenile's whereabouts, and of the time and place of the detention hearing required under s. 938.21.

SECTION 4652bm. 938.20 (8) (c) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.20 **(8)** (c) If a juvenile who has violated a condition of <u>community supervision or</u> aftercare supervision ~~administered by the department of corrections or a county department~~, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534 is held in custody, the intake worker shall also notify the department of corrections or county department, whichever has supervision over the juvenile, of the reasons for holding the juvenile in custody, of the juvenile's whereabouts, and of the time and place of the detention hearing required under s. 938.21.

SECTION 4653b. 938.205 (1) (c) of the statutes is amended to read:

938.205 **(1)** (c) That the juvenile will run away or be taken away so as to be unavailable for proceedings of the court or its officers, proceedings of the division of hearings and appeals in the department of administration for revocation of aftercare supervision, or action by the department <u>of corrections</u> or county department relating to a violation of a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 4653bm. 938.205 (1) (c) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.205 **(1)** (c) That the juvenile will run away or be taken away so as to be unavailable for proceedings of the court or its officers, proceedings of the division of hearings and appeals in the department of administration for revocation of <u>community supervision or</u> aftercare supervision, or action by the department of corrections or county department relating to a violation of a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 4654b. 938.208 (1) (intro.) of the statutes is amended to read:

938.208 **(1)** DELINQUENT ACT AND RISK OF HARM OR RUNNING AWAY. (intro.) Probable cause exists to believe that the juvenile has committed a delinquent act and either presents a substantial risk of physical harm to another person or a substantial risk of running away so as to be unavailable for a court hearing, a revocation of aftercare supervision hearing, or action by the department <u>of corrections</u> or county

department relating to a violation of a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth or a condition of the juvenile's participation in the intensive supervision program under s. 938.534. For juveniles who have been adjudged delinquent, the delinquent act referred to in this section may be the act for which the juvenile was adjudged delinquent. If the intake worker determines that any of the following conditions applies, the juvenile is considered to present a substantial risk of physical harm to another person:

SECTION 4654bm. 938.208 (1) (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.208 **(1)** DELINQUENT ACT AND RISK OF HARM OR RUNNING AWAY. (intro.) Probable cause exists to believe that the juvenile has committed a delinquent act and either presents a substantial risk of physical harm to another person or a substantial risk of running away so as to be unavailable for a court hearing, a revocation of community supervision or aftercare supervision hearing, or action by the department of corrections or county department relating to a violation of a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth or a condition of the juvenile's participation in the intensive supervision program under s. 938.534. For juveniles who have been adjudged delinquent, the delinquent act referred to in this section may be the act for which the juvenile was adjudged delinquent. If the intake worker determines that any of the following conditions applies, the juvenile is considered to present a substantial risk of physical harm to another person:

SECTION 4654c. 938.209 (1) (a) (intro.) of the statutes is amended to read:

938.209 **(1)** (a) (intro.) ~~There is no~~ No other juvenile detention facility approved by the department of corrections or a county ~~which~~ is available and all of the following conditions are met:

SECTION 4654cd. 938.209 (1) (a) 1. of the statutes is amended to read:

938.209 **(1)** (a) 1. The jail meets the standards for juvenile detention facilities established by the department of corrections.

SECTION 4654cg. 938.209 (2m) (a) 1. of the statutes is amended to read:

938.209 **(2m)** (a) 1. The department of corrections has approved the municipal lockup facility as a suitable place for holding juveniles in custody.

SECTION 4654cm. 938.209 (2m) (b) of the statutes is amended to read:

938.209 **(2m)** (b) The department of corrections shall promulgate rules establishing minimum requirements for the approval of a municipal lockup facility as a suitable place for holding juveniles in custody and for the operation of such a facility. The rules shall be designed to protect the health, safety, and welfare of the juveniles held in those facilities.

SECTION 4654e. 938.22 (2) (b) of the statutes is amended to read:

938.22 **(2)** (b) If the department of corrections approves, a juvenile detention facility or a holdover room may be located in a public building in which there is a jail or other facility for the detention of adults if the juvenile detention facility or holdover room is physically segregated from the jail or other facility so that juveniles may enter the juvenile detention facility or holdover room without passing through areas where adults are confined and juveniles detained in the juvenile detention facility or holdover room cannot communicate with or view adults confined in the jail or other facility.

SECTION 4654ed. 938.22 (2) (c) of the statutes is amended to read:

938.22 **(2)** (c) A shelter care facility may be used for the temporary care of children taken into custody under s. 48.19, in need of transitional placements in emergency situations under s. 48.357 (2m), or placed in the shelter care facility by order of the court under ch. 48 and of juveniles taken into custody under s. 938.19, in need of transitional placements in emergency situations under s. 938.357 (2m), or placed in the shelter care facility by order of the court under this chapter, except that on the request of a person licensed to operate a shelter care facility the department ~~of children and families~~ may permit that shelter care facility to be used for voluntary placements under s. 48.63 (1) (b). The department ~~of children and families~~ shall review such a request based on the needs of children and juveniles in the area served by the shelter care facility and the services provided by the shelter care facility and may approve the request if it determines that the services provided by the shelter care facility would meet those needs. A shelter care facility, other than a holdover room, may not be in the same building as a facility for the detention of adults.

SECTION 4654ep. 938.22 (7) (a) of the statutes is amended to read:

938.22 **(7)** (a) No person may establish a shelter care facility without first obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to operate a shelter care facility, a person must meet the minimum requirements for a license established by the department ~~of children and families~~ under s. 48.67, meet the requirements specified in s. 48.685, and pay the license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

SECTION 4654er. 938.22 (7) (b) of the statutes is amended to read:

938.22 **(7)** (b) Except as provided in par. (d), before the department ~~of children and families~~ may issue a license under s. 48.66 (1) (a) to operate a shelter care facility,

the shelter care facility shall pay to that department a biennial fee of $60.50, plus a biennial fee of $18.15 per juvenile, based on the number of juveniles that the shelter care facility is licensed to serve. A shelter care facility that wishes to continue a license issued under s. 48.66 (1) (a) shall pay the fee by the continuation date of the license. A new shelter care facility shall pay the fee by no later than 30 days before the opening of the shelter care facility.

SECTION 4654fd. 938.222 (2) (a) 1. of the statutes is amended to read:

938.222 **(2)** (a) 1. That the private juvenile detention facility meet or exceed the minimum requirements for the approval and operation of a juvenile detention facility established by the department of corrections by rule under s. 938.22 (2) (a) and that the private juvenile detention facility be approved by the department under s. 301.36.

SECTION 4654fn. 938.222 (2) (b) 3. of the statutes is amended to read:

938.222 **(2)** (b) 3. An agreement that the private juvenile detention facility is subject to investigation and inspection by the department of corrections under s. 301.36.

SECTION 4654fp. 938.222 (2) (b) 4. of the statutes is amended to read:

938.222 **(2)** (b) 4. Any other matters that are necessary and appropriate concerning the obligations, responsibilities, and rights of the contracting counties and the department of corrections.

SECTION 4654hd. 938.223 (2) (a) 1. of the statutes is amended to read:

938.223 **(2)** (a) 1. That the Minnesota juvenile detention facility meet or exceed the minimum requirements for the approval and operation of a Wisconsin juvenile detention facility established by the department of corrections by rule under s.

938.22 (2) (a) and that the Minnesota juvenile detention facility be approved by the department under s. 301.36.

SECTION 4654hn. 938.223 (2) (b) 3. of the statutes is amended to read:

938.223 **(2)** (b) 3. An agreement that the Minnesota juvenile detention facility is subject to investigation and inspection by the department of corrections under s. 301.36.

SECTION 4654hp. 938.223 (2) (b) 4. of the statutes is amended to read:

938.223 **(2)** (b) 4. Any other matters that are necessary and appropriate concerning the obligations, responsibilities, and rights of the contracting counties and the department of corrections.

SECTION 4654id. 938.224 (1) of the statutes is amended to read:

938.224 **(1)** USES OF FACILITIES. The county board of supervisors of a county may contract with the department of corrections for the use of a juvenile correctional facility operated by ~~the~~ that department for the holding of juveniles who meet the criteria under s. 48.208, 938.17 (1), 938.183 (1m) (a), or 938.208 or who are subject to a disposition under s. 938.17 (1) (b) or 938.34 (3) (f), a sanction under s. 938.355 (6) (d) 1., or short–term detention under s. 938.355 (6d) or 938.534 (1).

SECTION 4654if. 938.224 (2) (a) 1. of the statutes is amended to read:

938.224 **(2)** (a) 1. There is no county–operated juvenile detention facility approved by the department of corrections within 40 miles of the county seat of the county.

SECTION 4654ih. 938.224 (2) (a) 2. of the statutes is amended to read:

938.224 **(2)** (a) 2. There is no bed space available in a county–operated juvenile detention facility approved by the department of corrections within 40 miles of the county seat of the county.

SECTION 4654ij. 938.224 (2) (b) of the statutes is amended to read:

938.224 **(2)** (b) That the county may use a juvenile correctional facility for holding a juvenile under sub. (1) only if the department of corrections approves that use based on the availability of beds in the juvenile correctional facility and on the programming needs of the juvenile.

SECTION 4654im. 938.224 (3) (a) of the statutes is amended to read:

938.224 **(3)** (a) The per person daily rate to be paid by the county for holding a juvenile under sub. (1) and the charges to be paid by the county for any extraordinary medical and dental expenses and any programming provided for the juvenile by the department of corrections.

SECTION 4654ip. 938.224 (3) (b) of the statutes is amended to read:

938.224 **(3)** (b) Any other matters that are necessary and appropriate concerning the obligations, responsibilities, and rights of the contracting county and the department of corrections.

SECTION 4654iq. 938.224 (4) of the statutes is amended to read:

938.224 **(4)** SUPERVISION AND CONTROL OF JUVENILES. A juvenile held in custody under sub. (1) is under the supervision and control of the department of corrections and is subject to the rules and discipline of ~~the~~ that department.

SECTION 4654j. 938.225 of the statutes is amended to read:

938.225 Statewide plan for juvenile detention facilities. The department of corrections shall assist counties in establishing juvenile detention facilities under s. 938.22 by developing and promulgating a statewide plan for the establishment and maintenance of suitable juvenile detention facilities reasonably accessible to each court.

SECTION 4654k. 938.23 (1m) (a) of the statutes is amended to read:

938.23 **(1m)** (a) A juvenile alleged to be delinquent under s. 938.12 or held in a juvenile detention facility shall be represented by counsel at all stages of the proceedings. A juvenile 15 years of age or older may waive counsel if the court is satisfied that the waiver is knowingly and voluntarily made and the court accepts the waiver. If the waiver is accepted, the court may not place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth, transfer supervision of the juvenile to the department of corrections for participation in the serious juvenile offender program, or transfer jurisdiction over the juvenile to adult court.

SECTION 4654q. 938.30 (6) (b) of the statutes is amended to read:

938.30 **(6)** (b) If it appears to the court that disposition of the case may include placement of the juvenile outside the juvenile's home, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent to the court or the designated agency under s. 938.33 (1) at least 5 days before the scheduled date of the dispositional hearing or as otherwise ordered by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department ~~of children and families~~ under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 4654s. 938.31 (7) (b) of the statutes is amended to read:

938.31 **(7)** (b) If it appears to the court that disposition of the case may include placement of the juvenile outside the juvenile's home, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent, to the court or the designated

agency under s. 938.33 (1) at least 5 days before the scheduled date of the dispositional hearing or as otherwise ordered by the court. The clerk of court shall provide, without charge, to any parent ordered to provide the statement a document setting forth the percentage standard established by the department ~~of children and families~~ under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 4654t. 938.315 (2m) (c) of the statutes is created to read:

938.315 **(2m)** (c) The court making a finding under s. 938.366 (3) (am) 3. that a person's placement in out–of–home care under a transition–to–independent–living agreement is in the best interests of the person more than 180 days after the date on which the agreement is entered into.

SECTION 4654u. 938.34 (2) (a) of the statutes is amended to read:

938.34 **(2)** (a) Place the juvenile under the supervision of an agency, the department <u>of corrections</u>, if ~~the~~ <u>that</u> department approves, or a suitable adult, including a friend of the juvenile, under conditions prescribed by the court, including reasonable rules for the juvenile's conduct, designed for the physical, mental, and moral well–being and behavior of the juvenile.

SECTION 4654v. 938.34 (2) (b) of the statutes is amended to read:

938.34 **(2)** (b) If the juvenile is placed in the juvenile's home under the supervision of an agency or the department <u>of corrections</u>, order ~~the~~ <u>that</u> agency or department to provide specified services to the juvenile and the juvenile's family, including individual, family, or group counseling, homemaker or parent aide services, respite care, housing assistance, child care, or parent skills training.

SECTION 4654w. 938.34 (3) (f) (intro.) of the statutes is amended to read:

938.34 **(3)** (f) (intro.) A juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule, or in a place of nonsecure custody designated by the court, subject to all of the following:

SECTION 4654x. 938.34 (4m) (intro.) of the statutes is amended to read:

938.34 **(4m)** CORRECTIONAL PLACEMENT. (intro.) Place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth under the supervision of the department of corrections if all of the following apply:

SECTION 4655b. 938.34 (4n) (intro.) of the statutes is amended to read:

938.34 **(4n)** AFTERCARE SUPERVISION. (intro.) Subject to any arrangement between the department of corrections and a county department regarding the provision of aftercare supervision for juveniles who have been released from a juvenile correctional facility or a secured residential care center for children and youth, designate one of the following to provide aftercare supervision for the juvenile following the juvenile's release from the juvenile correctional facility or secured residential care center for children and youth:

SECTION 4655bm. 938.34 (4n) (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.34 **(4n)** ~~AFTERCARE~~ COMMUNITY SUPERVISION OR AFTERCARE SUPERVISION. (intro.) ~~Subject~~ In the case of a juvenile who has been placed in a juvenile correctional facility or a secured residential care center for children and youth, designate the department of corrections to provide community supervision for the juvenile following the juvenile's release from that facility or center or, subject to any arrangement between the department of corrections and a county department regarding the provision of aftercare supervision for juveniles who have been released

from a juvenile correctional facility or a secured residential care center for children and youth, designate one of the following to provide aftercare supervision for the juvenile following the juvenile's release from ~~the juvenile correctional~~ that facility or ~~secured residential care~~ center ~~for children and youth~~:

SECTION 4656b. 938.34 (4n) (a) of the statutes is amended to read:

938.34 **(4n)** (a) The department of corrections.

SECTION 4656bm. 938.34 (4n) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

SECTION 4656e. 938.34 (6s) of the statutes is amended to read:

938.34 **(6s)** DRUG TESTING. If the report under s. 938.33 (1) indicates that the juvenile is in need of treatment for the use or abuse of controlled substances or controlled substance analogs, order the juvenile to submit to drug testing under a drug testing program that the department of corrections shall promulgate by rule.

SECTION 4656f. 938.34 (8d) (c) of the statutes is amended to read:

938.34 **(8d)** (c) If a juvenile placed in a juvenile correctional facility or a secured residential care center for children and youth fails to pay the surcharge under par. (a), the department of corrections shall assess and collect the amount owed from the juvenile's wages or other moneys. Any amount collected shall be transmitted to the secretary of administration.

SECTION 4656i. 938.34 (15m) (am) 2. of the statutes is amended to read:

938.34 **(15m)** (am) 2. If the court under subd. 1. orders the juvenile to comply with the reporting requirements under s. 301.45 in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09, the court may provide that the juvenile be released from the requirement to comply with the reporting requirements under s. 301.45 upon satisfying the conditions of the

dispositional order imposed for the offense. If the juvenile satisfies the conditions of the dispositional order, the court shall notify the department of corrections that the juvenile has satisfied the conditions of the dispositional order.

SECTION 4656n. 938.345 (3) (c) of the statutes is amended to read:

938.345 **(3)** (c) If the court orders a juvenile to comply with the reporting requirements under s. 301.45, the clerk of the court in which the order is entered shall promptly forward a copy of the order to the department of corrections. If the finding of need of protection or services on which the order is based is reversed, set aside, or vacated, the clerk of the court shall promptly forward to the department of corrections a certificate stating that the finding has been reversed, set aside, or vacated.

SECTION 4656p. 938.345 (3) (d) of the statutes is amended to read:

938.345 **(3)** (d) If the court under par. (a) orders the juvenile to comply with the reporting requirements under s. 301.45 in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09, the court may provide that the juvenile be released from the requirement to comply with the reporting requirements under s. 301.45 upon satisfying the conditions of the dispositional order imposed for the offense. If the juvenile satisfies the conditions of the dispositional order, the clerk of the court shall notify the department of corrections and the department of children and families that the juvenile has satisfied the conditions of the dispositional order.

SECTION 4656q. 938.355 (4m) (b) of the statutes is amended to read:

938.355 **(4m)** (b) The court shall expunge the court's record of a juvenile's adjudication if it was the juvenile's first adjudication based on a violation of s. 942.08 (2) (b), (c), or (d), and if the court determines that the juvenile has satisfactorily

complied with the conditions of his or her dispositional order. Notwithstanding s. 938.396 (2), the court shall notify the department of corrections and the department of children and families promptly of any expungement under this paragraph.

SECTION 4656s. 938.355 (6) (d) 1. of the statutes is amended to read:

938.355 **(6)** (d) 1. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

SECTION 4656t. 938.355 (6d) (a) 1. of the statutes is amended to read:

938.355 **(6d)** (a) 1. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., and 2r., if a juvenile who has been adjudged delinquent violates a condition specified in sub. (2) (b) 7., the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of

nonsecure custody designated by that person for not more than 72 hours while the alleged violation and the appropriateness of a sanction under sub. (6) are being investigated.

SECTION 4656tm. 938.355 (6d) (a) 2. of the statutes is amended to read:

938.355 **(6d)** (a) 2. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., and 2r., if a juvenile who has been adjudged delinquent violates a condition specified in sub. (2) (b) 7., the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department <u>of corrections</u> by rule or in a place of nonsecure custody designated by that person for not more than 72 hours as a consequence of that violation. A person who takes a juvenile into custody under this subdivision shall permit the juvenile to make a written or oral statement concerning the possible placement of the juvenile and the course of conduct for which the juvenile was taken into custody. A person designated by the court or county department who is employed in a supervisory position by a person authorized to provide or providing intake or dispositional services under s. 938.067 or 938.069 shall review that statement and either approve the placement, modify the terms of the placement, or order the juvenile to be released from custody.

SECTION 4657. 938.355 (6d) (b) (title) of the statutes is amended to read:

938.355 **(6d)** (b) (title) *Violation of condition of ~~county~~ aftercare supervision.*

SECTION 4658b. 938.355 (6d) (b) 1. of the statutes is amended to read:

938.355 **(6d)** (b) 1. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., and 2r., if a juvenile who is on aftercare supervision administered by a

county department violates a condition of that supervision, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department <u>of corrections</u> by rule or in a place of nonsecure custody designated by that person for not more than 72 hours while the alleged violation and the appropriateness of revoking the juvenile's aftercare status are being investigated.

SECTION 4658bm. 938.355 (6d) (b) 1. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.355 **(6d)** (b) 1. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., and 2r., if a juvenile who is on aftercare supervision ~~administered by a county department~~ violates a condition of that supervision, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody designated by that person for not more than 72 hours while the alleged violation and the appropriateness of revoking the juvenile's aftercare status are being investigated.

SECTION 4659b. 938.355 (6d) (b) 2. of the statutes is amended to read:

938.355 **(6d)** (b) 2. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., and 2r., if a juvenile who is on aftercare supervision administered by the county department violates a condition of that supervision, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional

services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department <u>of corrections</u> by rule or in a place of nonsecure custody designated by that person for not more than 72 hours as a consequence of that violation. A person who takes a juvenile into custody under this subdivision shall permit the juvenile to make a written or oral statement concerning the possible placement of the juvenile and the course of conduct for which the juvenile was taken into custody. A person designated by the court or the county department who is employed in a supervisory position by a person authorized to provide or providing intake or dispositional services under s. 938.067 or 938.069 shall review that statement and either approve the placement of the juvenile, modify the terms of the placement, or order the juvenile to be released from custody.

SECTION 4659bm. 938.355 (6d) (b) 2. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.355 **(6d)** (b) 2. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., and 2r., if a juvenile who is on aftercare supervision ~~administered by the county department~~ violates a condition of that supervision, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody designated by that person for not more than 72 hours as a consequence of that violation. A person who takes a juvenile into custody under this subdivision shall permit the juvenile to make a

written or oral statement concerning the possible placement of the juvenile and the course of conduct for which the juvenile was taken into custody. A person designated by the court or the county department who is employed in a supervisory position by a person authorized to provide or providing intake or dispositional services under s. 938.067 or 938.069 shall review that statement and either approve the placement of the juvenile, modify the terms of the placement, or order the juvenile to be released from custody.

SECTION 4660. 938.355 (6d) (b) 2g. of the statutes is amended to read:

938.355 **(6d)** (b) 2g. The taking into custody and placement of a juvenile under subd. 1. or 2. is subject to any general written policies adopted by the court under s. 938.06 (1) and (2), to any policies adopted by the county department relating to aftercare supervision ~~administered by the county department~~, and to any policies adopted by the county board relating to such taking into custody and placement.

SECTION 4661. 938.355 (6d) (b) 4. of the statutes is amended to read:

938.355 **(6d)** (b) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile who has violated a condition of aftercare supervision ~~administered by a county department~~ from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 4661q. 938.355 (6m) (a) 1g. of the statutes is amended to read:

938.355 **(6m)** (a) 1g. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department <u>of corrections</u> by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for

which the detention or nonsecure custody was imposed. The use of placement in a juvenile detention facility or in a juvenile portion of a county jail as a sanction under this subdivision is subject to the adoption of a resolution by the county board of supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

SECTION 4662b. 938.357 (4) (a) of the statutes is amended to read:

938.357 **(4)** (a) When the juvenile is placed with the department~~, the~~ <u>of corrections, that</u> department may, after an examination under s. 938.50, place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth or on aftercare supervision, either immediately or after a period of placement in a juvenile correctional facility or a secured residential care center for children and youth. The department <u>of corrections</u> shall send written notice of the change in placement to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. If the department <u>of corrections</u> places a juvenile in a Type 2 juvenile correctional facility operated by a child welfare agency, ~~the~~ <u>that</u> department shall reimburse the child welfare agency at the rate established under s. 49.343 that is applicable to the type of placement that the child welfare agency is providing for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or a secured residential care center for children and youth remains under the supervision of the department <u>of corrections</u>, remains

subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 4662bm. 938.357 (4) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.357 **(4)** (a) When the juvenile is placed with the department of corrections, that department may, after an examination under s. 938.50, place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth or on community supervision or aftercare supervision, either immediately or after a period of placement in a juvenile correctional facility or a secured residential care center for children and youth. The department of corrections shall send written notice of the change in placement to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. If the department of corrections places a juvenile in a Type 2 juvenile correctional facility operated by a child welfare agency, that department shall reimburse the child welfare agency at the rate established under s. 49.343 that is applicable to the type of placement that the child welfare agency is providing for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or a secured residential care center for children and youth remains under the supervision of the department of corrections, remains subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 4662c. 938.357 (4) (b) 1. of the statutes is amended to read:

938.357 **(4)** (b) 1. If a juvenile whom the department of corrections has placed in a Type 2 juvenile correctional facility operated by a child welfare agency violates a condition of his or her placement in the Type 2 juvenile correctional facility, the child welfare agency operating the Type 2 juvenile correctional facility shall notify

the department of corrections and ~~the~~ that department, after consulting with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional facility under the supervision of the department, without a hearing under sub. (1) (am) 2.

SECTION 4662e. 938.357 (4) (b) 2. of the statutes is amended to read:

938.357 **(4)** (b) 2. If a juvenile whom the court has placed in a Type 2 residential care center for children and youth under s. 938.34 (4d) violates a condition of his or her placement in the Type 2 residential care center for children and youth, the child welfare agency operating the Type 2 residential care center for children and youth shall notify the county department that has supervision over the juvenile and, if the county department agrees to a change in placement under this subdivision, the child welfare agency shall notify the department of corrections, and ~~the~~ that department, after consulting with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional facility under the supervision of the department of corrections, without a hearing under sub. (1) (am) 2., for not more than 10 days. If a juvenile is placed in a Type 1 juvenile correctional facility under this subdivision, the county department that has supervision over the juvenile shall reimburse the child welfare agency operating the Type 2 residential care center for children and youth in which the juvenile was placed at the rate established under s. 49.343, and that child welfare agency shall reimburse the department of corrections at the rate specified in s. 301.26 (4) (d) 2. or 3., whichever is applicable, for the cost of the juvenile's care while placed in a Type 1 juvenile correctional facility.

SECTION 4662f. 938.357 (4) (b) 4. of the statutes is amended to read:

938.357 **(4)** (b) 4. A juvenile may seek review of a decision of the department of corrections under subd. 1. or 2. only by the common law writ of certiorari.

SECTION 4662h. 938.357 (4) (c) 1. of the statutes is amended to read:

938.357 **(4)** (c) 1. If a juvenile is placed in a Type 2 juvenile correctional facility operated by a child welfare agency under par. (a) and it appears that a less restrictive placement would be appropriate for the juvenile, the department of corrections, after consulting with the child welfare agency that is operating the Type 2 juvenile correctional facility, may place the juvenile in a less restrictive placement, and may return the juvenile to the Type 2 juvenile correctional facility without a hearing under sub. (1) (am) 2. The rate for each type of placement shall be established by the department of children and families, in consultation with the department of corrections, in the manner provided in s. 49.343.

SECTION 4662i. 938.357 (4) (c) 2. of the statutes is amended to read:

938.357 **(4)** (c) 2. If a juvenile is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate for the juvenile, the child welfare agency operating the Type 2 residential care center for children and youth shall notify the county department that has supervision over the juvenile and, if the county department agrees to a change in placement under this subdivision, the child welfare agency may place the juvenile in a less restrictive placement. A child welfare agency may also, with the agreement of the county department that has supervision over a juvenile who is placed in a less restrictive placement under this subdivision, return the juvenile to the Type 2 residential care center for children and youth without a hearing under sub. (1) (am) 2. The rate for each type of placement shall be established by the department of children and families, in consultation with the department of corrections, in the manner provided in s. 49.343.

SECTION 4662k. 938.357 (4) (c) 4. of the statutes is amended to read:

938.357 **(4)** (c) 4. A juvenile may seek review of a decision of the department of corrections or county department under subd. 1. or 2. only by the common law writ of certiorari.

SECTION 4663. 938.357 (4g) (title) of the statutes is amended to read:

938.357 **(4g)** (title) ~~AFTERCARE~~ COMMUNITY SUPERVISION OR AFTERCARE PLAN.

SECTION 4664b. 938.357 (4g) (a) of the statutes is amended to read:

938.357 **(4g)** (a) Not later than 120 days after the date on which the juvenile is placed in a juvenile correctional facility or a secured residential care center for children and youth, or within 30 days after the date on which the department of corrections requests the aftercare plan, whichever is earlier, the aftercare provider designated under s. 938.34 (4n) shall prepare an aftercare plan for the juvenile. If the designated aftercare provider is a county department, that county department shall submit the aftercare plan to the department of corrections within the applicable ~~time~~ period specified in this paragraph, unless the department of corrections waives the ~~time~~ period under par. (b).

SECTION 4664bm. 938.357 (4g) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.357 **(4g)** (a) Not later than 120 days after the date on which the juvenile is placed in a juvenile correctional facility or a secured residential care center for children and youth, or within 30 days after the date on which the department of corrections requests the community supervision or aftercare plan, whichever is earlier, the community supervision or aftercare provider designated under s. 938.34 (4n) shall prepare ~~an~~ a community supervision or aftercare plan for the juvenile. If the juvenile is to be placed on aftercare supervision, the county department designated as the aftercare provider ~~is a county department, that county department~~

shall submit the aftercare plan to the department of corrections within the applicable period specified in this paragraph, unless the department of corrections waives the period under par. (b).

SECTION 4665b. 938.357 (4g) (b) of the statutes is amended to read:

938.357 **(4g)** (b) The department of corrections may waive the ~~time~~ period within which an aftercare plan must be prepared and submitted under par. (a) if ~~the~~ that department anticipates that the juvenile will remain in the juvenile correctional facility or secured residential care center for children and youth for a period exceeding 8 months or if the juvenile is subject to s. 938.183. If the department of corrections waives that ~~time~~ period, the designated aftercare provider shall prepare the aftercare plan within 30 days after the date on which the department of corrections requests the aftercare plan.

SECTION 4665bm. 938.357 (4g) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.357 **(4g)** (b) The department of corrections may waive the period within which ~~an~~ a community supervision plan or aftercare plan must be prepared and submitted under par. (a) if that department anticipates that the juvenile will remain in the juvenile correctional facility or secured residential care center for children and youth for a period exceeding 8 months or if the juvenile is subject to s. 938.183. If the department of corrections waives that period, the designated community supervision or aftercare provider shall prepare the community supervision or aftercare plan within 30 days after the date on which the department of corrections requests the community supervision or aftercare plan.

SECTION 4666. 938.357 (4g) (c) (intro.) of the statutes is amended to read:

938.357 **(4g)** (c) (intro.) ~~An~~ A community supervision or aftercare plan shall include all of the following:

SECTION 4667. 938.357 (4g) (c) 2. of the statutes is amended to read:

938.357 **(4g)** (c) 2. The conditions, if any, under which the juvenile's community supervision or aftercare status may be revoked.

SECTION 4668. 938.357 (4g) (c) 3. of the statutes is amended to read:

938.357 **(4g)** (c) 3. Services or programming to be provided to the juvenile while on community supervision or aftercare supervision.

SECTION 4669. 938.357 (4g) (c) 4. of the statutes is amended to read:

938.357 **(4g)** (c) 4. The estimated length of time that community supervision and services or aftercare supervision and services shall be provided to the juvenile.

SECTION 4670. 938.357 (4g) (d) of the statutes is amended to read:

938.357 **(4g)** (d) A juvenile may be released from a juvenile correctional facility or a secured residential care center for children and youth whether or not ~~an~~ a community supervision or aftercare plan has been prepared under this subsection.

SECTION 4671b. 938.357 (4m) of the statutes is amended to read:

938.357 **(4m)** RELEASE TO AFTERCARE SUPERVISION. The department of corrections shall try to release a juvenile to aftercare supervision under sub. (4) within 30 days after the date ~~the~~ on which that department determines the juvenile is eligible for the release.

SECTION 4671bm. 938.357 (4m) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.357 **(4m)** RELEASE TO COMMUNITY SUPERVISION OR AFTERCARE SUPERVISION. The department of corrections shall try to release a juvenile to community

supervision or aftercare supervision under sub. (4) within 30 days after the date on which that department determines the juvenile is eligible for the release.

SECTION 4672. 938.357 (5) (title) of the statutes is amended to read:

938.357 **(5)** (title) REVOCATION OF COMMUNITY SUPERVISION OR AFTERCARE SUPERVISION.

SECTION 4673b. 938.357 (5) (a) of the statutes is amended to read:

938.357 **(5)** (a) The department of corrections or a county department, whichever has been designated as a juvenile's aftercare provider, may revoke the aftercare status of that juvenile. Prior notice of a change in placement under sub. (1) (am) 1. is not required.

SECTION 4673bm. 938.357 (5) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.357 **(5)** (a) ~~The~~ If a juvenile has been placed on community supervision, the department of corrections ~~or a~~ may revoke the community supervision status of that juvenile as provided in this subsection. If a juvenile has been placed on aftercare supervision, the county department~~, whichever~~ that has been designated as a juvenile's aftercare provider~~,~~ may revoke the aftercare status of that juvenile as provided in this subsection. Prior notice of a change in placement under sub. (1) (am) 1. is not required.

SECTION 4674. 938.357 (5) (b) of the statutes is amended to read:

938.357 **(5)** (b) A juvenile on community supervision status may be taken into custody only as provided in ss. 938.19 to 938.21 or 938.533 (3) (a). A juvenile on aftercare status may be taken into custody only as provided in ss. 938.19 to 938.21 ~~and~~ or 938.355 (6d) (b).

SECTION 4675. 938.357 (5) (d) of the statutes is amended to read:

938.357 **(5)** (d) A hearing on the revocation shall be conducted by the division of hearings and appeals in the department of administration within 30 days after the juvenile is taken into custody for an alleged violation of a condition of the juvenile's community supervision or aftercare supervision. This ~~time~~ period may be waived only upon the agreement of the community supervision or aftercare provider, the juvenile, and the juvenile's counsel.

SECTION 4676. 938.357 (5) (e) of the statutes is amended to read:

938.357 **(5)** (e) If the hearing examiner finds that the juvenile has violated a condition of community supervision or aftercare supervision, the hearing examiner shall determine whether confinement in a juvenile correctional facility or a secured residential care center for children and youth is necessary to protect the public, to provide for the juvenile's rehabilitation, or to not depreciate the seriousness of the violation.

SECTION 4677b. 938.357 (5) (g) of the statutes is amended to read:

938.357 **(5)** (g) The department of corrections shall promulgate rules setting standards to be used by a hearing examiner to determine whether to revoke a juvenile's aftercare status. The standards shall specify that the burden is on the department of corrections or county department seeking revocation to show by a preponderance of the evidence that the juvenile violated a condition of aftercare supervision.

SECTION 4677bm. 938.357 (5) (g) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.357 **(5)** (g) The department of corrections shall promulgate rules setting standards to be used by a hearing examiner to determine whether to revoke a juvenile's community supervision or aftercare status. The standards shall specify

that the burden is on the department of corrections or county department seeking revocation to show by a preponderance of the evidence that the juvenile violated a condition of community supervision or aftercare supervision.

SECTION 4677c. 938.357 (5m) (a) of the statutes is amended to read:

938.357 **(5m)** (a) If a proposed change in placement would change a juvenile's placement from a placement in the juvenile's home to a placement outside the juvenile's home, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent to the court or the person or agency primarily responsible for implementing the dispositional order by a date specified by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department ~~of children and families~~ under s. 49.22 (9) and listing the factors under s. 301.12 (14) (c). If the juvenile is placed outside the juvenile's home, the court shall determine the liability of the parent in the manner provided in s. 301.12 (14).

SECTION 4677e. 938.36 (1) (b) of the statutes is amended to read:

938.36 **(1)** (b) In determining the amount of support under par. (a), the court may consider all relevant financial information or other information relevant to the parent's earning capacity, including information reported under s. 49.22 (2m) to the department ~~of children and families~~, or the county child support agency, under s. 59.53 (5). If the court has insufficient information with which to determine the amount of support, the court shall order the juvenile's parent to furnish a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent, if the parent has not already done so, to the court within 10 days after the

court's order transferring custody or designating an alternative placement is entered or at such other time as ordered by the court.

SECTION 4677h. 938.363 (1) (c) of the statutes is amended to read:

938.363 **(1)** (c) If the proposed revision is for a change in the amount of child support to be paid by a parent, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent to the court and the person or agency primarily responsible for implementing the dispositional order by a date specified by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department ~~of children and families~~ under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 4678. 938.365 (7) of the statutes is amended to read:

938.365 **(7)** CHANGES IN PLACEMENT AND TRIAL REUNIFICATIONS NOT PERMITTED. Nothing in this section may be construed to allow any changes in placement, trial reunification, or revocation of community supervision or aftercare supervision. Revocation and other changes in placement may take place only under s. 938.357, and trial reunifications may take place only under s. 938.358.

SECTION 4679. 938.366 (1) of the statutes is renumbered 938.366 (1) (intro.) and amended to read:

938.366 **(1)** (intro.) APPLICABILITY. This section applies to a person who is a full–time student of a secondary school or its vocational or technical equivalent, for whom an individualized education program under s. 115.787 is in effect, and to whom any of the following applies:

(a) The person is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, or in a supervised independent living arrangement under an order under s. 938.355, 938.357, or 938.365 that terminates as provided in s. 938.355 (4) (am) 1., 2., or 3., 938.357 (6) (a) 1., 2., or 3., or 938.365 (5) (b) 1., 2., or 3. on or after the person attains 18 years of age~~, who is a full-time student of a secondary school or its vocational or technical equivalent, and for whom an individualized education program under s. 115.787 is in effect~~.

SECTION 4680. 938.366 (1) (b) of the statutes is created to read:

938.366 **(1)** (b) The person is placed in a shelter care facility on the date on which an order specified in par. (a) terminates.

SECTION 4681. 938.366 (2) (a) of the statutes is amended to read:

938.366 **(2)** (a) Not less than 120 days before an order described in sub. (1) (a) terminates, the agency primarily responsible for providing services under the order shall request the person who is the subject of the order to indicate whether he or she wishes to be discharged from out-of-home care on termination of the order, wishes to continue in out-of-home care until the date specified in s. 938.365 (5) (b) 4. under an extension of the order, or wishes to continue in out-of-home care under a voluntary agreement under sub. (3). If the person indicates that he or she wishes to be discharged from out-of-home care on termination of the order, the agency shall request a transition-to-discharge hearing under par. (b). If the person indicates that he or she wishes to continue in out-of-home care under an extension of the order, the agency shall request an extension of the order under s. 938.365. If the person indicates that he or she wishes to continue in out-of-home care under a voluntary

agreement under sub. (3), the agency and the person shall enter into such an agreement.

SECTION 4682. 938.366 (2) (b) 1. of the statutes is amended to read:

938.366 **(2)** (b) 1. If the person who is the subject of an order described in sub. (1) (a) indicates that he or she wishes to be discharged from out–of–home care on termination of the order, the agency primarily responsible for providing services to the person under the order shall request the court to hold a transition–to–discharge hearing and shall cause notice of that request to be provided to that person, the parent, guardian, and legal custodian of that person, any foster parent or other physical custodian described in s. 48.62 (2) of that person, all parties who are bound by the dispositional order, and, if that person is an Indian juvenile who has been removed from the home of his or her parent or Indian custodian, that person's Indian custodian and tribe.

SECTION 4683. 938.366 (2) (b) 3. of the statutes is amended to read:

938.366 **(2)** (b) 3. At the hearing the court shall review with the person who is the subject of an order described in sub. (1) (a) the options specified in par. (a) and shall advise the person that he or she may continue in out–of–home care as provided in par. (a) under an extension of the order or under a voluntary agreement under sub. (3).

SECTION 4684. 938.366 (2) (b) 4. of the statutes is amended to read:

938.366 **(2)** (b) 4. If the court determines that the person who is the subject of an order described in sub. (1) (a) understands that he or she may continue in out–of–home care, but wishes to be discharged from that care on termination of the order, the court shall advise the person that he or she may enter into a voluntary agreement under sub. (3) at any time before he or she is granted a high school or high

school equivalency diploma or reaches 21 years of age, whichever occurs first, so long as he or she is a full–time student at a secondary school or its vocational or technical equivalent and an individualized education program under s. 115.787 is in effect for him or her. If the court determines that the person wishes to continue in out–of–home care under an extension of the order described in sub. (1) (a), the court shall schedule an extension hearing under s. 938.365. If the court determines that the person wishes to continue in out–of–home care under a voluntary agreement under sub. (3), the court shall order the agency primarily responsible for providing services to the person under the order to provide transition–to–independent–living services for the person under a voluntary agreement under sub. (3).

SECTION 4685. 938.366 (3) (a) of the statutes is amended to read:

938.366 **(3)** (a) On termination of an order described in sub. (1) (a), the person who is the subject of the order, or the person's guardian on behalf of the person, and the agency primarily responsible for providing services to the person under the order may enter into a transition–to–independent–living agreement under which the person continues in out–of–home care and continues to be a full–time student at a secondary school or its vocational or technical equivalent under an individualized education program under s. 115.787 until the date on which the person reaches 21 years of age, is granted a high school or high school equivalency diploma, or terminates the agreement as provided in par. (b), whichever occurs first, and the agency provides services to the person to assist him or her in transitioning to independent living.

SECTION 4686. 938.366 (3) (am) of the statutes is created to read:

938.366 **(3)** (am) 1. No later than 150 days after a transition–to–independent–living agreement is entered into, the agency primarily

responsible for providing services under the agreement shall petition the court for a determination that the person's placement in out–of–home care under the agreement is in the best interests of the person. The request shall contain the name and address of the placement and specific information showing why the placement is in the best interests of the person and shall have a copy of the agreement attached to it. The agency shall cause written notice of the petition to be sent to the person who is the subject of the agreement and the person's guardian.

2. On receipt of a petition under subd. 1., the court shall set a date for a hearing on the petition that allows a reasonable time for the parties to prepare but is within 30 days after the date of receipt of the petition. Not less than 3 days before the hearing the agency primarily responsible for providing services under the agreement or the court shall provide notice of the hearing to all persons who are entitled to receive notice under subd. 1. A copy of the petition shall be attached to the notice.

3. If the court finds that the person's placement in out–of–home care under the agreement is in the best interests of the person, the court shall grant an order determining that placement in out–of–home care under the agreement is in the best interests of the person. The court shall grant or deny the order no later than 180 days after the date on which the transition–to–independent–living agreement is entered into.

4. The court shall make the findings under subd. 3. on a case–by–case basis based on circumstances specific to the person and shall document or reference the specific information on which those findings are based in the order under subd. 3. An order that merely references subd. 3. without documenting or referencing that specific information in the order or an amended order that retroactively corrects an

earlier order that does not comply with this subdivision is not sufficient to comply with this subdivision.

SECTION 4687. 938.366 (3) (d) of the statutes is created to read:

938.366 **(3)** (d) If the agency that enters into a voluntary agreement under this subsection is the department or a county department, the voluntary agreement shall also specifically state that the department or the county department has placement and care responsibility for the person who is the subject of the agreement as required under 42 USC 672 (a) (2) and has primary responsibility for providing services to the person.

SECTION 4688. 938.366 (3g) of the statutes is created to read:

938.366 **(3g)** APPEAL PROCEDURES. Any person who is aggrieved by the failure of an agency to enter into a transition–to–independent–living agreement under sub. (3) or by an agency's termination of such an agreement has the right to a contested case hearing under ch. 227.

SECTION 4688x. 938.366 (4) (intro.) of the statutes is amended to read:

938.366 **(4)** RULES. (intro.) The department ~~of children and families~~ shall promulgate rules to implement this section. Those rules shall include all of the following:

SECTION 4689. 938.366 (4) (a) of the statutes is amended to read:

938.366 **(4)** (a) Rules permitting a foster home, group home, or residential care center for children and youth to provide care for persons who agree to continue in out–of–home care under an extension of an order described in sub. (1) (a) or a voluntary agreement under sub. (3).

SECTION 4689x. 938.38 (1) (a) of the statutes is amended to read:

938.38 **(1)** (a) "Agency" means the department of children and families, the department of corrections, a county department, or a licensed child welfare agency.

SECTION 4690. 938.38 (1) (ap) of the statutes is created to read:

938.38 **(1)** (ap) "Juvenile" includes a person 17 years of age or over for whom a permanency plan is required under sub. (2).

SECTION 4691. 938.38 (2) (d) of the statutes is amended to read:

938.38 **(2)** (d) The juvenile was placed under a voluntary agreement between the agency and the juvenile's parent under s. 48.63 (1) (a) or (5) (b) or under a voluntary transition–to–independent–living agreement under s. 938.366 (3).

SECTION 4692. 938.38 (4) (fg) 5. of the statutes is amended to read:

938.38 **(4)** (fg) 5. As provided in par. (fm), placement in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult, including sustaining care ~~or long–term foster care, but not including independent living~~, or the goal of transitioning the juvenile to independence.

SECTION 4693. 938.38 (4) (fg) 6. of the statutes is repealed.

SECTION 4694. 938.38 (4) (fm) of the statutes is amended to read:

938.38 **(4)** (fm) If the agency determines that there is a compelling reason why it currently would not be in the best interests of the juvenile to return the juvenile to his or her home or to place the juvenile for adoption, with a guardian, or with a fit and willing relative as the permanency goal for the juvenile, the permanency goal of placing the juvenile in some other planned permanent living arrangement or of transitioning the juvenile to independence as described in par. (fg) 5. If the agency makes that determination, the plan shall include the efforts made to achieve that permanency goal, including, if appropriate, through an out–of–state placement, a statement of that compelling reason, and, notwithstanding that compelling reason,

a concurrent plan under s. 938.355 (2b) towards achieving a goal under par. (fg) 1. to 4. as a concurrent permanency goal in addition to the permanency goal under par. (fg) 5.

SECTION 4695. 938.38 (5) (a) of the statutes is amended to read:

938.38 **(5)** (a) Except as provided in s. 48.63 (5) (d), the court or a panel appointed under par. (ag) shall review the permanency plan <u>for each juvenile for whom a permanency plan is required under sub. (2)</u> in the manner provided in this subsection not later than 6 months after the date on which the juvenile was first removed from his or her home and every 6 months after a previous review under this subsection for as long as the juvenile is placed outside the home, except that for the review that is required to be conducted not later than 12 months after the juvenile was first removed from his or her home and the reviews that are required to be conducted every 12 months after that review, the court shall hold a hearing under sub. (5m) to review the permanency plan. The hearing may be instead of or in addition to the review under this subsection. The 6–month and 12–month periods referred to in this paragraph include trial reunifications under s. 938.358.

SECTION 4696. 938.38 (5) (c) 6. d. of the statutes is amended to read:

938.38 **(5)** (c) 6. d. Being placed in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult, including sustaining care ~~or long–term foster care, but not including independent living~~<u>, or transitioning to independence</u>.

SECTION 4697. 938.38 (5) (c) 9. of the statutes is amended to read:

938.38 **(5)** (c) 9. If the juvenile is the subject of an order that terminates as provided in s. 938.355 (4) (am) 4., 938.357 (6) (a) 4., or 938.365 (5) (b) 4. <u>or of a voluntary transition–to–independent–living agreement under s. 938.366 (3)</u>, the

appropriateness of the transition–to–independent–living plan developed under s. 938.385; the extent of compliance with that plan by the juvenile, the juvenile's guardian, if any, the agency primarily responsible for providing services under that plan, and any other service providers; and the progress of the juvenile toward making the transition to independent living.

SECTION 4698. 938.38 (5m) (a) of the statutes is amended to read:

938.38 **(5m)** (a) The court shall hold a hearing to review the permanency plan and to make the determinations specified in sub. (5) (c) <u>for each juvenile for whom a permanency plan is required under sub. (2)</u> no later than 12 months after the date on which the juvenile was first removed from the home and every 12 months after a previous hearing under this subsection for as long as the juvenile is placed outside the home. The 12–month periods referred to in this paragraph include trial reunifications under s. 938.358.

SECTION 4699. 938.385 of the statutes is amended to read:

938.385 Plan for transition to independent living. During the 90 days immediately before a juvenile who is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, or in a supervised independent living arrangement attains 18 years of age or, if the juvenile is placed in such a placement under an order under s. 938.355, 938.357, or 938.365 that terminates under s. 938.355 (4) (am) after the juvenile attains 18 years of age <u>or under a voluntary transition–to–independent–living agreement under s. 938.366 (3) that terminates under s. 938.366 (3) (a) after the juvenile attains 18 years of age</u>, during the 90 days immediately before the termination of the order <u>or agreement</u>, the agency primarily responsible for providing services to the juvenile under the order <u>or agreement</u> shall provide the

juvenile with assistance and support in developing a plan for making the transition from out–of–home care to independent living. The transition plan shall be personalized at the direction of the juvenile, shall be as detailed as the juvenile directs, and shall include specific options for obtaining housing, health care, education, mentoring and continuing support services, and workforce support and employment services.

SECTION 4699e. 938.396 (2g) (b) 1. of the statutes is amended to read:

938.396 **(2g)** (b) 1. Upon request of the department of corrections, the department of children and families, or a federal agency to review court records for the purpose of monitoring and conducting periodic evaluations of activities as required by and implemented under 45 CFR 1355, 1356, and 1357, the court shall open those records for inspection and copying by authorized representatives of ~~that department or federal agency~~ the requester. Those representatives shall keep those records confidential and may use and further disclose those records only for the purpose for which those records were requested.

SECTION 4699f. 938.396 (2g) (em) of the statutes is amended to read:

938.396 **(2g)** (em) *Sex offender registration.* Upon request of the department of corrections or the department of children and families to review court records for the purpose of obtaining information concerning a juvenile who is required to register under s. 301.45, the court shall open for inspection by authorized representatives of the ~~department~~ requester the records of the court relating to any juvenile who has been adjudicated delinquent or found in need of protection or services or not responsible by reason of mental disease or defect for an offense specified in s. 301.45 (1g) (a). The department of corrections may disclose information that it obtains under this paragraph as provided under s. 301.46.

SECTION 4699h. 938.396 (2m) (b) 1. of the statutes is amended to read:

938.396 **(2m)** (b) 1. The court shall make information relating to a proceeding under this chapter that is contained in the electronic records of the court available to any other court assigned to exercise jurisdiction under this chapter and ch. 48, a municipal court exercising jurisdiction under s. 938.17 (2), a court of criminal jurisdiction, a person representing the interests of the public under s. 48.09 or 938.09, an attorney or guardian ad litem for a parent or child who is a party to a proceeding in a court assigned to exercise jurisdiction under this chapter or ch. 48 or a municipal court, a district attorney prosecuting a criminal case, a law enforcement agency, the department of children and families, or the department of corrections, regardless of whether the person to whom the information is disclosed is a party to or is otherwise involved in the proceedings in which the electronic records containing that information were created. The director of state courts may use the circuit court automated information systems established under s. 758.19 (4) to make information contained in the electronic records of the court available as provided in this subdivision.

SECTION 4699i. 938.396 (2m) (c) 1r. of the statutes is amended to read:

938.396 **(2m)** (c) 1r. The department of children and families or the department of corrections shall keep any information made available to ~~the~~ that department under par. (b) 1. confidential and may use or allow access to that information only for the purpose of providing services under s. 48.06, 48.067, 48.069, 938.06, 938.067, or 938.069. ~~The~~ That department may allow that access regardless of whether the person who is allowed that access is a party to or is otherwise involved in the proceedings in which the electronic records containing that information were created.

SECTION 4699x. 938.48 (intro.) of the statutes is amended to read:

938.48 Authority of department of corrections. (intro.) The department of corrections may do all of the following:

SECTION 4700b. 938.48 (1) of the statutes is amended to read:

938.48 **(1)** ENFORCEMENT OF LAWS. Promote the enforcement of the laws relating to delinquent juveniles and juveniles in need of protection or services and take the initiative in all matters involving the interests of those juveniles when adequate provision for those matters is not made. This duty shall be discharged in cooperation with the courts, the department of children and families, county departments, licensed child welfare agencies, parents, and other individuals interested in the welfare of juveniles.

SECTION 4700e. 938.48 (2) of the statutes is renumbered 938.485 (2).

SECTION 4701b. 938.48 (8p) of the statutes is renumbered 938.485 (4) and amended to read:

938.485 **(4)** ~~INDIAN JUVENILE~~ REIMBURSEMENT OF TRIBES AND COUNTIES FOR TRIBAL DELINQUENCY PLACEMENTS. Reimburse Indian tribes and county departments, from the appropriation under s. ~~20.410 (3)~~ 20.437 (1) (kp), for unexpected or unusually high–cost out–of–home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts. In this subsection, "unusually high–cost out–of–home care placements" means the amount by which the cost to an Indian tribe or to a county department of out–of–home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts exceeds $50,000 in a fiscal year.

SECTION 4702. 938.48 (13) of the statutes is amended to read:

938.48 **(13)** ALLOWANCES AND CASH GRANTS. Promulgate rules for the payment of an allowance to juveniles in its institutions and a cash grant to a juvenile being discharged from its institutions or released to community supervision or aftercare supervision.

SECTION 4702e. 938.48 (16) of the statutes is amended to read:

938.48 **(16)** STANDARDS FOR SERVICES. ~~Establish~~ Based on research into effective correctional programs and practices, establish and enforce standards for services for juveniles under the supervision of the department under s. 938.183, 938.34, or 938.345.

SECTION 4702h. 938.485 of the statutes is created to read:

938.485 Authority of department. The department may do all of the following:

(1) ENFORCEMENT OF LAWS. Promote the enforcement of the laws relating to delinquent juveniles and juveniles in need of protection or services and take the initiative in all matters involving the interests of those juveniles when adequate provision for those matters is not made. This duty shall be discharged in cooperation with the courts, the department of corrections, county departments, licensed child welfare agencies, parents, and other individuals interested in the welfare of juveniles.

(3) PREVENTION, TREATMENT, AND EDUCATION. Study causes and methods of prevention and treatment of juvenile delinquency and related social problems and develop and maintain education and prevention programs that the department considers to be proper. The department may utilize all powers provided by the statutes, including the authority to accept grants of money or property from federal,

state, or private sources, and enlist the cooperation of other agencies and state departments.

(5) STANDARDS FOR SERVICES. Establish and enforce standards for services under s. 938.183, 938.34, or 938.345, other than juvenile correctional services.

(6) JUVENILE PROGRAMMING RESEARCH AND RECOMMENDATIONS. Identify and provide ways to improve the coordination of educational programs and services for juveniles and the parents and other family members of juveniles at the state and local levels by doing all of the following:

(a) Identifying and recommending ways to eliminate governmental barriers to local development of coordinated educational programs and services for juveniles and the parents and other family members of juveniles.

(b) Identifying and recommending ways to support and involve parents and other family members of juveniles in the planning, coordination, and delivery of services for juveniles.

SECTION 4702j. 938.49 (title) of the statutes is amended to read:

938.49 (title) **Notification by court of placement with ~~department; information for~~ department <u>of corrections; transfer of reports and records</u>.**

SECTION 4702k. 938.49 (1) of the statutes is amended to read:

938.49 **(1)** NOTICE TO DEPARTMENT <u>OF CORRECTIONS</u> OF PLACEMENT. When a court places a juvenile in a juvenile correctional facility or secured residential care center for children and youth under the supervision of the department <u>of corrections</u>, the court shall immediately notify ~~the~~ <u>that</u> department of that action. The court shall, in accordance with procedures established by the department <u>of corrections</u>, provide transportation for the juvenile to a receiving center designated by ~~the~~ <u>that</u> department or deliver the juvenile to ~~department~~ personnel <u>of that department</u>.

SECTION 4702n. 938.49 (2) (intro.) of the statutes is amended to read:

938.49 **(2)** TRANSFER OF COURT REPORT AND PUPIL RECORDS. (intro.) When a court places a juvenile in a juvenile correctional facility or a secured residential care center for children and youth under the supervision of the department of corrections, the court and all other public agencies shall immediately do all of the following:

SECTION 4702p. 938.49 (2) (a) of the statutes is amended to read:

938.49 **(2)** (a) Transfer to the department of corrections a copy of the report submitted to the court under s. 938.33 or, if the report was presented orally, a transcript of the report and all other pertinent data in their possession.

SECTION 4702r. 938.49 (2) (b) of the statutes is amended to read:

938.49 **(2)** (b) Notify the juvenile's last school district or, if the juvenile was last enrolled in a private school participating in the program under s. 118.60 or in the program under s. 119.23 or, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), in a school under the operation and general management of the governing body of a private school, the private school or the governing body of a private school, in writing of its obligation under s. 118.125 (4).

SECTION 4703b. 938.50 of the statutes is amended to read:

938.50 Examination of juveniles under supervision of department of corrections. The department of corrections shall examine every juvenile who is placed under its supervision to determine the type of placement best suited to the juvenile and to the protection of the public. The examination shall include an investigation of the personal and family history of the juvenile and his or her environment, any physical or mental examinations necessary to determine the type of placement appropriate for the juvenile, and an evaluation under s. 938.533 (2) to determine whether the juvenile is eligible for corrective sanctions supervision or

serious juvenile offender supervision. The department of corrections shall screen a juvenile who is examined under this section to determine whether the juvenile is in need of special treatment or care because of alcohol or other drug abuse, mental illness, or severe emotional disturbance. In making the examination the department of corrections may use any facilities, public or private, that offer assistance in determining the correct placement for the juvenile.

SECTION 4703bm. 938.50 of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.50 Examination of juveniles under supervision of department. The department of corrections shall examine every juvenile who is placed under its supervision to determine the type of placement best suited to the juvenile and to the protection of the public. The examination shall include an investigation of the personal and family history of the juvenile and his or her environment, any physical or mental examinations necessary to determine the type of placement appropriate for the juvenile, and an evaluation under s. 938.533 ~~(2) to determine whether the juvenile is eligible for corrective sanctions supervision or serious juvenile offender supervision~~ (3) (a) to determine the appropriate level of supervision and services based on the juvenile's risks and needs. The department of corrections shall screen a juvenile who is examined under this section to determine whether the juvenile is in need of special treatment or care because of alcohol or other drug abuse, mental illness, or severe emotional disturbance. In making the examination the department of corrections may use any facilities, public or private, that offer assistance in determining the correct placement for the juvenile.

SECTION 4703c. 938.505 (1) of the statutes is amended to read:

938.505 **(1)** RIGHTS AND DUTIES OF DEPARTMENT OF CORRECTIONS OR COUNTY DEPARTMENT. When a juvenile is placed under the supervision of the department of corrections under s. 938.183, 938.34 (4h), (4m) or (4n) or 938.357 (4) or (5) (e) or under the supervision of a county department under s. 938.34 (4n), the department of corrections or county department ~~having~~, whichever has supervision over the juvenile, shall have the right and duty to protect, train, discipline, treat, and confine the juvenile and to provide food, shelter, legal services, education, and ordinary medical and dental care for the juvenile, subject to the rights, duties, and responsibilities of the guardian of the juvenile and subject to any residual parental rights and responsibilities and the provisions of any court order.

SECTION 4703e. 938.505 (2) (a) (intro.) of the statutes is amended to read:

938.505 **(2)** (a) (intro.) If a juvenile 14 years of age or older is under the supervision of the department of corrections or a county department as described in sub. (1), is not residing in his or her home, and wishes to be administered psychotropic medication but a parent with legal custody or the guardian refuses to consent to the administration of psychotropic medication or cannot be found, or if there is no parent with legal custody, the department of corrections or county department acting on the juvenile's behalf may petition the court assigned to exercise jurisdiction under this chapter and ch. 48 in the county in which the juvenile is located for permission to administer psychotropic medication to the juvenile. A copy of the petition and a notice of hearing shall be served upon the parent or guardian at his or her last–known address. If, after hearing, the court determines that all of the following apply, the court shall grant permission for the department of corrections or county department to administer psychotropic medication to the juvenile without the parent's or guardian's consent:

SECTION 4703h. 938.505 (2) (b) of the statutes is amended to read:

938.505 **(2)** (b) The court may, at the request of the department of corrections or county department, temporarily approve the administration of psychotropic medication, for not more than 10 days after the date of the request, pending the hearing on the petition. The hearing shall be held within that 10–day period.

SECTION 4703i. 938.51 (1) (intro.) of the statutes is amended to read:

938.51 **(1)** RELEASE FROM SECURED FACILITY OR SUPERVISION. (intro.) At least 15 days prior to the date of release from a juvenile correctional facility or a secured residential care center for children and youth of a juvenile who has been adjudicated delinquent and at least 15 days prior to the release from the supervision of the department of corrections or a county department of a juvenile who has been adjudicated delinquent, the department of corrections or county department ~~having~~, whichever has supervision over the juvenile, shall make a reasonable attempt to do all of the following:

SECTION 4703k. 938.51 (1d) (intro.) of the statutes is amended to read:

938.51 **(1d)** RELEASE FROM NONSECURED RESIDENTIAL CARE CENTER. (intro.) At least 15 days prior to the release from a nonsecured residential care center for children and youth of a juvenile who has either been adjudicated delinquent under s. 48.12, 1993 stats., or s. 938.12 or been found to be in need of protection or services under s. 48.13 (12), 1993 stats., or s. 938.13 (12) and who has been found to have committed a violation of ch. 940 or of s. 948.02, 948.025, 948.03, or 948.085 (2), and at least 15 days prior to the release from a nonsecured residential care center for children and youth of a juvenile who has been found to be in need of protection or services under s. 48.13 (14), 1993 stats., or s. 938.13 (14), the department of

corrections or county department ~~having~~, whichever has supervision over the juvenile, shall notify all of the following persons of the juvenile's release:

SECTION 4704b. 938.51 (1m) of the statutes is amended to read:

938.51 **(1m)** NOTIFICATION OF LOCAL AGENCIES. The department of corrections or county department ~~having~~, whichever has supervision over a juvenile described in sub. (1), shall determine the local agencies that it will notify under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's intended residence specified in the juvenile's aftercare supervision plan or, if those methods do not indicate the community in which the juvenile will reside following release from a juvenile correctional facility or a secured residential care center for children and youth or from the supervision of the department of corrections or county department, the community in which the juvenile states that he or she intends to reside.

SECTION 4704bm. 938.51 (1m) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.51 **(1m)** NOTIFICATION OF LOCAL AGENCIES. The department of corrections or county department, whichever has supervision over a juvenile described in sub. (1), shall determine the local agencies that it will notify under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's intended residence specified in the juvenile's community supervision plan or aftercare supervision plan or, if those methods do not indicate the community in which the juvenile will reside following release from a juvenile correctional facility or a secured residential care center for children and youth or from the supervision of the department of corrections or county department, the community in which the juvenile states that he or she intends to reside.

SECTION 4704e. 938.51 (2) of the statutes is amended to read:

938.51 **(2)** NOTIFICATION REQUEST CARDS. The department of corrections shall design and prepare cards for any person specified in sub. (1) (b), (c), (cm), or (d) to send to the department of corrections or county department ~~having,~~ whichever has supervision over a juvenile described in sub. (1), (1d), or (1g). The cards shall have space for the person's name, telephone number and mailing address, the name of the applicable juvenile, and any other information that the department of corrections determines is necessary. The cards shall advise a victim who is under 18 years of age that he or she may complete a card requesting notification under sub. (1) (b), (1d), or (1g) if the notification occurs after the victim attains 18 years of age and advising the parent or guardian of a victim who is under 18 years of age that the parent or guardian may authorize on the card direct notification of the victim under sub. (1) (b), (1d), or (1g) if the notification occurs after the victim attains 18 years of age. The department of corrections shall provide the cards, without charge, to district attorneys. District attorneys shall provide the cards, without charge, to persons specified in sub. (1) (b) to (d). These persons may send completed cards to the department of corrections or county department ~~having,~~ whichever has supervision over the juvenile. Department of corrections and county department records or portions of records that relate to telephone numbers and mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1).

SECTION 4704f. 938.51 (3) of the statutes is amended to read:

938.51 **(3)** RELEASE NOT AFFECTED BY FAILURE TO NOTIFY. Timely release of a juvenile specified in sub. (1), (1d)~~,~~ or (1g) shall not be prejudiced by the fact that the department of corrections or county department ~~having,~~ whichever has supervision

over the juvenile, did not provide notification as required under sub. (1), (1d), or (1g), whichever is applicable.

SECTION 4704h. 938.51 (4) (intro.) of the statutes is amended to read:

938.51 **(4)** NOTIFICATION IF ESCAPE OR ABSENCE. (intro.) If a juvenile described in sub. (1), (1d), or (1g) escapes from a juvenile correctional facility, residential care center for children and youth, inpatient facility, juvenile detention facility, or juvenile portion of a county jail, or from the custody of a peace officer or a guard of such a facility, center, home, or jail, or has been allowed to leave a juvenile correctional facility, residential care center for children and youth, inpatient facility, juvenile detention facility, or juvenile portion of a county jail for a specified period of time and is absent from the facility, center, home, or jail for more than 12 hours after the expiration of the specified period, as soon as possible after the department of corrections or county department ~~having,~~ whichever has supervision over the juvenile, discovers the escape or absence, the department of corrections or county department shall make a reasonable attempt to notify by telephone all of the following persons:

SECTION 4704j. 938.52 (title) of the statutes is amended to read:

938.52 (title) **Facilities for care of juveniles in care of department of corrections.**

SECTION 4704k. 938.52 (1) (intro.) of the statutes is amended to read:

938.52 **(1)** FACILITIES MAINTAINED OR USED FOR JUVENILES. (intro.) The department of corrections may maintain or use the following facilities for juveniles in its care:

SECTION 4704n. 938.52 (1) (f) of the statutes is amended to read:

938.52 **(1)** (f) Other facilities ~~deemed by~~ that the department of corrections considers to be appropriate for the juvenile, except that no state funds may be used for the maintenance of a juvenile in the home of a parent or relative who would be eligible for aid under s. 49.19, but for s. 49.19 (20), if such funds would reduce federal funds to this state.

SECTION 4704q. 938.52 (2) of the statutes is amended to read:

938.52 **(2)** USE OF OTHER FACILITIES. (a) In addition to facilities and services under sub. (1), the department of corrections may use other facilities and services under its jurisdiction. The department of corrections may contract for and pay for the use of other public facilities or private facilities for the care and treatment of juveniles in its care. Placement of ~~juveniles~~ a juvenile in a private or public ~~facilities~~ facility that is not under the ~~department's~~ jurisdiction of the department of corrections does not terminate ~~its~~ that department's supervision over the juvenile under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4). Placements in institutions for persons with a mental illness or development disability shall be made in accordance with ss. 48.14 (5), 48.63, and 938.34 (6) (am) and ch. 51.

(b) Public facilities shall accept and care for persons placed ~~with them~~ in those facilities by the department of corrections in the same manner as ~~they~~ those facilities would be required to do had the legal custody of ~~these~~ those persons been transferred by a court of competent jurisdiction. Nothing in this subsection requires any public facility to serve the department of corrections in a manner that is inconsistent with the facility's functions or with the laws and regulations governing its activities or gives the department of corrections the authority to use any private facility without its consent.

(c) The department of corrections may inspect any facility it is using and examine and consult with persons under its supervision under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4) who have been placed in the facility.

SECTION 4704s. 938.52 (4) of the statutes is amended to read:

938.52 **(4)** COEDUCATIONAL PROGRAMS AND INSTITUTIONS. The department of corrections may establish and maintain coeducational programs and institutions under this chapter.

SECTION 4704t. 938.53 of the statutes is amended to read:

938.53 Duration of control of department of corrections over delinquents. Except as provided under s. 938.183, a juvenile adjudged delinquent who has been placed under the supervision of the department of corrections under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4) shall be discharged as soon as ~~the~~ that department determines that there is a reasonable probability that departmental supervision is no longer necessary for the rehabilitation and treatment of the juvenile or for the protection of the public.

SECTION 4705. 938.533 (title) of the statutes is repealed and recreated to read:

938.533 (title) **Community supervision.**

SECTION 4706. 938.533 (1) of the statutes is created to read:

938.533 **(1)** DEFINITION. In this section, "Type 2 status" means the status of a juvenile who is placed in a Type 2 juvenile correctional facility.

SECTION 4707b. 938.533 (2) of the statutes is amended to read:

938.533 **(2)** CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s. 20.410 (3) (hr), the department of corrections shall provide a corrective sanctions program to serve an average daily population of 136 juveniles unless the appropriation under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and

the positions for the program are increased under s. 13.101 or 16.505 (2) or unless funding and positions to serve more than that average daily population are otherwise available, in at least 3 counties, including Milwaukee County. The ~~department's~~ office of juvenile offender review in the division of juvenile corrections in the department of corrections shall evaluate and select for participation in the program juveniles who have been placed under the supervision of the department of corrections under s. 938.183, 938.34 (4h) or (4m), or 938.357 (4). The department of corrections shall place a program participant in the community, provide intensive surveillance of that participant, and provide an average of not more than $3,000 per year per slot to purchase community–based treatment services for each participant. The department of corrections shall make the intensive surveillance available 24 hours a day, 7 days a week, and may purchase or provide electronic monitoring for the intensive surveillance of program participants. The department of corrections shall provide a report center in Milwaukee County to provide on–site programming after school and in the evening for juveniles from Milwaukee County who are placed in the corrective sanctions program. A contact worker providing services under the program shall have a case load of approximately 10 juveniles and, during the initial phase of placement in the community under the program of a juvenile who is assigned to that contact worker, shall have not less than one face–to–face contact per day with that juvenile. Case management services under the program shall be provided by a corrective sanctions agent who shall have a case load of approximately 15 juveniles. The department of corrections shall promulgate rules to implement the program.

SECTION 4707bm. 938.533 (2) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is renumbered 938.533 (2) (intro.) and amended to read:

938.533 **(2)** ~~CORRECTIVE SANCTIONS PROGRAM~~ COMMUNITY SUPERVISION SERVICES. (intro.) From the appropriation under s. 20.410 (3) (hr), the department of corrections shall purchase or provide ~~a corrective sanctions program to serve an average daily population of 136 juveniles unless the appropriation under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions for the program are increased under s. 13.101 or 16.505 (2) or unless funding and positions to serve more than that average daily population are otherwise available, in at least 3 counties, including Milwaukee County. The office of juvenile offender review in the division of juvenile corrections in the department of corrections shall evaluate and select for participation in the program~~ community supervision services for juveniles who have been placed under the community supervision of the department of corrections under s. ~~938.183,~~ 938.34 ~~(4h) or (4m), or~~ (4n), 938.357 (4)~~. The department of corrections shall place a program participant in the community, provide intensive surveillance of that participant, and provide an average of not more than $3,000 per year per slot to purchase community-based treatment services for each participant. The department of corrections shall make the intensive surveillance~~, or 938.538 (3) (a) 2. For each juvenile who is placed under community supervision, the department of corrections may purchase or provide any of the following services:

(a) Surveillance, including electronic monitoring or global positioning system tracking, which the department of corrections shall make available 24 hours a day, 7 days a week, ~~and may purchase or provide electronic monitoring for the intensive surveillance of program participants. The department of corrections shall provide a report~~ based on the juvenile's level of risk and community safety considerations.

(b) Report center ~~in Milwaukee County to provide on–site programming after school and in the evening for juveniles from Milwaukee County who are placed in the corrective sanctions program. A contact worker providing services under the program shall have a case load of approximately 10 juveniles and, during the initial phase of placement in the community under the program of a juvenile who is assigned to that contact worker, shall have not less than one face–to–face contact per day with that~~ programming, including social, behavioral, academic, community service, and other programming, after school, in the evening, on weekends, on other nonschool days, and at other times when the juvenile is not under immediate adult supervision.

(c) Contacts with the juvenile and the juvenile's family of a type, frequency, and duration that are commensurate with the juvenile's level of risk and individualized treatment needs.

(d) Case management services ~~under the program shall be~~ provided by a ~~corrective sanctions~~ community supervision agent ~~who shall have a case load of approximately 15 juveniles~~.

(4) RULES. The department of corrections shall promulgate rules to implement ~~the program~~ this section.

SECTION 4708. 938.533 (2) (e) of the statutes is created to read:

938.533 **(2)** (e) Any other treatment or services that are needed to meet the needs of the juvenile as determined by the department.

SECTION 4709b. 938.533 (3) of the statutes is amended to read:

938.533 **(3)** INSTITUTIONAL STATUS. (a) A participant in the corrective sanctions program is under the supervision of the department of corrections, is subject to the rules and discipline of ~~the~~ that department, and is considered to be in custody, as

defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a juvenile violates a condition of his or her participation in the corrective sanctions program the department of corrections may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or return the juvenile to placement in a Type 1 juvenile correctional facility or a secured residential care center for children and youth. This paragraph does not preclude a juvenile who has violated a condition of his or her participation in the corrective sanctions program from being taken into and held in custody under ss. 938.19 to 938.21.

(b) The department of corrections shall operate the corrective sanctions program as a Type 2 juvenile correctional facility. The secretary may allocate and reallocate existing and future facilities as part of the Type 2 juvenile correctional facility. The Type 2 juvenile correctional facility is subject to s. 301.02. Construction or establishment of a Type 2 juvenile correctional facility shall be in compliance with all state laws except s. 32.035 and ch. 91. In addition to the exemptions under s. 13.48 (13), construction or establishment of a Type 2 juvenile correctional facility is not subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and city, village, or town in which the construction or establishment takes place and is exempt from the investigations permitted under s. 46.22 (1) (c) 1. b.

SECTION 4709bm. 938.533 (3) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.533 **(3)** INSTITUTIONAL STATUS. (a) ~~A participant in the corrective sanctions program~~ The office of juvenile offender review in the division of juvenile corrections in the department of corrections shall evaluate each juvenile who is placed under community supervision and may place such a juvenile in Type 2 status. A juvenile

who is placed in Type 2 status is under the supervision of the department of corrections, is subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a juvenile who is placed in Type 2 status violates a condition of his or her participation in ~~the corrective sanctions program~~ community supervision, the department of corrections may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or return the juvenile to placement in a Type 1 juvenile correctional facility or a secured residential care center for children and youth. This paragraph does not preclude a juvenile who has violated a condition of his or her participation in ~~the corrective sanctions program~~ community supervision from being taken into and held in custody under ss. 938.19 to 938.21.

(b) The department of corrections shall operate ~~the corrective sanctions program~~ community supervision for a juvenile who is placed in Type 2 status as a Type 2 juvenile correctional facility. The secretary may allocate and reallocate existing and future facilities as part of the Type 2 juvenile correctional facility. The Type 2 juvenile correctional facility is subject to s. 301.02. Construction or establishment of a Type 2 juvenile correctional facility shall be in compliance with all state laws except s. 32.035 and ch. 91. In addition to the exemptions under s. 13.48 (13), construction or establishment of a Type 2 juvenile correctional facility is not subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and city, village, or town in which the construction or establishment takes place and is exempt from the investigations permitted under s. 46.22 (1) (c) 1. b.

SECTION 4710. 938.533 (3m) of the statutes is amended to read:

938.533 **(3m)** ESCAPE. If a juvenile who is placed in Type 2 status runs away from his or her placement in the community while participating in ~~the corrective sanctions program~~ community supervision, the juvenile is considered to have escaped in violation of s. 946.42 (3) (c).

SECTION 4710c. 938.534 (1) (b) 1. of the statutes is amended to read:

938.534 **(1)** (b) 1. Notwithstanding ss. 938.19 to 938.21, but subject to any general written policies adopted by the court under s. 938.06 (1) or (2) and to any policies adopted by the county board relating to the taking into custody and placement of a juvenile under this subdivision, if a juvenile violates a condition of his or her participation in the program, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody designated by that person for not more than 72 hours while the alleged violation and the appropriateness of a sanction under s. 938.355 (6) or a change in the conditions of the juvenile's participation in the program are being investigated. Short–term detention under this subdivision may be imposed only if at the dispositional hearing the court explained those conditions to the juvenile and informed the juvenile of that possible placement or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and that possible placement and that he or she understands those conditions and that possible placement.

SECTION 4710e. 938.534 (1) (b) 2. of the statutes is amended to read:

938.534 **(1)** (b) 2. Notwithstanding ss. 938.19 to 938.21, but subject to any general written policies adopted by the court under s. 938.06 (1) or (2) and to any policies adopted by the county board relating to the taking into custody and placement of a juvenile under this subdivision, if a juvenile violates a condition of the juvenile's participation in the program, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department <u>of corrections</u> by rule or in a place of nonsecure custody designated by that person for not more than 72 hours as a consequence of that violation. Short–term detention under this subdivision may be imposed only if at the dispositional hearing the court explained those conditions to the juvenile and informed the juvenile of that possible placement or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and that possible placement and that he or she understands those conditions and that possible placement. A person who takes a juvenile into custody under this subdivision shall permit the juvenile to make a written or oral statement concerning the possible placement of the juvenile and the course of conduct for which the juvenile was taken into custody. A person designated by the court or the county department who is employed in a supervisory position by a person authorized to provide or providing intake or dispositional services under s. 938.067 or 938.069 shall review that statement and either approve the placement, modify the terms of the placement, or order the juvenile to be released from custody.

SECTION 4710f. 938.534 (2) of the statutes is amended to read:

938.534 **(2)** RULES FOR INTENSIVE SUPERVISION PROGRAM. The department of corrections shall promulgate rules specifying the requirements for an intensive supervision program under this section. The rules shall include provisions governing the use of placement in a juvenile detention facility, juvenile portion of a county jail, or place of nonsecure custody for not more than 72 hours under sub. (1) (b) and the use of placement in a place of nonsecure custody for not more than 30 days under sub. (1) (c).

SECTION 4710h. 938.535 of the statutes is amended to read:

938.535 Early release and intensive supervision program; limits. The department of corrections may establish a program for the early release and intensive supervision of juveniles who have been placed in a juvenile correctional facility or a secured residential care center for children and youth under s. 938.183 or 938.34 (4m). The program may not include any juveniles who have been placed in a juvenile correctional facility or a secured residential care center for children and youth as a result of a delinquent act involving the commission of a violent crime as defined in s. 969.035, but not including the crime specified in s. 948.02 (1).

SECTION 4710i. 938.538 (2) (intro.) of the statutes is amended to read:

938.538 **(2)** PROGRAM ADMINISTRATION AND DESIGN. (intro.) The department of corrections shall administer a serious juvenile offender program for juveniles who have been adjudicated delinquent and ordered to participate in the program under s. 938.34 (4h). The department of corrections shall design the program to provide all of the following:

SECTION 4710n. 938.538 (3) (a) (intro.) of the statutes is amended to read:

938.538 **(3)** (a) (intro.) The department of corrections shall provide each participant with one or more of the following sanctions:

SECTION 4711. 938.538 (3) (a) 2. of the statutes is amended to read:

938.538 **(3)** (a) 2. Intensive or other field supervision, including ~~corrective sanctions~~ community supervision under s. 938.533 ~~or aftercare supervision~~.

SECTION 4711e. 938.538 (3) (a) 9. of the statutes is amended to read:

938.538 **(3)** (a) 9. Other programs as prescribed by the department of corrections.

SECTION 4711h. 938.538 (4) of the statutes is amended to read:

938.538 **(4)** INSTITUTIONAL STATUS. (a) A participant in the program under this section is under the supervision and control of the department of corrections, is subject to the rules and discipline of ~~the~~ that department, and is considered to be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a participant violates a condition of his or her participation in the program under sub. (3) (a) 2. to 9. while placed in a Type 2 juvenile correctional facility the department of corrections may, without a hearing, take the participant into custody and return him or her to placement in a Type 1 juvenile correctional facility or a secured residential care center for children and youth. Any intentional failure of a participant to remain within the extended limits of his or her placement while participating in the serious juvenile offender program or to return within the time prescribed by the administrator of the division of intensive sanctions in the department of corrections is considered an escape under s. 946.42 (3) (c). This paragraph does not preclude a juvenile who has violated a condition of the juvenile's participation in the program under sub. (3) (a) 2. to 9. from being taken into and held in custody under ss. 938.19 to 938.21.

(b) The department of corrections shall operate the component phases of the program specified in sub. (3) (a) 2. to 9. as a Type 2 juvenile correctional facility. The

secretary of corrections may allocate and reallocate existing and future facilities as part of the Type 2 juvenile correctional facility. The Type 2 juvenile correctional facility is subject to s. 301.02. Construction or establishment of a Type 2 juvenile correctional facility shall be in compliance with all state laws except s. 32.035 and ch. 91. In addition to the exemptions under s. 13.48 (13), construction or establishment of a Type 2 juvenile correctional facility is not subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and city, village, or town in which the construction or establishment takes place and is exempt from inspections required under s. 301.36.

SECTION 4712b. 938.538 (5) (a) of the statutes is amended to read:

938.538 **(5)** (a) The office of juvenile offender review in the division of juvenile corrections in the department <u>of corrections</u> may release a participant to aftercare supervision under s. 301.03 (10) (d) at any time after the participant has completed 2 years of participation in the serious juvenile offender program. Aftercare supervision of the participant shall be provided by the department <u>of corrections</u>.

SECTION 4712bm. 938.538 (5) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.538 **(5)** (a) The office of juvenile offender review in the division of juvenile corrections in the department of corrections may release a participant to ~~aftercare~~ <u>community</u> supervision under s. 301.03 (10) (d) at any time after the participant has completed 2 years of participation in the serious juvenile offender program. ~~Aftercare~~ <u>Community</u> supervision of the participant shall be provided by the department of corrections.

SECTION 4712c. 938.538 (5) (b) of the statutes is amended to read:

938.538 **(5)** (b) The department of corrections may discharge a participant from participation in the serious juvenile offender program and from departmental supervision and control at any time after he or she has completed 3 years in the serious juvenile offender program.

SECTION 4712e. 938.538 (6) of the statutes is amended to read:

938.538 **(6)** PURCHASE OF SERVICES. The department of corrections may contract with the department of health services, the department of children and families, a county department, or any public or private agency for the purchase of goods, care, and services for participants in the program under this section. The department of corrections shall reimburse a person from whom it purchases goods, care, or services under this subsection from the appropriation under s. 20.410 (3) (cg).

SECTION 4713. 938.538 (6m) (b) of the statutes is amended to read:

938.538 **(6m)** (b) In the selection of classified service employees for a juvenile correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a), the appointing authority shall make every effort to use the expanded certification program under s. 230.25 (1n) or rules of the ~~administrator~~ director of the ~~division~~ bureau of merit recruitment and selection in the ~~office of state employment relations~~ department of administration to ensure that the percentage of employees who are minority group members approximates the percentage of the juveniles placed at that juvenile correctional facility who are minority group members. The ~~administrator of the division~~ director of the bureau of merit recruitment and selection ~~in the office of state employment relations~~ shall provide guidelines for the administration of the selection procedure.

SECTION 4713c. 938.538 (7) of the statutes is amended to read:

938.538 **(7)** RULES. The department of corrections shall promulgate rules to implement this section.

SECTION 4713e. 938.539 (2) of the statutes is amended to read:

938.539 **(2)** TYPE 2 JUVENILE CORRECTIONAL FACILITY; DEPARTMENT OF CORRECTIONS CONTROL. A juvenile who is placed in a Type 2 juvenile correctional facility under s. 938.357 (4) (a) or who, having been so placed, is replaced in a less restrictive placement under s. 938.357 (4) (c) is under the supervision and control of the department of corrections, is subject to the rules and discipline of ~~the~~ that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 4713h. 938.539 (6) of the statutes is amended to read:

938.539 **(6)** RULE-MAKING. The department of corrections shall promulgate rules to implement this section.

SECTION 4713i. 938.54 of the statutes is amended to read:

938.54 Records. The department of corrections shall keep a complete record on each juvenile under its supervision under s. 938.183, 938.34 (4h), (4m), or (4n) or 938.357 (4). This record shall include the information received from the court, the date of reception, all available data on the personal and family history of the juvenile, the results of all tests and examinations given the juvenile, and a complete history of all placements of the juvenile while under the supervision of the department of corrections.

SECTION 4713k. 938.547 (2) of the statutes is amended to read:

938.547 **(2)** DEPARTMENT RESPONSIBILITIES. Within the availability of funding under s. 20.437 (1) (mb) that is available for the pilot program, the department ~~of children and families~~ shall select counties to participate in the pilot program. Unless a county department of human services has been established under s. 46.23 in the

county that is seeking to implement a pilot program, the application submitted to the department ~~of children and families~~ shall be a joint application by the county department that provides social services and the county department established under s. 51.42 or 51.437. The department ~~of children and families~~ shall select counties in accordance with the request–for–proposal procedures established by ~~that~~ the department. The department ~~of children and families~~ shall give a preference to county applications that include a plan for case management.

SECTION 4713n. 938.548 of the statutes is amended to read:

938.548 Multidisciplinary screen and assessment criteria. The department ~~of children and families~~ shall make the multidisciplinary screen developed under s. 938.547 (3) and the assessment criteria developed under s. 938.547 (4) available to all counties.

SECTION 4713q. 938.549 (1) (intro.) of the statutes is amended to read:

938.549 **(1)** CLASSIFICATION SYSTEM; CONTENT. (intro.) The department of children and families, in consultation with the department of corrections, shall make available to all counties a juvenile classification system that includes at least all of the following:

SECTION 4713s. 938.57 (1) (g) of the statutes is amended to read:

938.57 **(1)** (g) Upon request of the department of corrections, provide service for any juvenile in the care of ~~the~~ that department.

SECTION 4714b. 938.57 (4) of the statutes is amended to read:

938.57 **(4)** AFTERCARE SUPERVISION. A county department may provide aftercare supervision under s. 938.34 (4n) for juveniles who are released from juvenile correctional facilities or secured residential care centers for children and youth. If a county department intends to change its policy regarding whether the county

department or the department of corrections shall provide aftercare supervision for juveniles released from juvenile correctional facilities or secured residential care centers for children and youth the county executive or county administrator, or, if the county has no county executive or county administrator, the chairperson of the county board of supervisors, or, for multicounty departments, the chairpersons of the county boards of supervisors jointly, shall submit a letter to the department of corrections stating that intent before July 1 of the year preceding the year in which the policy change will take effect.

SECTION 4714bm. 938.57 (4) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

938.57 **(4)** AFTERCARE SUPERVISION. A county department may provide aftercare supervision under s. 938.34 (4n) for juveniles who are released from juvenile correctional facilities or secured residential care centers for children and youth. If a county department intends to change its policy regarding whether the county department ~~or the department of corrections shall~~ will provide aftercare supervision for juveniles released from juvenile correctional facilities or secured residential care centers for children and youth or the department of corrections will provide community supervision for those juveniles, the county executive or county administrator, or, if the county has no county executive or county administrator, the chairperson of the county board of supervisors, or, for multicounty departments, the chairpersons of the county boards of supervisors jointly, shall submit a letter to the department of corrections stating that intent before July 1 of the year preceding the year in which the policy change will take effect.

SECTION 4714e. 938.78 (1) of the statutes is amended to read:

938.78 **(1)** DEFINITION. In this section, unless otherwise qualified, "agency" means the department of children and families, the department of corrections, a county department, or a licensed child welfare agency.

SECTION 4714f. 938.78 (2) (b) 1. of the statutes is amended to read:

938.78 **(2)** (b) 1. Paragraph (a) does not apply to the confidential exchange of information between an agency and another agency, a social welfare agency, a law enforcement agency, the victim–witness coordinator, a fire investigator under s. 165.55 (15), a health care provider, as defined in s. 146.81 (1) (a) to (p), a public school district or a private school regarding an individual in the care or legal custody of the agency. A social welfare agency that obtains information under this paragraph shall keep the information confidential as required under this section and s. 48.78. A law enforcement agency, victim–witness coordinator, or fire investigator, that obtains information under this paragraph shall keep the information confidential as required under ss. 48.396 (1) and 938.396 (1). A health care provider that obtains information under this paragraph shall keep the information confidential as provided under s. 146.82. A public school that obtains information under this paragraph shall keep the information confidential as required under s. 118.125, and a private school that obtains information under this paragraph shall keep the information confidential in the same manner as is required of a public school under s. 118.125. Paragraph (a) does not apply to the confidential exchange of information between an agency and officials of a tribal school regarding an individual in the care or legal custody of the agency if the agency determines that enforceable protections are provided by a tribal school policy or tribal law that requires tribal school officials to keep the information confidential in a manner at least as stringent as is required of a public school official under s. 118.125.

SECTION 4714g. 938.78 (2) (L) of the statutes is created to read:

938.78 **(2)** (L) 1. In this paragraph, "qualified independent researcher" means a faculty member of a university who satisfies all of the following:

a. The faculty member has an approved protocol from an institutional review board for human subjects research to work with data containing personal information for the purposes of evaluating the program under s. 119.23.

b. The faculty member has received from the state and properly managed data containing personal information for the purposes of evaluating the program under s. 119.23 before the effective date of this subd. 1. b. .... [LRB inserts date].

2. Notwithstanding par. (a), the department of children and families shall permit a qualified independent researcher to have access to any database maintained by the department of children and families for the purpose of cross–matching information contained in any such database with a database that both is in the possession of the qualified independent researcher and contains information regarding pupils participating in the program under s. 119.23. The department of children and families may charge a fee to the qualified independent researcher for the information that does not exceed the cost incurred by the department of children and families to provide the information.

SECTION 4714h. 938.78 (3) of the statutes is amended to read:

938.78 **(3)** RELEASE OF INFORMATION WHEN ESCAPE OR ABSENCE; RULES. If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats., or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2)

(a), 943.23 (1g), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.085 (2), 948.60, 948.605, or 948.61 or any crime specified in ch. 940 has escaped from a juvenile correctional facility, residential care center for children and youth, inpatient facility, as defined in s. 51.01 (10), juvenile detention facility, or juvenile portion of a county jail, or from the custody of a peace officer or a guard of such a facility, center, or jail, or has been allowed to leave a juvenile correctional facility, residential care center for children and youth, inpatient facility, juvenile detention facility, or juvenile portion of a county jail for a specified time period and is absent from the facility, center, home, or jail for more than 12 hours after the expiration of the specified period, the department of corrections or county department ~~having,~~ whichever has supervision over the juvenile, may release the juvenile's name and any information about the juvenile that is necessary for the protection of the public or to secure the juvenile's return to the facility, center, home, or jail. The department of corrections shall promulgate rules establishing guidelines for the release of the juvenile's name or information about the juvenile to the public.

SECTION 4714j. 938.993 of the statutes is amended to read:

938.993 Juvenile compact administrator. (1) Under the interstate compact on juveniles, the governor may designate an officer or employee of the department of corrections to be the compact administrator, who, acting jointly with like officers of other party states, shall promulgate rules to carry out more effectively the terms of the compact. The compact administrator shall serve subject to the pleasure of the governor. If there is a vacancy in the office of compact administrator or in the case of absence or disability, the functions shall be performed by the secretary of corrections, or other employee designated by the secretary. The compact administrator may cooperate with all departments, agencies, and officers of and in

the government of this state and its political subdivisions in facilitating the proper administration of the compact or of any supplementary agreement entered into by this state.

(2) The compact administrator shall determine for this state whether to receive juvenile probationers, parolees, and persons on extended supervision of other states under s. 938.991 (7) and shall arrange for the supervision of each such probationer, parolee, or person on extended supervision received, either by the department of corrections or by a person appointed to perform supervision service for the court assigned to exercise jurisdiction under this chapter and ch. 48 for the county where the juvenile is to reside, whichever is more convenient. Those persons shall in all such cases make periodic reports to the compact administrator regarding the conduct and progress of the juveniles.

SECTION 4714k. 938.994 of the statutes is amended to read:

938.994 Supplementary agreements. The department of corrections may enter into supplementary agreements with appropriate officials of other states under s. 938.991 (10). If the supplementary agreement requires or contemplates the use of any institution or facility of this state or the provision of any service by this state, the supplementary agreement has no effect until approved by the department or agency under whose jurisdiction the institution or facility is operated or which shall be charged with the rendering of the service.

SECTION 4714n. 938.995 (2) of the statutes is amended to read:

938.995 **(2)** In the case of an escapee or absconder under s. 938.991 (5) or (6), if the juvenile is in the legal custody or under the supervision of the department~~, it~~ of corrections, that department shall bear the expense of his or her return; otherwise the appropriate court shall, on petition of the person entitled to the juvenile's custody

or charged with his or her supervision, arrange for the transportation at the expense of the county and order that the county reimburse the person, if any, who returns the juvenile, for the person's actual and necessary expenses. In this subsection "appropriate court" means the court which adjudged the juvenile to be delinquent or, if the juvenile is under supervision for another state under s. 938.991 (7), then the court assigned to exercise jurisdiction under this chapter and ch. 48 for the county of the juvenile's residence during the supervision.

SECTION 4715. 940.20 (2m) (title) of the statutes is amended to read:

940.20 **(2m)** (title) BATTERY TO PROBATION, EXTENDED SUPERVISION AND PAROLE AGENTS, COMMUNITY SUPERVISION AGENTS, AND AFTERCARE AGENTS.

SECTION 4716. 940.20 (2m) (a) 1m. of the statutes is created to read:

940.20 **(2m)** (a) 1m. "Community supervision agent" means any person authorized by the department of corrections to exercise control over a juvenile on community supervision.

SECTION 4717. 940.20 (2m) (b) of the statutes is amended to read:

940.20 **(2m)** (b) Whoever intentionally causes bodily harm to a probation, extended supervision, and parole agent, a community supervision agent, or an aftercare agent, acting in an official capacity and the person knows or has reason to know that the victim is a probation, extended supervision and parole agent, a community supervision agent, or an aftercare agent, by an act done without the consent of the person so injured, is guilty of a Class H felony.

SECTION 4721. 941.237 (1) (dm) of the statutes is amended to read:

941.237 **(1)** (dm) "Hotel" has the meaning given in s. ~~254.61 (3)~~ 97.01 (7).

SECTION 4727. 946.42 (1) (a) 2. of the statutes is amended to read:

946.42 **(1)** (a) 2. "Custody" does not include the constructive custody of a probationer, parolee, or person on extended supervision by the department of corrections or a probation, extended supervision, or parole agent or, subject to s. 938.533 (3) (a), the constructive custody of a person who has been released to community supervision or aftercare supervision under ch. 938.

SECTION 4728. 946.42 (3) (c) of the statutes is amended to read:

946.42 **(3)** (c) Subject to a disposition under s. 938.34 (4d), (4h), or (4m), to a placement under s. 938.357 (4) or 938.533 (3) (a), or to community supervision or aftercare revocation under s. 938.357 (5) (e).

SECTION 4731f. 961.385 (1) (a) of the statutes is created to read:

961.385 **(1)** (a) "Administer" has the meaning given in s. 450.01 (1).

SECTION 4731g. 961.385 (1) (ac) of the statutes is created to read:

961.385 **(1)** (ac) "Board" means the controlled substances board.

SECTION 4731h. 961.385 (1) (aj) of the statutes is created to read:

961.385 **(1)** (aj) "Patient" means an individual for whom a monitored prescription drug is prescribed or to whom a monitored prescription drug is dispensed or administered.

SECTION 4731i. 961.385 (1) (aL) of the statutes is created to read:

961.385 **(1)** (aL) "Pharmacist" means a person licensed by the pharmacy examining board under s. 450.03 or 450.05 or licensed in another state and recognized by this state as a person authorized to engage in the practice of pharmacy in the state in which the person is licensed.

SECTION 4731j. 961.385 (1) (an) of the statutes is created to read:

961.385 **(1)** (an) "Pharmacy" means a place of practice licensed under s. 450.06 or 450.065.

SECTION 4731k. 961.385 (1) (b) of the statutes is created to read:

961.385 **(1)** (b) "Prescription order" means an order transmitted orally, electronically, or in writing by a practitioner for a monitored prescription drug for a particular patient.

SECTION 4733. 973.0455 of the statutes is created to read:

973.0455 Crime prevention funding board surcharge. (1) If a court in a county that has established a crime prevention funding board under s. 59.54 (28) imposes a sentence or places a person on probation, the court shall impose a crime prevention funding board surcharge. The surcharge is the total amount calculated by adding up, for each misdemeanor or felony count on which a conviction occurred, $20.

(2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (n). The county treasurer shall then distribute the moneys under s. 59.25 (3) (gm).

SECTION 4734. 973.05 (2m) (rv) of the statutes is created to read:

973.05 **(2m)** (rv) To payment of the crime prevention funding board surcharge until paid in full.

SECTION 4734m. 973.05 (3) (a) of the statutes is amended to read:

973.05 **(3)** (a) In lieu of part or all of a fine imposed by a court, the court may stay the execution of part or all of the sentence and provide that the defendant perform community service work under pars. (b) and (c). Any applicable driver improvement surcharge under s. 346.655<u>, any safe ride program surcharge under s. 346.657,</u> or any domestic abuse surcharge under s. 973.055 shall be imposed under ch. 814 regardless of whether part or all of the sentence has been stayed. If the defendant fails to comply with the community service order, the court shall order the

defendant brought before the court for imposition of sentence. If the defendant complies with the community service order, he or she has satisfied that portion of the sentence.

SECTION 4735. 973.06 (1) (j) of the statutes is amended to read:

973.06 **(1)** (j) If the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63, 350.101, 940.09 (1), or 940.25, any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood, except that the court may not impose on the defendant any cost for an alternative test provided free of charge as described in s. 343.305 (4). If at the time the court finds that the defendant committed the violation, the law enforcement agency has not paid or been charged with the costs of withdrawing the person's blood, the court shall impose and collect the costs the law enforcement agency reasonably expects to be charged for the withdrawal, based on the current charges for this procedure. Notwithstanding sub. (2), the court may not remit these costs.

SECTION 4735d. 978.01 (2) (a) of the statutes is renumbered 978.01 (2) and amended to read:

978.01 **(2)** ~~Except as provided in par. (b), each~~ Each district attorney serves on a full–time basis.

SECTION 4735r. 978.01 (2) (b) of the statutes is repealed.

SECTION 4736. 978.03 (1) of the statutes is amended to read:

978.03 **(1)** The district attorney of any prosecutorial unit having a population of 500,000 or more may appoint ~~5~~ 7 deputy district attorneys and such assistant district attorneys as may be requested by the department of administration and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The

deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

SECTION 4737. 978.045 (1r) (intro.) of the statutes is amended to read:

978.045 **(1r)** (intro.) Any judge of a court of record, by an order entered in the record stating the cause for it, may appoint an attorney as a special prosecutor to perform, for the time being, or for the trial of the accused person, the duties of the district attorney. An attorney appointed under this subsection shall have all of the powers of the district attorney. The judge may appoint an attorney as a special prosecutor at the request of a district attorney to assist the district attorney in the prosecution of persons charged with a crime, in grand jury proceedings or John Doe proceedings under s. 968.26, in proceedings under ch. 980, or in investigations. The judge may appoint an attorney as a special prosecutor <u>only</u> if <u>the judge or the requesting district attorney submits an affidavit to the department of administration attesting that</u> any of the following conditions exists:

SECTION 4737t. 978.045 (1r) (bm) of the statutes is created to read:

978.045 **(1r)** (bm) The district attorney, or a deputy or assistant district attorney for the district attorney office, is on parental leave.

SECTION 4738. 978.045 (1r) (e) of the statutes is amended to read:

978.045 **(1r)** (e) The district attorney is ~~physically~~ unable to attend to his or her duties <u>due to a health issue</u> or has a mental incapacity that impairs his or her ability to substantially perform his or her duties.

SECTION 4739. 978.045 (2) (a), (b) and (c) of the statutes are consolidated, renumbered 978.045 (2) and amended to read:

978.045 **(2)** ~~The~~ If the department of administration approves the appointment of a special prosecutor under sub. (1r), the court shall fix the amount of compensation for ~~any~~ the attorney appointed ~~as a special prosecutor under sub. (1r)~~ according to the rates specified in s. 977.08 (4m) (b). ~~(b)~~ The department of administration shall pay the compensation ordered by the court from the appropriation under s. 20.475 (1) (d). ~~(c)~~ The court, district attorney, and the special prosecutor shall provide any information regarding a payment ~~under par. (b)~~ of compensation that the department requests. Any payment under this subsection earns interest on the balance due from the 121st day after receipt of a properly completed invoice or receipt and acceptance of the property or service under the order or contract, whichever is later, at the rate specified in s. 71.82 (1) (a) compounded monthly.

SECTION 4740. 978.05 (6) (a) of the statutes is amended to read:

978.05 **(6)** (a) Institute, commence or appear in all civil actions or special proceedings under and perform the duties set forth for the district attorney under ch. 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), 70.36, 89.08, 103.50 (8), 103.92 (4), 109.09, 343.305 (9) (a), ~~453.08,~~ 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a), 946.86, 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in connection with court proceedings in a court assigned to exercise jurisdiction under chs. 48 and 938 as the judge may request and perform all appropriate duties and appear if the district attorney is designated in specific statutes, including matters within chs. 782, 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority of the county board to designate, under s. 48.09 (5), that the corporation counsel provide representation as specified in s. 48.09 (5) or to

designate, under s. 48.09 (6) or 938.09 (6), the district attorney as an appropriate person to represent the interests of the public under s. 48.14 or 938.14.

SECTION 4740e. 978.06 (3) (a) of the statutes is amended to read:

978.06 **(3)** (a) No district attorney, deputy district attorney or assistant district attorney while in office may hold any judicial office. No full–time district attorney, deputy district attorney or assistant district attorney may hold the office of or act as corporation counsel or city, village or town attorney. A part–time ~~district attorney,~~ deputy district attorney or assistant district attorney may hold the office of or act as corporation counsel or city, village or town attorney or otherwise serve as legal counsel to any governmental unit.

SECTION 4740n. 978.06 (5) (a) of the statutes is amended to read:

978.06 **(5)** (a) No full–time district attorney, deputy district attorney or assistant district attorney may engage in a private practice of law, but he or she is authorized to complete all civil cases, not in conflict with the interest of the county or counties of his or her prosecutorial unit, in which he or she is counsel, pending in court before he or she takes office. A part–time ~~district attorney,~~ deputy district attorney or assistant district attorney may engage in a private practice of law.

SECTION 4742. 978.12 (1) (c) of the statutes is amended to read:

978.12 **(1)** (c) *Assistant district attorneys.* Assistant district attorneys shall be employed outside the classified service. For purposes of salary administration, the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration shall establish one or more classifications for assistant district attorneys in accordance with the classification or classifications allocated to assistant attorneys general. Except as provided in ss. 111.93 (3) (b) and 230.12 (10), the salaries of assistant district

attorneys shall be established and adjusted in accordance with the state compensation plan for assistant attorneys general whose positions are allocated to the classification or classifications established by the ~~director of the office~~ administrator of the division of ~~state employment relations~~ personnel management in the department of administration.

SECTION 4746. 2009 Wisconsin Act 28, section 9109 (1) is repealed.

SECTION 4749. 2013 Wisconsin Act 20, section 9252 (1) (a) (intro.), as last affected by 2013 Wisconsin Act 145, section 44m, is amended to read:

[2013 Wisconsin Act 20] Section 9252 (1) (a) (intro.) Notwithstanding 2011 Wisconsin Act 32, section 9255 (1) (c) and (d), the secretary shall not lapse any money from the agencies specified in those paragraphs during the 2013–15 fiscal biennium, but shall instead lapse to the general fund from the unencumbered balances of general purpose revenue and program revenue appropriations to the following executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, the following amounts in the 2013–14, 2014–15, ~~and~~ 2015–16, and 2016–17 fiscal years:

SECTION 4750. 2013 Wisconsin Act 229, section 6 (1) is amended to read:

[2013 Wisconsin Act 229] Section 6 (1) This act takes effect on July 1, ~~2015~~ 2017, and first applies to bad debts resulting from sales completed beginning on July 1, 2017.

SECTION 4751c. Chapter Trans 75 of the administrative code is repealed.

SECTION 9101. Nonstatutory provisions; Administration.

(3) STATE ENERGY OFFICE.

(a) *Definitions*. In this subsection:

1. "Commission" means the public service commission.

2. "Department" means the department of administration.

3. "Office" means the state energy office in the division of energy services of the department.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department primarily relating to the office, as determined by the secretary of administration, become the assets and liabilities of the commission.

(c) *Employee transfers.* On the effective date of this paragraph, 5.0 FTE FED positions, and the incumbent employees holding those positions, in the department who perform duties primarily related to the office, as determined by the secretary of administration, are transferred to the commission.

(d) *Employee status.* Employees transferred under paragraph (c) have all the rights and the same status under chapter 230 of the statutes in the commission that they enjoyed in the department immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(e) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department primarily relating to the office, as determined by the secretary of administration, becomes the personal property of the commission.

(f) *Pending matters.* Any matter pending with the department primarily relating to the office, as determined by the department, on the effective date of this paragraph is transferred to the commission. All materials submitted to or actions taken by the department are considered as having been submitted to or taken by the commission.

(g) *Contracts*. All contracts entered into by the department primarily relating to the office, as determined by the department, in effect on the effective date of this paragraph remain in effect and are transferred to the commission. The commission shall carry out any obligations under those contracts unless modified or rescinded to the extent allowed under the contract.

(5n) PLAN FOR INFORMATION TECHNOLOGY SERVICES FOR CERTAIN AGENCIES AND SHARED AGENCY SERVICES PILOT PROGRAM.

(a) In this subsection, "agency" means the board of commissioners of public lands; the board on aging and long–term care; the board for people with developmental disabilities; the educational communications board; the department of financial institutions; the government accountability board; the higher educational aids board; the state historical society; the public service commission; the department of safety and professional services; the office of the secretary of state; the state fair park board; the technical college system board; the department of tourism; the office of the governor; the office of the lieutenant governor; and the office of the state treasurer.

(b) The department of administration shall consult with each agency and develop a plan for assuming responsibility for services relating to human resources, payroll, finance, budgeting, procurement, and information technology for any agency. The department of administration shall include in the plan which services would be provided to each agency, which positions would be deleted or transferred, and the number and type of positions and associated funding that would be provided to the department of administration.

(c) The secretary of administration shall submit a plan developed under paragraph (b) to the joint committee on finance for approval under section 13.10 of the statutes no later than March 1, 2016, for implementation beginning July 1, 2016.

(7j) INTEROPERABILITY COUNCIL REPORT.

(a) In this subsection:

1. "Council" means the interoperability council.

2. "Daily user" means a local, state, or federal agency that utilizes the system for its emergency response communications and that forgoes the use of a separate communication system for its emergency responders.

3. "System" means the Wisconsin Interoperability System for Communications.

(b) The council shall prepare a report that contains all of the following:

1. A statement of the total amount of money the state has expended or anticipates expending to develop, construct, and operate the system from its inception to fiscal year 2015–16. The council shall identify in the report the amounts that have been expended from general purpose revenues, program revenues, federal revenues, and segregated revenues. For each amount expended from program revenues, federal revenues, or segregated revenues, the council shall identify in the report the revenue source for each expenditure.

2. A statement of the annual operating budget for the system for fiscal year 2015–16, identifying costs related to staff, infrastructure expansion, infrastructure maintenance, supplies and services, and other costs related to the system.

3. An identification of the local, state, and federal agencies that utilize the system. For each agency, the council shall indicate in the report how frequently the agency utilizes the system and how each agency utilizes the system to support the agency's operations.

4. An identification of any agency in the state that utilizes an alternative communications system for its emergency responders. For each agency that utilizes an alternative communications system, the council shall explain in the report why the agency utilizes an alternative communications system and shall set forth any benefits the alternative communications system provides to the agency.

5. An identification of each local, state, and federal agency that is a daily user of the system.

6. An identification of each local, state, and federal agency that is not a daily user of the system but may become a daily user in the future. For each agency identified, the council shall indicate in the report when its status as a daily user is anticipated.

7. An explanation of the current status of the system's infrastructure and an indication of whether, and how, the system's infrastructure may be expanded in the future.

8. A statement of whether other midwestern states have developed statewide interoperable systems for communications and whether the system has been developed in a manner similar to those found in the other states. If the system has not been developed in a similar manner, the council shall explain in the report why.

9. A statement of the successes the system has had in providing effective communications among local, state, and federal public agencies.

10. A statement of any challenges the system has faced in providing effective communications among local, state, and federal public agencies and how the challenges could be addressed.

11. An explanation of to what extent the system is compatible with other emergency response communication networks utilized by local agencies and an

indication of whether the system's very high frequency channels or sites have interfered with a channel or site utilized by a local emergency responder. For each incident of interference, the council shall indicate in the report why the incident occurred and what has or will be done to address the problem of interference.

12. A statement of the number of sites, channels, and users the system currently supports, the maximum number of sites, channels, and users the system could support, and whether there is a way to increase the maximum number of sites, channels, and users the system could support.

(c) The council shall submit the report prepared under paragraph (b) to the joint committee on finance no later than June 30, 2016.

(10j) ELIMINATION OF VOLUNTEER FIRE FIGHTER AND EMERGENCY MEDICAL TECHNICIAN SERVICE AWARD BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the volunteer fire fighter and emergency medical technician service award board become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the volunteer fire fighter and emergency medical technician service award board is transferred to the department of administration.

(c) *Contracts.* All contracts entered into by the volunteer fire fighter and emergency medical technician service award board in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any such contractual obligations unless modified or rescinded by the department of administration to the extent allowed under the contract.

(d) *Pending matters.* Any matter pending with the volunteer fire fighter and emergency medical technician service award board on the effective date of this paragraph is transferred to the department of administration, and all materials submitted to or actions taken by the volunteer fire fighter and emergency medical technician service award board with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(e) *Rules and orders.* All rules promulgated by the volunteer fire fighter and emergency medical technician service award board that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the volunteer fire fighter and emergency medical technician service award board that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(10k) ELIMINATION OF EXAMINING COUNCIL ON REGISTERED NURSES AND EXAMINING COUNCIL ON LICENSED PRACTICAL NURSES.

(a) *Assets and liabilities.* On the effective date of this paragraph, any assets and liabilities of the examining council on registered nurses and the examining council on licensed practical nurses become the assets and liabilities of the board of nursing.

(b) *Tangible personal property.* On the effective date of this paragraph, all records and other tangible personal property of the examining council on registered nurses and the examining council on licensed practical nurses are transferred to the board of nursing.

(c) *Contracts.* Any contract entered into by the examining council on registered nurses or the examining council on licensed practical nurses remains in effect and is transferred to the board of nursing. The board of nursing shall carry out any obligations under such a contract until the contract is modified or rescinded by the board of nursing to the extent allowed under the contract.

(d) *Rules and orders.* Any rule or order of the examining council on registered nurses under section 441.05, 2013 stats., or of the examining council on licensed practical nurses under section 441.10 (2), 2013 stats., that is in effect on the effective date of this paragraph remains in effect until its specified expiration date or until modified or rescinded by the board of nursing.

(e) *Pending matters.* Any matter pending with the examining council on registered nurses or the examining council on licensed practical nurses on the effective date of this paragraph is transferred to the board of nursing and all materials submitted to or actions taken by the examining council on registered nurses or the examining council on licensed practical nurses with respect to the pending matter are considered as having been submitted to or taken by the board of nursing.

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

(2) EMERGENCY RULE MAKING FOR PRODUCER LED WATERSHED PROTECTION GRANTS. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate rules authorized under section 93.59 (4) of the statutes, as created by this act, for the period before the effective date of a permanent rule promulgated under section 93.59 (4) of the statutes, as created by this act, but not to exceed the period authorized under section

227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(3q) FOOD SAFETY FEES.

(a) During the period beginning on the effective date of this paragraph and ending on July 1, 2016, the department of agriculture, trade and consumer protection and any local health department designated as an agent of the department may not modify any fee established under sections 97.12 to 97.57 of the statutes.

(b) During the period beginning on July 1, 2016, and ending on July 1, 2017, the department of agriculture, trade and consumer protection and any local health department designated as an agent of the department may not modify any fee established under subchapter II of chapter 97 of the statutes that applies to any entity regulated under subchapter II of chapter 97 of the statutes.

SECTION 9103. Nonstatutory provisions; Arts Board.

SECTION 9104. Nonstatutory provisions; Building Commission.

(1) 2015–17 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years beginning on July 1, 2015, and ending on June 30, 2017, the Authorized State Building Program is as follows:

(a) DEPARTMENT OF ADMINISTRATION

1. *Projects financed by existing program revenue supported borrowing:*

a. State human services building fire sprinkler upgrade — Madison $ 4,754,500

2. *Agency totals:*

Existing program revenue supported borrowing		4,754,500
Total — All sources of funds	$	4,754,500

(b) DEPARTMENT OF CORRECTIONS

1. *Projects financed by existing general fund supported borrowing:*

a. Kettle Moraine Correctional Institution — waste water expansion — Plymouth	$	2,000,000
b. Oshkosh Correctional Institution — sewer system upgrade — Oshkosh		2,000,000
c. Racine Correctional Institution — new health services unit — Sturtevant		7,922,000

2. *Projects financed by program revenue:*

a. Bureau of Correctional Enterprises — Waupun and Fox Lake Farms upgrades 5,500,000

3. *Agency totals:*

Existing general fund supported borrowing 11,922,000

Program revenue		5,500,000
Total — All sources of funds	$	17,422,000

(c) DEPARTMENT OF HEALTH SERVICES

1. *Projects financed by existing general fund supported borrowing:*

a. Central Wisconsin Center — life safety renovations Buildings 1 and 6 — Madison	$	4,868,000

2. *Agency totals:*

Existing general fund supported borrowing		4,868,000
Total — All sources of funds	$	4,868,000

(d) DEPARTMENT OF MILITARY AFFAIRS

1. *Projects financed by existing general fund supported borrowing:*

a. National Guard Readiness Center renovation — Milwaukee	$	3,000,000
(Total project all funding sources $6,000,000)		
b. Hangar addition — West Bend		390,000
(Total project all funding sources $2,771,000)		

2. *Projects financed by federal funds:*

a. National Guard Readiness Center renovation — Milwaukee		3,000,000
(Total project all funding sources $6,000,000)		

b. Hangar addition — West Bend		2,381,000
(Total project all funding sources $2,771,000)		
3. *Agency totals:*		
Existing general fund supported borrowing		3,390,000
Federal funds		5,381,000
Total — All sources of funds	$	8,771,000

(e) DEPARTMENT OF NATURAL RESOURCES

1. *Projects financed by existing general fund supported borrowing:*		
a. Willow River State Park — Little Falls Dam repair or replacement — Hudson	$	3,041,700
(Total project all funding sources $8,041,700)		
2. *Projects financed by existing stewardship borrowing:*		
a. Willow River State Park — Little Falls Dam repair or replacement — Hudson		5,000,000
(Total project all funding sources $8,041,700)		
b. Kettle Moraine Spring Fish Hatchery		26,600,000
c. Property Development Projects		7,500,000
(Total project all funding sources $13,500,000)		
3. *Projects financed by existing segregated fund supported borrowing:*		

a. Forest Health Protection Laboratory renovation — Fitchburg 1,050,500

4. *Projects financed with segregated revenue:*

a. Property Development Projects 6,000,000

(Total project all funding sources $13,500,000)

5. *Agency totals:*

Existing general fund supported borrowing		3,041,700
Existing stewardship borrowing		39,100,000
Existing segregated fund supported borrowing		1,050,500
Segregated revenue		6,000,000
Total — All sources of funds	$	49,192,200

(f) DEPARTMENT OF TRANSPORTATION

1. *Projects financed by segregated fund supported revenue borrowing:*

a. State Patrol post relocation and construction Fox Valley $ 5,904,000

(Total project all funding sources $7,121,000)

b. New Northwest DMV Service Center — Milwaukee 2,500,000

c. Gap filler communication towers — statewide 2,800,000

2. *Projects financed by existing segregated fund supported revenue borrowing:*

a. State Patrol post relocation and construction — Fox Valley 1,217,000

(Total project all funding sources $7,121,000)

3. *Agency totals:*

Segregated fund supported revenue borrowing		11,204,000
Existing segregated fund supported revenue borrowing		1,217,000
Total — All sources of funds	$	12,421,000

(g) DEPARTMENT OF VETERANS AFFAIRS

1. *Projects financed by existing general fund supported borrowing:*

a. Wisconsin Veterans Home at King — Building 503 renovations $ 1,230,000

2. *Projects financed by existing program revenue supported borrowing:*

a. Wisconsin Veterans Home at King — John R. Moses Skilled Nursing Facility 28,000,000

(Total project all funding sources $80,000,000)

3. *Projects financed by federal funds:*

a. Wisconsin Veterans Home at King — John R. Moses Skilled Nursing Facility 52,000,000

(Total project all funding sources $80,000,000)

b. Central Wisconsin Veterans Memorial Cemetery at King — cemetery improvements 3,472,000

(Total project all funding sources $3,590,000)

4. *Projects financed by program revenue:*

a. Central Wisconsin Veterans Memorial Cemetery at King — cemetery improvements 118,000

(Total project all funding sources $3,590,000)

5. *Agency totals:*

Existing general fund supported borrowing		1,230,000
Existing program revenue supported borrowing		28,000,000
Federal funds		55,472,000
Program revenue		118,000
Total — All sources of funds	$	84,820,000

(h) UNIVERSITY OF WISCONSIN SYSTEM

1. *Projects financed by general fund supported borrowing:*

a. Madison — Chemistry Building 86,208,000

(Total project all funding sources $107,760,000)

2. *Projects financed by existing general fund supported borrowing:*

a. Madison — South Campus utility improvements $ 11,306,000

(Total project all funding sources $15,488,000)

b. Stout — Bowman Hall exterior envelope maintenance and repair 8,946,000

c. System — classroom renovations and instructional technology improvements 7,000,000

3. *Projects financed by existing program revenue supported borrowing:*

a. Eau Claire — Towers Hall renovation 32,969,000

b. Extension — Lowell Hall South Wing HVAC system renovation 4,900,000

c. La Crosse — Recreational Eagle Center addition 8,616,000

d. Madison — South Campus utility improvements 4,182,000

(Total project all funding sources $15,488,000)

e. Madison — near–west playfields upgrade 5,740,000

(Total project all funding sources $6,740,000)

f. Madison — new Southeast Recreational Facility 45,461,000

(Total project all funding sources $87,541,000)

g. Oshkosh — Fletcher Hall renovation and addition 23,500,000

h. Platteville — Williams Fieldhouse addition	15,272,000
i. Stevens Point — DeBot Dining Center renovation	16,848,000
j. Stevens Point — May Roach Hall and Smith Hall renovation	17,377,000
k. Stout — North Hall renovation and addition	17,744,000
L. Stout — Price Commons renovation	6,744,000
m. Whitewater — Athletics Complex buildings	1,403,000
(Total project all funding sources $4,236,000)	

4. *Projects financed by program revenue:*

a. La Crosse — Wittich Hall renovation	24,618,000
b. Madison — 702 West Johnson Street acquisition	6,700,000
c. Madison — near-west playfields upgrade	1,000,000
(Total project all funding sources $6,740,000)	
d. Madison — police and security facility addition	4,800,000
e. Milwaukee — new Welcome Center and Center for Entrepreneurship	7,768,000
f. Whitewater — Athletics Complex buildings	1,183,000
(Total project all funding sources $4,236,000)	

5. *Projects financed by gifts, grants, and other receipts:*

a. Green Bay — new soccer complex	4,984,000

b. Madison — new Southeast Recreational Facility		42,080,000
(Total project all funding sources $87,541,000)		
c. Madison — Engineering Hall Structures Laboratory addition		1,615,000
d. Madison — Veterinary Medicine Clinical Skills Laboratory renovation		1,620,000
e. Madison — Wisconsin Institutes for Medical Research West Wedge addition		18,148,000
f. Madison — Chemistry Building		21,552,000
(Total project all funding sources $107,760,000)		
g. Whitewater — Athletics Complex buildings		1,650,000
(Total project all funding sources $4,236,000)		

6. *Agency totals:*

General fund supported borrowing		86,208,000
Existing general fund supported borrowing		27,252,000
Existing program revenue supported borrowing		200,756,000
Program revenue		46,069,000
Gifts, grants, and other receipts		91,649,000
Total — All sources of funds	$	451,934,000

(i) CARROLL UNIVERSITY — SCIENCE LABORATORY FACILITY

1. *Projects financed by existing general fund supported borrowing:*

a. Carroll University — Science Laboratory Facility $ 3,000,000

(Total project all funding sources $26,500,000)

2. *Projects financed by gifts, grants, and other receipts:*

a. Carroll University — Science Laboratory Facility 23,500,000

(Total project all funding sources $26,500,000)

3. *Agency totals:*

Existing general fund supported borrowing		3,000,000
Gifts, grants, and other receipts		23,500,000
Total — All sources of funds	$	26,500,000

(j) MARQUETTE UNIVERSITY

1. *Projects financed by existing general fund supported borrowing:*

a. Dental Clinic and Education Facility $ 2,000,000

(Total project all funding sources $4,000,000)

2. *Projects financed by gifts, grants, and other receipts:*

a. Dental Clinic and Education Facility 2,000,000

(Total project all funding sources $4,000,000)

3. *Agency totals*:

Existing general fund supported borrowing		2,000,000
Gifts, grants, and other receipts		2,000,000
Total — All sources of funds	$	4,000,000

(k) WISCONSIN AGRICULTURE EDUCATION CENTER

1. *Projects financed by existing general fund supported borrowing:*

a. Wisconsin Agriculture Education Center	$	5,000,000
(Total project all funding sources $11,626,800)		

2. *Projects financed by gifts, grants, and other receipts:*

a. Wisconsin Agriculture Education Center		6,626,800
(Total project all funding sources $11,626,800)		

3. *Agency totals*:

Existing general fund supported borrowing		5,000,000
Gifts, grants, and other receipts		6,626,800
Total — All sources of funds	$	11,626,800

(km) EAU CLAIRE CONFLUENCE ARTS

1. *Projects financed by general fund supported borrowing:*

a. Eau Claire Confluence Arts Center	$	15,000,000
(Total project all funding sources $40,000,000)		

2. *Projects financed by gifts, grants, and other receipts:*

a. Eau Claire Confluence Arts Center		25,000,000

(Total project all funding sources $40,000,000)

3. *Agency totals*:

General fund supported borrowing		15,000,000
Gifts, grants, and other receipts		25,000,000
Total — All sources of funds	$	40,000,000

(L) ALL AGENCY PROJECT FUNDING

1. *Projects financed by existing general fund supported borrowing:*

a. Facility maintenance and repair	$	26,802,000
(Total program all funding sources $69,034,500)		
b. Utility repair and renovation		17,100,000
(Total program all funding sources $29,092,700)		
c. Health, safety, and environmental protection		5,000,000
(Total program all funding sources $8,041,300)		
d. Preventive maintenance		250,000
e. Programmatic remodeling and renovation		2,650,000
(Total program all funding sources $5,000,000)		
f. Land and property acquisition		2,000,000
g. Capital equipment acquisition		250,000

2. *Projects financed by existing program revenue supported borrowing:*

a. Facility maintenance and repair 16,550,000

(Total program all funding sources $69,034,500)

b. Utility repair and renovation 5,000,000

(Total program all funding sources $29,092,700)

c. Health, safety, and environmental protection 2,800,000

(Total program all funding sources $8,041,300)

d. Energy conservation 18,750,000

e. Programmatic remodeling and renovation 1,050,000

(Total program all funding sources $5,000,000)

3. *Projects financed by existing segregated fund supported borrowing:*

a. Facility maintenance and repair 766,300

(Total program all funding sources $69,034,500)

4. *Projects financed by segregated fund supported revenue borrowing:*

a. Facility maintenance and repair 676,000

(Total program all funding sources $69,034,500)

5. *Projects financed by program revenue:*

a. Facility maintenance and repair 12,672,800

(Total program all funding sources $69,034,500)

6. *Projects financed by federal funds:*

a. Facility maintenance and repair 11,058,900

(Total program all funding sources $69,034,500)

b. Utility repair and renovation 5,492,700

(Total program all funding sources $29,092,700)

c. Health, safety, and environmental protection 241,300

(Total program all funding sources $8,041,300)

7. *Projects financed by gifts, grants, and other receipts:*

a. Facility maintenance and repair 508,500

(Total program all funding sources $69,034,500)

b. Utility repair and renovation 1,500,000

(Total program all funding sources $29,092,700)

c. Programmatic remodeling and renovation		1,300,000
(Total program all funding sources $5,000,000)		
8. *All agency totals:*		
Existing general fund supported borrowing		54,052,000
Existing program revenue supported borrowing		44,150,000
Existing segregated fund supported borrowing		766,300
Segregated fund supported revenue borrowing		676,000
Program revenue		12,672,800
Gifts, grants, and other receipts		3,308,500
Federal funds		16,792,900
Total — All sources of funds	$	132,418,500
(m) SUMMARY		
Total general fund supported borrowing	$	101,208,000
Total existing general fund supported borrowing		115,755,700
Total existing stewardship borrowing		39,100,000
Total existing program revenue supported borrowing		277,660,500
Total existing segregated fund supported borrowing		1,816,800
Total segregated fund supported revenue borrowing		11,880,000

Existing segregated fund supported revenue borrowing		1,217,000
Total program revenue		64,359,800
Total segregated revenue		6,000,000
Total gifts, grants, and other receipts		152,084,300
Total federal funds		77,645,900
Total — All sources of funds	$	848,728,000

(2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated in subsection (1), the building and financing authority enumerated in the previous state building program is continued in the 2015–17 fiscal biennium.

(3) LOANS. During the 2015–17 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to state agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be utilized for programs not funded by general purpose revenue and that are authorized in subsection (1).

(4) 1999–2000 AUTHORIZED STATE BUILDING PROGRAM DELETION. In 1999 Wisconsin Act 9, section 9107 (1) (Lm) 1. and 3., under projects financed by general fund supported borrowing, the 1999–2000 Authorized State Building Program project identified as "Swiss cultural center — New Glarus" is deleted and under projects financed by gifts, grants and other receipts, the 1999–2000 Authorized State Building Program project identified as "Swiss cultural center — New Glarus" is deleted and the appropriate totals are decreased accordingly.

(5) 2007–08 AUTHORIZED STATE BUILDING PROGRAM DELETION. In 2007 Wisconsin Act 20, section 9105 (1) (L), under projects financed by general fund supported borrowing, the 2007–08 Authorized State Building Program project identified as "Hmong cultural center construction or purchase — Dane County" is deleted and under projects financed by gifts, grants, and other receipts, the 2007–08 Authorized State Building Program project identified as "Hmong cultural center construction or purchase — Dane County" is deleted and the appropriate totals are decreased accordingly.

(6) 2009–10 AUTHORIZED STATE BUILDING PROGRAM DELETION. In 2009 Wisconsin Act 28, section 9106 (1) (qm), as last amended by 2009 Wisconsin Act 361, section 5, under projects financed by general fund supported borrowing, the 2009–10 Authorized State Building Program project identified as "Rural dental education outreach facility — Marshfield" is deleted and under projects financed by gifts, grants, and other receipts, the 2009–10 Authorized State Building Program project identified as "Rural dental education outreach facility — Marshfield" is deleted and the appropriate totals are decreased accordingly.

(7) 2011–13 AUTHORIZED STATE BUILDING PROGRAM DELETION. In 2011 Wisconsin Act 32, section 9106 (1) (g) 1., under projects financed by general fund supported borrowing, the 2011–12 Authorized State Building Program project identified as "Joint museum" is deleted and the appropriate totals are decreased accordingly.

(8) 2013–14 AUTHORIZED STATE BUILDING PROGRAM DELETION.

(a) In 2013 Wisconsin Act 20, section 9104 (1) (b) 1. e., under projects financed by general fund supported borrowing, the 2013–14 Authorized State Building Program project identified as "Marshall E. Sherrer Correctional Center — housing

and food service area" is deleted and the appropriate totals are decreased accordingly.

(b) 1. In 2013 Wisconsin Act 20, section 9104 (1) (d) 1. d., under projects financed by general fund supported borrowing, the 2013–14 Authorized State Building Program project identified as "Readiness center, motor vehicle storage, and field maintenance shop — Wisconsin Rapids" is deleted and the appropriate totals are decreased accordingly.

2. In 2013 Wisconsin Act 20, section 9104 (1) (d) 2. e., under projects financed by federal funds, the 2013–14 Authorized State Building Program project identified as "Readiness center, motor vehicle storage, and field maintenance shop — Wisconsin Rapids" is deleted and the appropriate totals are decreased accordingly.

(c) In 2013 Wisconsin Act 20, section 9104 (1) (g) 3. f., under projects financed by program revenue supported borrowing, the 2013–14 Authorized State Building Program project identified as "Milwaukee — Kenilworth Place lease buyout" is deleted and the appropriate totals are decreased accordingly.

(9) CARROLL UNIVERSITY. Notwithstanding section 13.48 (28m) (b) of the statutes, as created by this act, the building commission shall not make a grant to Carroll University for the construction of the facility, as enumerated in subsection (1) (i), under section 13.48 (28m) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(10) WISCONSIN AGRICULTURE EDUCATION CENTER, INC. Notwithstanding section 13.48 (28r) (b) of the statutes, as created by this act, the building commission shall

not make a grant to the Wisconsin Agriculture Education Center, Inc., for the construction of the center, as enumerated in subsection (1) (k), under section 13.48 (28r) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(11q) EAU CLAIRE CONFLUENCE ARTS, INC. Notwithstanding section 13.48 (28p) (b) of the statutes, as created by this act, the building commission shall not make a grant to Eau Claire Confluence Arts, Inc., for the construction of the center, as enumerated in subsection (1) (km), under section 13.48 (28p) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

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

SECTION 9106. Nonstatutory provisions; Children and Families.

(1) WISCONSIN WORKS BENEFIT TIME LIMIT. When implementing the 48–month time limit under section 49.145 (2) (n) 1. (intro.) and a. and 3. of the statutes, as affected by this act, for an individual participating in Wisconsin Works on the effective date of this subsection, the department of children and families may allow the individual to continue to participate in some or all components of Wisconsin Works longer than the 48–month time limit for an appropriate amount of time

necessary to allow the individual to transition out of Wisconsin Works, as determined by the department of children and families.

(2c) EMERGENCY RULES FOR DRUG SCREENING, TESTING, AND TREATMENT.

(a) Using the procedure under section 227.24 of the statutes, the department of children and families may promulgate the rules required under section 49.162 (7) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under section 49.162 (7) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(b) The department of children and families shall present the statement of scope of any emergency rules promulgated under paragraph (a) to the governor for approval under section 227.135 (2) of the statutes no later than the 120th day after the effective date of this paragraph.

(2e) PLACEMENT OF CHILDREN WITH VOLUNTEER HOST FAMILIES. The department of children and families shall establish a plan for engaging and using nonprofit volunteer programs to place children whose parents or guardians have agreed to participate in such programs in the homes of temporary volunteer host families whose homes are not required under section 48.62 (2) of the statutes to be licensed as foster homes as an alternative to placement of those children in foster homes. The

department of children and families shall submit a report describing that plan to the joint committee on finance by no later than November 1, 2015.

(2q) GRANTS FOR PROVIDING CIVIL LEGAL SERVICES.

(a) In this subsection, "department" means the department of children and families.

(b) From the allocation under section 49.175 (1) (j) of the statutes, as created by this act, the department shall make a grant of $500,000 in fiscal year 2015–16 and, subject to paragraph (d) 1., a grant of $500,000 in fiscal year 2016–17 to Wisconsin Trust Account Foundation, Inc., for distribution of annual awards of not more than $75,000 per year per program to programs that provide legal services to persons who are eligible under paragraph (c) 2. if all of the following apply:

1. Wisconsin Trust Account Foundation, Inc., submits a plan to the department detailing the proposed use of the grant; the proposed use of the grant conforms to the requirements under paragraph (c); and the secretary of children and families, or his or her designee, approves the plan.

2. Wisconsin Trust Account Foundation, Inc., enters into an agreement with the department that specifies the conditions for the use of the grant proceeds, and the conditions conform to the requirements under paragraph (c) and include training, reporting, and auditing requirements.

3. Wisconsin Trust Account Foundation, Inc., agrees in writing to submit to the department the reports required under paragraph (d) by the times required under paragraph (d).

(c) A grant under this subsection may be used only as follows:

1. Subject to subdivision 3., the grant may be used only to provide legal services in civil matters related to domestic abuse, sexual abuse, or restraining orders or injunctions for individuals at risk under section 813.123 of the statutes.

2. The recipients of the legal services must be individuals who are eligible for temporary assistance for needy families under 42 USC 601 et seq. and whose gross incomes are at or below 200 percent of the poverty line, as defined in section 49.001 (5) of the statutes. For purposes of this subdivision, gross income shall be determined in the same way as gross income is determined for purposes of eligibility for a Wisconsin Works employment position, as defined in section 49.141 (1) (r) of the statutes, including the exclusion of any payments or benefits made under any federal law that exempts those payments or benefits from consideration in determining eligibility for any federal means–tested program.

3. The legal services may be provided only in matters for which federal Temporary Assistance for Needy Families block grant funds under 42 USC 601 et seq. may be used.

4. The grant proceeds may not be used for legal services for litigation against the state.

(d) 1. If the department makes a grant under this subsection in fiscal year 2015–16, Wisconsin Trust Account Foundation, Inc., shall submit to the department, within 3 months after spending the full amount of that grant, a report detailing how the grant proceeds were used. The department may not make a grant in fiscal year 2016–17 unless Wisconsin Trust Account Foundation, Inc., submits the report under this subdivision within the time required and the department determines that the grant proceeds were used in accordance with the approved plan under paragraph (b) 1., the agreement under paragraph (b) 2., and the requirements under paragraph (c).

2. If the department makes a grant under this subsection in fiscal year 2016–17, Wisconsin Trust Account Foundation, Inc., shall submit to the department, within 6 months after spending the full amount of that grant, a report detailing how the grant proceeds were used.

(e) The department may not pay grant proceeds under this subsection after June 30, 2017.

(2r) MILWAUKEE CHILD WELFARE EMPLOYEE RETENTION PLAN. The department of children and families shall submit to the joint committee on employment relations an employee retention plan for the subunit of that department responsible for administering child welfare services in a county having a population of 750,000 or more. If the joint committee on employment relations approves that plan, the appropriation under section 20.437 (1) (cw) of the statutes shall be supplemented from the appropriation under section 20.865 (4) (a) of the statutes by $500,000 in each of fiscal years 2015–16 and 2016–17 for the purpose of implementing that plan and the department of children and families shall use those moneys to implement that plan.

SECTION 9107. Nonstatutory provisions; Circuit Courts.

SECTION 9108. Nonstatutory provisions; Corrections.

(1) TRANSFER OF YOUTH AIDS, COMMUNITY–BASED JUVENILE DELINQUENCY–RELATED SERVICES, AND SERVICES PROVIDED FOR JUVENILES IN NEED OF PROTECTION OR SERVICES.

(a) *Definitions*. In this section:

1. "Community–based juvenile delinquency–related services" has the meaning given in section 49.11 (1c) of the statutes, as created by this act.

2. "Youth aids" means community youth and family aids allocated under section 48.526 of the statutes, as affected by this act.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of corrections that are primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the secretary of administration, shall become the assets and liabilities of the department of children and families.

(c) *Positions and employees.* On the effective date of this paragraph, all positions and all incumbent employees holding those positions in the department of corrections performing duties that are primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the secretary of administration, are transferred to the department of children and families.

(d) *Employee status.* Employees transferred under paragraph (c) have all the rights and the same status under chapter 230 of the statutes in the department of children and families that they enjoyed in the department of corrections immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(e) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of corrections that is primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the

secretary of administration, is transferred to the department of children and families.

(f) *Pending matters.* Any matter pending with the department of corrections on the effective date of this paragraph that is primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the secretary of administration, is transferred to the department of children and families. All materials submitted to or actions taken by the department of corrections with respect to the pending matter are considered as having been submitted to or taken by the department of children and families.

(g) *Contracts.* All contracts entered into by the department of corrections in effect on the effective date of this paragraph that are primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the secretary of administration, remain in effect and are transferred to the department of children and families. The department of children and families shall carry out any obligations under those contracts unless modified or rescinded by the department of children and families to the extent allowed under the contract.

(h) *Rules and orders.* All rules promulgated by the department of corrections in effect on the effective date of this paragraph that are primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed

by the department of children and families. All orders issued by the department of corrections in effect on the effective date of this paragraph that are primarily related to the allocation of youth aids, the supervision of community–based juvenile delinquency–related services, or the supervision of services provided for juveniles in need of protection or services, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of children and families.

(1d) OPIOID ADDICTION TREATMENT PILOT PROGRAM.

(a) *Department to submit plan.* Before January 1, 2016, the department of corrections shall submit to the joint committee on finance a request for the release of funds from the appropriation under section 20.865 (4) (a) of the statutes and a detailed plan for implementing a pilot program for treating offenders who have been assessed with an opiate addiction.

(b) *Passive review.* If, within 14 working days after the date on which the joint committee on finance receives the plan submitted under paragraph (a), the cochairpersons of the committee do not notify the department of corrections that the committee has scheduled a meeting to review the plan, the funding shall be released and the department of corrections may implement the plan. If, within 14 working days after the date on which the committee receives the plan, the cochairpersons of the committee notify the department of corrections that the committee has scheduled a meeting to review the plan, the funding may be released, and the department of corrections may implement the plan, only upon approval by the committee.

SECTION 9109. Nonstatutory provisions; Court of Appeals.

SECTION 9110. Nonstatutory provisions; District Attorneys.

SECTION 9111. Nonstatutory provisions; Educational Communications Board.

SECTION 9112. Nonstatutory provisions; Employee Trust Funds.

(1c) APPOINTMENTS TO GROUP INSURANCE BOARD. Notwithstanding section 15.07 (1) (c) of the statutes, the terms of the 6 members of the group insurance board appointed by the governor under section 15.165 (2), 2013 stats., shall terminate on the effective date of this subsection. Each appointed member may continue to hold office and exercise the powers and duties of that office until his or her successor under section 15.165 (2) (j) of the statutes, as affected by this act, is appointed and qualified.

(3j) SUBMISSION OF PROPOSED CHANGES TO GROUP HEALTH INSURANCE PROGRAMS FOR 2016 CALENDAR YEAR COVERAGE. Notwithstanding section 40.03 (6) (L) of the statutes, as created by this act, the group insurance board shall submit proposed changes to the group health insurance programs under subchapter IV of chapter 40 of the statutes, other than programs under sections 40.51 (7) and 40.55 of the statutes, for the 2016 calendar year to the joint committee on employment relations. The group insurance board shall submit the proposed changes no later than 30 days after the effective date of this subsection. The group insurance board may not implement any changes in the group health insurance programs for the 2016 calendar year unless approved by the joint committee on employment relations. The joint committee on employment relations shall hold a public hearing on the proposed changes. No later than 30 days after the group insurance board has submitted the proposed changes to the joint committee on employment relations, the joint committee on employment relations shall approve, disapprove, or approve with modifications the proposed changes and shall notify the governor of its actions. Within 10 calendar days of the notification under this subsection, the governor shall approve or reject in its entirety

the proposed changes approved by the joint committee on employment relations. A vote of 6 members of the joint committee on employment relations may override any rejection of the governor.

SECTION 9113. Nonstatutory provisions; Employment Relations Commission.

SECTION 9114. Nonstatutory provisions; Financial Institutions.

SECTION 9115. Nonstatutory provisions; Government Accountability Board.

SECTION 9116. Nonstatutory provisions; Governor.

SECTION 9117. Nonstatutory provisions; Health and Educational Facilities Authority.

SECTION 9118. Nonstatutory provisions; Health Services.

(1) COMMUNITY MENTAL HEALTH ALLOCATION. Notwithstanding section 46.40 (7m) of the statutes, as created by this act, the department of health services may distribute one–half of the amount allocated for community mental health services in fiscal year 2015–16 after the effective date of this subsection.

(1q) COMMUNITY MENTAL HEALTH SERVICES FUNDS. Before developing a method for distributing community mental health services funds under section 46.40 (7m) of the statutes, as created by this act, for 2016 and thereafter, the department of health services shall consult with the Wisconsin Counties Association and other persons and organizations with an interest in mental health services on the distribution method. The department of health services before implementing the distribution method shall submit the proposed distribution method to the joint committee on finance. If the cochairpersons of the committee do not notify the department of health services within 14 working days after the date of the submittal

of the proposed distribution method by the department of health services that the committee has scheduled a meeting for the purpose of reviewing the proposed distribution method, the department of health services shall implement the proposed distribution method as submitted to the committee. If, within 14 working days after the date of the submittal of the proposed distribution method by the department of health services, the cochairpersons of the committee notify the department of health services that the committee has scheduled a meeting for the purpose of reviewing the proposed distribution method, the department of health services may implement the proposed distribution method only as approved by, or as modified and approved by, the committee.

(2) TRANSFER OF FOOD SAFETY, RECREATIONAL FACILITIES, AND LODGING.

(a) *Assets and liabilities*. The assets and liabilities of the department of health services that the secretary of administration determines to be primarily related to food, lodging, and recreation oversight under sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., become the assets and liabilities of the department of agriculture, trade and consumer protection on the effective date of this paragraph.

(b) *Employee transfer*. All incumbent employees who hold positions in the department of health services performing duties that the secretary of administration determines to be primarily related to sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., and the full–time equivalent positions held by those employees, are transferred to the department of agriculture, trade and consumer protection on the effective date of this paragraph.

(c) *Employee status*. Employees transferred under paragraph (b) have all the rights and the same status under chapter 230 of the statutes in the department of agriculture, trade and consumer protection that they enjoyed in the department of

health services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health services that the secretary of administration determines to be primarily related to food, lodging, and recreation oversight under sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., is transferred to the department of agriculture, trade and consumer protection.

(e) *Contracts.* All contracts that were entered into by the department of health services that the secretary of administration determines to be primarily related to food, lodging, and recreation oversight under sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., and that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of agriculture, trade and consumer protection. The department of agriculture, trade and consumer protection shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of agriculture, trade and consumer protection to the extent allowed under the contract.

(f) *Rules and orders.* All rules in chapters DHS 172, 175, 178, 192, 195, 196, 196 appendix, 197, and 198, Wisconsin administrative code, and all other rules promulgated, and all orders issued, by the department of health services that the secretary of administration determines to be primarily related to sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., and that are in effect on the effective date of this paragraph shall remain in effect until their specified expiration date or until

amended or repealed by the department of agriculture, trade and consumer protection.

(g) *Pending matters.* Any matter pending with the department of health services on the effective date of this paragraph that the secretary of administration determines to be related to food, lodging, and recreation oversight under section 252.18 or 254.47, or sections 254.61 to 254.87, 2013 stats., is transferred to the department of agriculture, trade and consumer protection, and all materials submitted to or actions taken by the department of health services with respect to the pending matter are considered as having been submitted to or taken by the department of agriculture, trade and consumer protection.

(3) TRANSFER OF BODY ART AND TANNING FACILITY REGULATION FUNCTIONS TO THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., become the assets and liabilities of the department of safety and professional services.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., as determined by the secretary of administration, is transferred to the department of safety and professional services.

(c) *Pending matters.* Any matter pending with the department of health services that is primarily related to the regulation of tattooing, body piercing, and

tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., on the effective date of this paragraph is transferred to the department of safety and professional services. All materials submitted to or actions taken by the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., are considered as having been submitted to or taken by the department of safety and professional services.

(d) *Contracts*. All contracts entered into by the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., in effect on the effective date of this paragraph remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under those contracts unless modified or rescinded by that department to the extent allowed under the contract.

(e) *Rules and orders*. All rules in chapters DHS 161 and DHS 173, Wisconsin Administrative Code, and any other rules promulgated by the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(f) *Credential fees.* Notwithstanding sections 463.10 (3), 463.12 (3), and 463.25 (2) (b) of the statutes, fees for the issuance and renewal of licenses and permits issued under sections 463.10, 463.12, and 463.25 of the statutes shall, for years 2015 and 2016, be according to the rules described under paragraph (e).

(3g) NURSING HOME BED TRANSFER.

(a) In this section, "nursing home" has the meaning given in section 50.01 (3) of the statutes.

(b) Notwithstanding sections 150.33, 150.35, and 150.39 of the statutes, from the nursing home beds that are available under section 150.31 of the statutes, the department of health services shall, following submission of the application under paragraph (c), redistribute 3 beds to a nursing home that satisfies all of the following:

1. On the effective date of this subdivision, it has a licensed bed capacity of no more than 75.

2. On the effective date of this subdivision, it is covered by a permit under section 647.02 of the statutes.

3. On the effective date of this subdivision, it is located in a county that has a population of at least 380,000 and that is adjacent to a county that has a population of at least of 750,000.

(c) A person may not receive approval for the beds unless the person submits to the department of health services, on a form provided by the department, an application that meets the requirements under section 150.33 (2) of the statutes.

(3q) ADVANCED LIFE SUPPORT TRAINING GRANT. From the appropriation account under section 20.435 (1) (ch) of the statutes the department of health services shall allocate as a grant to an entity that provides or facilitates advanced life support training to physicians, physician's assistants, nurse practitioners, registered nurses,

and emergency medical technicians — paramedics, who work in rural areas in this state, $20,000 in each fiscal year of the 2015–2017 fiscal biennium.

(4f) HEALTHY AGING GRANT. From the appropriation account under section 20.435 (7) (cx) of the statutes the department of health services shall allocate as a grant $200,000 in each fiscal year of the 2015–17 fiscal biennium to a private, nonprofit entity that conducts all of the following activities:

(a) Coordinating the implementation of evidence–based health promotion programs in healthy aging.

(b) Coordinating with academic and research institutes regarding research on healthy aging.

(c) Serving as a statewide clearinghouse on evidence–based disease prevention and health promotion programs.

(d) Providing training and technical assistance to the staff of county departments, administering agencies, and other providers of services to aging populations.

(e) Collecting and disseminating information on disease prevention and health promotion in healthy aging populations.

(f) Coordinating public awareness activities related to disease prevention and health promotion in aging populations.

(g) Advising the department of health services on public policy issues concerning disease prevention and health promotion in aging.

(4u) LABOR REGION METHODOLOGY STUDY. The department of health services shall study the labor region methodology, including the methodology under section 49.45 (6m) (ar) of the statutes, used to assist with the determination of Medical Assistance reimbursement rates, and no later than July 1, 2016, shall submit to the

legislature under section 13.172 (2) of the statutes an implementation plan for incorporating any necessary changes to labor region methodology such that the proposed labor region methodology results in adjustments to direct care costs that reflect labor costs for nursing homes in each county. The department of health services may not implement any proposed changes to labor region methodology without the enactment of legislation.

(5) REQUIREMENTS FOR FOODSHARE EMPLOYMENT AND TRAINING PROGRAM DRUG SCREENING. The department of health services shall address, in the department's biennial budget request under section 16.42 of the statutes for the 2017–19 fiscal biennium, any future fiscal impact resulting from actions taken under section 49.79 (9) (d) of the statutes, as created by this act.

(6) REQUIREMENTS FOR ASSISTANCE FOR CHILDLESS ADULTS DEMONSTRATION PROJECT. If, during the 2015–17 fiscal biennium, the secretary of the federal department of health and human services approves, in whole or in part, the amendment to the waiver under section 49.45 (23) (a) of the statutes that is requested under section 49.45 (23) (g) 1. of the statutes, as created by this act, the department of health services shall do all of the following:

(a) Identify, in its quarterly report to the joint committee on finance under section 49.45 (2n) of the statutes, any costs incurred or savings realized in the 2015–17 fiscal biennium as a result of actions taken under section 49.45 (23) (g) 1. a. to e. of the statutes, as created by this act, as approved by the secretary of the federal department of health and human services.

(b) Address, in the department's biennial budget request under section 16.42 of the statutes for the 2017–19 fiscal biennium, any future fiscal impact resulting from actions taken under section 49.45 (23) (g) 1. a. to e. of the statutes, as created

by this act, as approved by the secretary of the federal department of health and human services.

(7) MENTAL HEALTH CRISIS SERVICES GRANTS. From the appropriation account under section 20.435 (2) (gk) of the statutes, the department of health services shall award a total of $1,500,000 in fiscal year 2015–16 as onetime grants to counties for mental health crisis services.

(7g) COUNTY-TO-COUNTY NURSING HOME BED TRANSFERS. The department of health services shall develop a policy that specifies procedures for applying for, and receiving approval of, the transfer of available, licensed nursing home beds among counties under section 150.345 of the statutes. The department of health services shall submit a report on the resulting policy to the joint committee on finance no later than July 1, 2016.

(9) CHANGES TO FAMILY CARE PROGRAM.

(a) *Definitions*. In this subsection:

1. "Department" means the department of health services.

2. "Family care program" means the program under sections 46.2805 to 46.2895 of the statutes that provides the family care benefit as defined in section 46.2805 (4) of the statutes.

3. "IRIS" means the self–directed services option program, known as Include, Respect, I Self–direct, operated by the department under a waiver from the secretary of the federal department of health and human services under 42 USC 1396n (c).

(b) *Family care in all counties*. The department shall request any approval or submit any waiver request necessary to the federal department of health and human services to administer the family care program in every county in the state. If the federal department of health and human services does not disapprove the request,

the department shall ensure that the family care program is available to eligible residents of every county in the state by January 1, 2017, or by a date specified by the department, whichever is later. If the department specifies a later date than January 1, 2017, it shall submit a notice of that date to the legislative reference bureau for publication in the Wisconsin Administrative Register. If the federal department of health and human services does not disapprove the request, the department is not required to comply with section 46.281 (1g) (b) of the statutes to expand the family care program to every county in the state.

(c) *Waiver request; generally.* Subject to paragraphs (d) and (e), the department shall request from the federal department of health and human services a state plan amendment or an amendment to the waiver under which the family care program and IRIS operate that includes all of the following:

1. Providing both long–term care and primary and acute care services through integrated health agencies to long–term care consumers whose care is reimbursed by the Medical Assistance program and including, to the extent allowable by the federal department of health and human services, long–term care consumers who receive both Medical Assistance and Medicare funded services.

2. Increasing the size of regions currently served by care management organizations under the family care program such that each region has sufficient population to allow for adequate risk management by integrated health agencies.

3. Subject to subdivision 2., designating no fewer than 5 regions in the state.

4. Specifying that each one of the regions under subdivision 3. is served by multiple integrated health agencies.

5. Requiring integrated health agencies to make available a consumer–directed option under the long–term care program in which the

integrated health agency would assist individuals in developing individualized support and services plans, ensure that all services are paid according to the plan, and assist enrollees in managing all fiscal requirements, including the ability to select, direct, and employ persons offering any of the services available under the IRIS program as of July 1, 2015, and the ability to manage, using the services of an integrated health agency serving as a fiscal intermediary, an individual home and community–based services budget allowance based on a functional assessment performed by a qualified entity and the availability of family and other caregivers who can help provide needed support.

6. Modifying the state's long–term care program, including allowing for audits of providers, in order to improve accountability in the provision of services.

7. Establishing an open enrollment period for the state's long–term care program that coincides with the open enrollment period for the Medicare program.

8. Requiring that rates paid to integrated health agencies for services are set through an independent, actuarial study.

9. Preserving, for a minimum of 3 years in each region after the date of implementation of the waiver under this paragraph in that region, the requirement that an integrated health agency contract for long–term care services with any long–term care service provider that agrees to accept the reimbursement rate that the integrated health agency pays to similar providers for the same services and satisfies any quality of care, utilization, or other criteria that the integrated health agency requires of other providers with which it contracts to provide the same long–term care services.

(d) *Consultation with stakeholders; key principles.* Before developing its final waiver or state plan amendment request to be submitted to the joint committee on finance under paragraph (e), the department shall do all of the following:

1. Consult with persons interested in the long–term care program, including representatives of consumers of long–term care and long–term care providers and the public.

2. Submit as part of the quarterly reports on the Medical Assistance program due by September 30, 2015, and December 30, 2015, a progress report on the development of the waiver request including information regarding outcomes from discussions with representatives of consumers of long–term care and long–term care providers and any discussions with the federal centers for Medicare and Medicaid services.

3. Hold no less than 2 public hearings regarding the waiver request.

4. Develop the final waiver request in accordance with key principles determined by the federal centers for Medicare and Medicaid services to be essential elements of a strong, managed long–term services and supports program including:

a. Adequate planning and transition strategies.

b. Engagement of interested persons.

c. Enhanced provision of services in home–based and community–based settings.

d. Alignment of payment structures with programmatic goals, including improving the health and experience of enrollees and reducing costs through those improvements.

e. Support for eligible individuals, including counseling regarding options and enrollment from an independent source at no cost to the individual and the availability of ombudsman resources.

f. Person–centered processes, including an option to self–direct services.

g. A comprehensive and integrated service package.

h. Qualified providers.

i. Enrollee protections, including systems to manage incidents and appeals processes for enrollees.

j. Comprehensive quality assurance and oversight procedures.

(e) *Committee approval.* No later than April 1, 2016, and before the department submits any proposed changes to the state waiver or state plan amendment under paragraph (c), the department shall submit a summary of the proposed concept plan for the waiver amendment request under paragraph (c) to the joint committee on finance for approval or disapproval by the joint committee on finance. The procedures under section 13.10 of the statutes do not apply to this paragraph and the joint committee on finance may not modify the summary of the proposed concept plan submitted under this paragraph. The department may not submit any proposed changes to the state waiver or state plan amendment under paragraph (c) unless the proposed concept plan is approved by the joint committee on finance.

(f) *Implementation of waiver; conformation with statutes.*

1. Notwithstanding sections 46.2803 to 46.2895 of the statutes and any rules promulgated under those sections, if the federal department of health and human services approves of a waiver or state plan amendment substantially similar to that requested in paragraph (c) and approved by the joint committee on finance under

paragraph (e), the department may implement any changes to the family care program and IRIS in accordance with the approved waiver or state plan amendment.

2. If the waiver or state plan amendment request is not approved by the federal department of health and human services or if the approved waiver or state plan amendment is not substantially similar to that requested under paragraph (c), the department may not implement the waiver or state plan amendment and the family care program and IRIS shall operate under the statutes in effect on July 1, 2015.

3. The department shall include in its 2017–19 biennial budget request any proposed statutory changes necessary to conform the statutes to the approved waiver or state plan amendment. The department shall maintain statutory language in section 46.2895 of the statutes relating to long–term care districts created by tribes or bands until the federal department of health and human services approves a waiver request related to those long–term care districts, if such a waiver request is being pursued.

(g) *Other long–term care programs.* If the federal department of health and human services does not disapprove the request to administer the family care program in every county in the state under paragraph (b), the department may elect to discontinue enrollment of participants in or administration of any of the programs under section 46.271, 46.275, 46.277, 46.278, or 46.2785 of the statutes in a county at any time determined by the department that is after the date that the family care program is available to all eligible residents of that county.

(9q) AGING AND DISABILITY RESOURCE CENTERS.

(a) By January 1, 2017, the department of health services shall evaluate the functional screening and options counseling for reliability and consistency among

resource centers, as defined in section 46.2805 (10) of the statutes, and submit a report to the joint committee on finance on that evaluation.

(b) By no later than July 1, 2016, the department of health services shall assess which responsibilities of resource center governing boards described under section 46.283 (6) of the statutes are duplicative of functions performed by the department of health services and shall propose changes to the statutory requirements for the resource center governing boards to remove any duplication of functions.

(c) By no later than April 1, 2016, the department shall study the integration of income maintenance consortia and aging and disability resource centers, as defined in section 46.2805 (10) of the statutes, and shall present a report to the joint committee on finance with recommendations regarding potential efficiencies that may be gained, if any, from the integration of these entities and whether an integration would be appropriate considering the responsibilities of each entity.

(10) MERGER OF DIVISIONS INTO MEDICAID SERVICES DIVISION. Before March 31, 2016, the department of health services shall submit to the state budget office in the department of administration a report of the final organization of the merger of the division of the department of health services relating to long–term care and the division of the department of health services relating to health care access and accountability into a single division of the department of health services relating to Medicaid services.

(10u) FOOD SAFETY FEES. During the period beginning on the effective date of this subsection and ending on July 1, 2016, neither the department of health services nor any local health department designated as an agent of the department may modify any fee established under section 254.71 of the statutes or, with respect to

restaurants and temporary restaurants, under section 254.68 or 254.69 (2) of the statutes.

(11f) MEDICAL ASSISTANCE NONEMERGENCY MEDICAL TRANSPORTATION.

(a) The department of health services shall, to the extent permitted by the contract, modify the contract that is in effect on the effective date of this paragraph for the arrangement and reimbursement of nonemergency medical transportation services to recipients of Medical Assistance under subchapter IV of chapter 49 of the statutes to exclude recipients of Medical Assistance residing in Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties from that contract.

(b) If the department of health services modifies the contract under paragraph (a), the department of health services shall make alternative arrangements with counties, health maintenance organizations, or transportation providers to provide nonemergency medical transportation services to Medical Assistance recipients who reside in the counties specified in paragraph (a) no later than January 1, 2016.

SECTION 9119. Nonstatutory provisions; Higher Educational Aids Board.

SECTION 9120. Nonstatutory provisions; Historical Society.

SECTION 9121. Nonstatutory provisions; Housing and Economic Development Authority.

SECTION 9122. Nonstatutory provisions; Insurance.

(1v) EMERGENCY RULE FOR INDEPENDENT DISPUTE RESOLUTION PROCESS. Using the procedure under section 227.24 of the statutes, the commissioner of insurance may promulgate the rules required under section 632.876 of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated

under section 632.876 of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the commissioner is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 9123. Nonstatutory provisions; Investment Board.

SECTION 9124. Nonstatutory provisions; Joint Committee on Finance.

SECTION 9125. Nonstatutory provisions; Judicial Commission.

SECTION 9126. Nonstatutory provisions; Justice.

(1c) YOUTH DIVERSION GRANT REDUCTIONS.

(a) Notwithstanding the amount specified under section 165.987 (1) of the statutes, the department of justice shall reduce the amount of money allocated under section 165.987 (1) of the statutes by $179,600 in each of the fiscal years 2015–16 and 2016–17.

(b) Notwithstanding the amount specified under section 165.987 (2) of the statutes, the department of justice shall reduce the amount of money allocated under section 165.987 (2) of the statutes by $18,400 in each of the fiscal years 2015–16 and 2016–17.

(c) Notwithstanding the amounts specified under section 165.987 (3) of the statutes, the department of justice shall reduce the amount of money allocated for each of the contracts for a specified county that are funded under that section by $53,800 in each of the fiscal years 2015–16 and 2016–17 and shall reduce the amount

of money allocated for a contract with an unspecified organization that is funded under that section by $36,600 in each of the fiscal years 2015–16 and 2016–17.

(1q) DRUG LAW ENFORCEMENT AND INTERDICTION GRANTS. From the appropriation account under section 20.455 (2) (kd) of the statutes, the department of justice shall award to the Lafayette County Sheriff's Department, for drug law enforcement and drug interdiction services, a grant in the amount of $50,000 in fiscal year 2015–16 and a grant in the amount of $50,000 in fiscal year 2016–17.

SECTION 9127. Nonstatutory provisions; Legislature.

(1j) 100TH ANNIVERSARY STATE CAPITOL COMMEMORATION COMMISSION.

(a) The joint committee on legislative organization shall establish a committee, to be known as the 100th anniversary state capitol commemoration commission, consisting of 9 members. Each of the following shall appoint one member: the speaker of the assembly, the minority leader of the assembly, the president of the senate, the minority leader of the senate, the governor, the supreme court, the secretary of administration, the state capitol and executive residence board, and the director of the state historical society. The members of the commission shall elect a chairperson.

(b) The 100th anniversary state capitol commemoration commission shall plan events, including educational programs for children and students, to be held in 2017 for commemorating the 100th anniversary of the completion of the state capitol. The commission may request that individuals and organizations with knowledge of the history, construction, and renovation of the state capitol assist the commission in planning and executing the commemoration.

(c) Upon completion of the commemoration, the 100th anniversary state capitol commemoration commission is dissolved.

SECTION 9128. Nonstatutory provisions; Lieutenant Governor.

SECTION 9129. Nonstatutory provisions; Local Government.

(1) CRIME PREVENTION FUNDING BOARD. Upon the creation of a crime prevention funding board, the initial members of the board specified under section 59.54 (28) (c) of the statutes shall declare that they are serving on the board, or appoint their designees, not later than the first day of the 4th month beginning after a board is created.

(3f) LOCAL ROOM TAX. With regard to a municipality which collects a room tax on May 13, 1994, with the form that the municipality submits to the department of revenue on or before May 1, 2016, as described under section 66.0615 (4) (a) of the statutes, the municipality shall also include a copy of its room tax ordinance that was in effect on May 13, 1994. In addition, the municipality shall also include with the form a copy of the municipality's financial statement that was completed nearest in time to May 13, 1994, and that shows the percentage of room tax revenue that the municipality retained for its own purposes other than purposes related to tourism promotion and development.

(3u) METROPOLITAN SEWERAGE DISTRICTS.

(a) Notwithstanding section 200.09 (1) (a) of the statutes, as affected by this act, the terms of the members of a metropolitan sewerage district that contains a 2nd class city with a population of 200,000 or more expire on the effective date of this subsection.

(b) Notwithstanding section 200.09 (1) (b) of the statutes, as created by this act, the initial members of a commission appointed under section 200.09 (1) (b) of the statutes, as created by this act, shall be appointed for the following terms:

1. One member appointed by the executive council of the towns, one member appointed by the executive council of the cities and villages, and one member appointed by the mayor of the 2nd class city, for a term expiring 3 years after the initial appointment.

2. One member appointed by the executive council of the cities and villages and 2 members appointed by the mayor of the 2nd class city, for a term expiring 2 years after the initial appointment.

3. One member appointed by the executive council of the cities and villages and 2 members appointed by the mayor of the 2nd class city, for a term expiring one year after the initial appointment.

SECTION 9130. Nonstatutory provisions; Medical College of Wisconsin.

SECTION 9131. Nonstatutory provisions; Military Affairs.

SECTION 9132. Nonstatutory provisions; Natural Resources.

(1) RELOCATION OF DIVISION OF FORESTRY HEADQUARTERS. The department of natural resources shall develop a plan to move the headquarters of the division of forestry from the city of Madison to a northern location in this state. In the plan, the department of natural resources shall provide in detail the costs of relocating the headquarters, a timeline for implementing the relocation, and a list of options for northern locations in this state. The department of natural resources shall complete the plan in time for the plan to be included in the department of natural resources' 2017–19 biennial budget request.

(1q) CAR-KILLED DEER REPORT. The department of natural resources shall prepare a report on the program under section 29.349 (4) of the statutes, as created by this act, including an account of the cost–effectiveness of the program, the number of deer collected, and any recommendations regarding the program. Before January

1, 2017, the department shall submit the report to the governor, to the joint committee on finance, and to appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate.

(1v) REPORT ON FUNDING OF FISH AND WILDLIFE MANAGEMENT ACTIVITIES. The department of natural resources shall prepare a report on a plan to address the insufficiency of revenues from hunting and fishing approval fees to cover the cost of activities of the department that relate to fish and wildlife management. The department shall prepare this report in consultation with stakeholders, including hunters, anglers, trappers, and conservationists. The report shall include recommendations for program reductions and hunting and fishing approval fee increases necessary to ensure that the revenue from hunting and fishing approval fees is sufficient to cover the cost of fish and wildlife management activities. Before January 1, 2017, the department of natural resources shall submit the report to the joint committee on finance.

(3d) LAYOFF PROCEDURES FOR CERTAIN EMPLOYEES OF THE DEPARTMENT OF NATURAL RESOURCES. The layoff procedures under section 230.34 (2) (a) of the statutes shall not apply to employees holding the 11.0 FTE SEG education–related positions and the 18.4 FTE SEG science services positions, funded from the appropriation accounts under section 20.370 (1) (mu), (2) (hq), (3) (fj), (mt), (mu), and (my), (4) (mu) and (mz), and (9) (iq), (mu), and (mz) of the statutes during the 2013–15 fiscal biennium, that are eliminated by this act.

(3f) AUDIT OF MONEYS RECEIVED FOR FORESTRY ACTIVITIES. The joint legislative audit committee is requested to direct the legislative audit bureau to perform an audit of the moneys received by the department of natural resources for forestry activities and how those moneys are spent. If the committee directs the legislative

audit bureau to perform an audit, the bureau shall file its report as described under section 13.94 (1) (b) of the statutes on or before June 30, 2017.

(4c) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of natural resources shall provide in fiscal year 2015–16, from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, $200,000 to the Southeastern Wisconsin Fox River commission. The commission may use this funding for activities that are required or authorized under subchapter VI of chapter 33 of the statutes and that are consistent with the commission's implementation plan. The activities for which this funding is used may include the activities required under section 33.56 (1), (2), and (3) of the statutes.

(4f) STATE PARKS STUDY AND REPORT.

(a) In this subsection, "department" means the department of natural resources.

(b) The department shall study options for additional sources of revenue for operating and maintaining state parks. The department shall study at least all of the following options:

1. Using revenue generated from a program under which a person may voluntarily purchase a state park vehicle admission sticker when the person registers a vehicle with the department of transportation.

2. Using revenue generated from increased camping fees at state parks based on local market conditions or seasonal demand, based on the amenities or facilities offered by a park, or based on other features or conditions of a park.

(c) The department shall prepare a report containing the results of its study conducted under paragraph (b). The report shall include revenue estimates from the options studied under paragraph (b) and shall include recommendations for closing

the structural imbalance between the revenue generated from state park and camping fees and the cost to operate and maintain state parks.

(d) The department shall submit the report under paragraph (c) on or before December 1, 2016, to the joint committee on finance, the governor, and the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate, in the manner provided under section 13.172 (3) of the statutes.

(4v) INITIAL FUNDING OF FOREST MANAGEMENT ACTIVITIES ON FEDERAL LAND.

(a) The department of natural resources shall submit to the cochairpersons of the joint committee on finance before January 1, 2016, a report on activities conducted under section 28.15 of the statutes since the effective date of this paragraph that were funded by the appropriation account under section 20.370 (1) (mv) of the statutes. The department shall include in the report a plan for use of moneys allocated for the purpose of supporting activities under section 28.15 of the statutes in fiscal year 2016–17.

(b) The department shall submit to the cochairpersons of the joint committee on finance before January 1, 2016, a written request to supplement the appropriation under section 20.370 (1) (mv) of the statutes for the 2016–17 fiscal year for the purpose of paying the initial costs of administering and implementing a cooperative agreement and any contracts entered into under section 28.15 of the statutes.

(c) If the cochairpersons of the joint committee on finance do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the request within 14 working days after the date on which the department submits the request, the supplement is approved. If, within 14 working days after the date on which the department submits the request, the cochairpersons notify the

department that the committee has scheduled a meeting for the purpose of reviewing the request, the supplement may occur only as approved by the committee.

(d) The supplement shall be paid from the appropriation account under section 20.865 (4) (u) of the statutes.

(4vw) STATE FOREST PLAN VARIANCE. On or before June 30, 2016, the department of natural resources shall propose a variance to the master plans of all state forests except for the southern state forests, as defined in section 27.016 (1) (c) of the statutes, and except for Governor Knowles State Forest to incorporate the requirements in section 28.04 (3) (am) of the statutes, as created by this act, with respect to land classified as a forest production area.

(4vx) STATE FOREST PLAN AMENDMENT. Before March 1, 2017, the department of natural resources shall amend the master plans of all state forests except for the southern state forests, as defined in section 27.016 (1) (c) of the statutes, and except for Governor Knowles State Forest so that 75 percent of all the land in those state forests combined is classified as a forest production area.

SECTION 9133. Nonstatutory provisions; Public Defender Board

SECTION 9134. Nonstatutory provisions; Public Instruction.

(2) OPTIONAL PARTICIPATION IN COOPERATIVE EDUCATIONAL SERVICE AGENCIES. Notwithstanding section 116.065 (2) of the statutes, if a school board adopts a resolution to withdraw from a cooperative education service agency under section 116.065 (1) of the statutes, as affected by this act, by no later than 30 days after the effective date of this subsection, the resolution is effective July 1, 2015.

(5f) REPRESENTATION AND APPORTIONMENT PLANS FOR ELECTION OF MEMBERS OF CERTAIN UNIFIED SCHOOL DISTRICTS. Notwithstanding section 120.42 (1m) (a) and (b) of the statutes, as created by this act, the school board of a unified school district

described in section 120.42 (1) (d) 2. of the statutes, as created by this act, shall both establish a representation plan pursuant to section 120.42 (1m) (a) of the statutes, as created by this act, and adopt a district apportionment plan pursuant to section 120.42 (1m) (b) of the statutes, as created by this act, before November 1, 2015. Nothwithstanding section 120.42 (2) of the statutes, the members of the school board of a unified school district described in section 120.42 (1) (d) 2. of the statutes, as created by this act, who hold office on the effective date of this subsection shall cease to hold office on the 4th Monday in April 2016. At the 2016 spring election, 9 members shall be elected to the school board of the unified school district for terms established pursuant to the district apportionment plan and commencing on the 4th Monday in April 2016.

(6q) SPECIAL NEEDS SCHOLARSHIP PROGRAM. Notwithstanding section 115.7915 (2) of the statutes, as created by this act, the department shall award a scholarship to a child to attend an eligible school in the 2016–17 school year under section 115.7915 of the statutes, as created by this act, if the child satisfies the eligibility requirements under section 115.7915 (2) (b) to (d) and (f) of the statutes, as created by this act, and all of the following conditions are met:

(a) The child applied to attend a public school in one or more nonresident school districts under section 118.51 of the statutes for the 2011–12, 2012–13, 2013–14, 2014–15, or 2015–16 school year.

(b) The conditions under section 115.7915 (2) (a) 1. and 2. of the statutes, as created by this act, are satisfied for any of the school years specified in paragraph (a).

(c) The child will attend a public school in this state for the entire 2015–16 school year.

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

SECTION 9136. Nonstatutory provisions; Public Service Commission.

(1j) INDUSTRIAL WIND TURBINES. The public service commission shall conduct a review of studies conducted to ascertain the health effects of industrial wind turbines on persons residing near the turbine installations. If the review shows that there are substantially negative health effects on persons residing beyond the 1,250–foot setback distance specified in the rules promulgated by the public service commission under section 196.378 (4g) (b) of the statutes, the commission may, no later than 6 months after completing the review, submit in proposed form any necessary revisions to those rules to the legislative council staff under section 227.15 (1) of the statutes.

(2c) COMMISSION MEMBERS. Notwithstanding section 15.06 (1) (c) of the statutes, as created by this act, the commissioners of the public service commission appointed under section 15.06 (1) (a) of the statutes and the chairperson of the commission designated under section 15.06 (2), 2013 stats., shall remain in office until the expiration of their terms specified in section 15.06 (1) (a) of the statutes and in section 15.06 (2), 2013 stats.

(2q) STATE BROADBAND OFFICE FUNDING. Notwithstanding section 16.42 (1) (e) of the statutes, the public service commission, in submitting information under section 16.42 of the statutes for purposes of the 2017–19 biennial budget bill, shall submit information concerning the appropriation under section 20.155 (1) (g) of the statutes, as affected by this act, as though the amount appropriated for the 2016–17 fiscal year had been $125,000 less than was actually appropriated.

(2u) UNIVERSAL SERVICE FUND.

(a) *Definitions*. In this subsection:

1. "Commission" means the public service commission.

2. "Contribution rates" means the rates of contribution to the fund that the commission requires for telecommunications providers under section 196.218 (3) of the statutes.

3. "Fund" means the universal service fund.

4. "Telecommunication provider" has the meaning given in section 196.01 (8p) of the statutes.

(b) *Report*. The commission shall submit a report to the joint committee on finance on the causes of unencumbered balances in the fund and the changes that could be made to the procedures for setting budgets for programs funded by the fund and establishing contribution rates that would reduce future unencumbered balances. The report shall recommend the level of fund balance that is appropriate to accommodate timing imbalances between revenues and expenditures. The report shall also explain how the commission incorporates unspent revenues in the fund's balance, in excess of any revenues needed to accommodate timing imbalances between revenues and expenditures, into contribution rates the commission requires for the 2015–16 fiscal year. The commission shall submit the report to the joint committee on finance prior to the committee's 3rd quarterly meeting in 2015 under section 13.10 of the statutes.

(c) *Prohibition*. Notwithstanding section 196.218 (3) of the statutes, the commission may not revise contribution rates for fiscal year 2015–16 unless the joint committee on finance approves the report submitted under paragraph (b).

SECTION 9137. Nonstatutory provisions; Revenue.

(1j) AUDITORS. No later than December 31 of each year, beginning in 2016 and ending in 2020, the department of revenue shall submit a report to the joint committee on finance containing information from the previous fiscal year regarding the actual or estimated state tax revenues generated by, and expenditures associated with, the additional full–time equivalent auditor positions authorized under this act. The department of revenue shall include in its annual report the number of audits, and the revenue generated from those audits, that auditors conducted on persons who reside or have a commercial domicile outside this state compared to persons who reside or have a commercial domicile inside this state.

SECTION 9138. Nonstatutory provisions; Safety and Professional Services.

(1) TRANSFER OF PRESCRIPTION DRUG MONITORING PROGRAM.

(a) *Assets and liabilities.* The assets and liabilities of the pharmacy examining board that the secretary of safety and professional services determines to be primarily related to the prescription drug monitoring program become the assets and liabilities of the controlled substances board on the effective date of this paragraph.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the pharmacy examining board that the secretary of safety and professional services determines to be primarily related to the prescription drug monitoring program is transferred to the controlled substances board.

(c) *Contracts.* All contracts that were entered into by the pharmacy examining board, or by the department of safety and professional services on behalf of the pharmacy examining board, that the secretary of safety and professional services

determines to be primarily related to the prescription drug monitoring program, and that are in effect on the effective date of this paragraph, remain in effect and are transferred to the controlled substances board. The controlled substances board shall carry out any obligations under such a contract until the contract is modified or rescinded by the controlled substances board to the extent allowed under the contract.

(d) *Rules and orders.* All rules promulgated, and all orders issued, by the pharmacy examining board that the secretary of safety and professional services determines to be primarily related to the prescription drug monitoring program, and that are in effect on the effective date of this paragraph, remain in effect until their specified expiration date or until modified, amended, rescinded, or repealed by the controlled substances board.

(e) *Pending matters.* Any matter pending with the pharmacy examining board that the secretary of safety and professional services determines to be primarily related to the prescription drug monitoring program is transferred to the controlled substances board, and all materials submitted to or actions taken by the pharmacy examining board with respect to the pending matter are considered as having been submitted to or taken by the controlled substances board.

(5) TRANSFER OF VETERINARY EXAMINING BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of safety and professional services primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, shall become the assets and liabilities of the department of agriculture, trade and consumer protection.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of safety and professional services that is primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, is transferred to the department of agriculture, trade, and consumer protection.

(c) *Contracts.* All contracts entered into by the department of safety and professional services in effect on the effective date of this paragraph that are primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, remain in effect and are transferred to the department of agriculture, trade and consumer protection. The department of agriculture, trade and consumer protection shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of agriculture, trade and consumer protection to the extent allowed under the contract.

(d) *Pending matters.* Any matter pending with the department of safety and professional services on the effective date of this paragraph that is primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, is transferred to the department of agriculture, trade and consumer protection and all materials submitted to or actions taken by the department of safety and professional services with respect to the pending matters are considered as having been submitted to or taken by the department of agriculture, trade and consumer protection.

(e) *Fees.* All fees for initial licenses, certifications, and other credentials, and for renewals of those licenses, certifications, and other credentials, under chapter 453 of the statutes that are in effect on the day before the effective date of this paragraph shall remain in effect until modified by the department of agriculture,

trade and consumer protection under section 89.063 of the statutes, as created by this act.

(6c) CREDENTIAL RENEWAL FEES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS. Notwithstanding sections 440.03 (9), 440.05 (2) (a), 440.08 (2) (c) and (3) (a), and 459.24 (5) (a) of the statutes, the renewal fee for a license granted under subchapter II of chapter 459 of the statutes shall, instead of being determined under section 440.03 (9) of the statutes, be $75 with respect to the February 1, 2017, renewal date.

SECTION 9139. Nonstatutory provisions; Secretary of State.

(1q) TRANSFER OF DOCUMENTS. On the effective date of this subsection, all documents in the possession of the secretary of state related to municipal name changes, reorganizations, and boundary record keeping functions, including those to which sections 60.05 (4), 60.065, 61.187 (2) (d), 61.189 (2), 62.02, 62.075 (5), 62.26 (7), 66.0203 (7), 66.0211 (5), 66.0213 (4) and (6), 66.0215 (5), 66.0216 (5), 66.0217 (9) (a) and (b), 66.0219 (7), 66.0227 (5), 66.0301 (6) (e), and 66.0307 (10) apply, shall be transferred to, and become the property of, the department of administration.

SECTION 9140. Nonstatutory provisions; State Employment Relations, Office of.

(1) ELIMINATION OF THE OFFICE OF STATE EMPLOYMENT RELATIONS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of state employment relations become the assets and liabilities of the department of administration.

(b) *Positions and employees.* On the effective date of this paragraph, all positions and all incumbent employees in the classified service of the state civil service holding those positions in the office of state employment relations are

transferred to the department of administration, except for 6.95 PR FTE positions, funded from the appropriation under s. 20.545 (1) (k), 2013 stats., that are identified by the secretary of administration.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under chapter 230 of the statutes in the department of administration that they enjoyed in the office of state employment relations immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office of state employment relations is transferred to the department of administration.

(e) *Pending matters.* Any matter pending with the office of state employment relations on the effective date of this paragraph is transferred to the department of administration. All materials submitted to or actions taken by the office of state employment relations are considered as having been submitted to or taken by the department of administration.

(f) *Contracts.* All contracts entered into by the office of state employment relations in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under those contracts unless modified or rescinded by that department to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the office of state employment relations in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of

administration. All orders issued by the office of state employment relations in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

SECTION 9141. Nonstatutory provisions; State Fair Park Board.

SECTION 9142. Nonstatutory provisions; Supreme Court.

SECTION 9143. Nonstatutory provisions; Technical College System.

(3j) REPORT RELATING TO PERFORMANCE–BASED FUNDING. In the 2015–17 fiscal biennium, the technical college system board shall review, and submit to the joint committee on finance a report on, the performance–based funding formula established under section 38.28 (2) (be) 1. of the statutes, as affected by this act. The report shall include possible changes to the performance–based funding formula and additional performance criteria that could be included under section 38.28 (2) (be) 1. of the statutes, as affected by this act.

SECTION 9144. Nonstatutory provisions; Tourism.

(2) TRANSFER OF LOWER WISCONSIN STATE RIVERWAY BOARD TO DEPARTMENT OF NATURAL RESOURCES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of tourism primarily related to the functions of the lower Wisconsin state riverway board, as determined by the secretary of administration, become the assets and liabilities of the department of natural resources.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of tourism that is primarily related to the functions of the lower Wisconsin state riverway board, as determined by the secretary of administration, is transferred to the department of natural resources.

(c) *Contracts*. All contracts entered into by the department of tourism in effect on the effective date of this paragraph that are primarily related to the functions of the lower Wisconsin state riverway board, as determined by the secretary of administration, remain in effect and are transferred to the department of natural resources. The department of natural resources shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of natural resources to the extent allowed under the contract.

(3j) STUDY CONCERNING TOURISM MARKETING EXPENDITURES; REPORT. The department of tourism shall conduct a study of the statewide benefits of the marketing expenditures required under section 41.11 (6) of the statutes and any possible alternative marketing expenditures that could be made with the same funds. No later than January 1, 2017, the department of tourism shall submit to the joint committee on finance a report detailing its findings from the study conducted under this subsection.

SECTION 9145. Nonstatutory provisions; Transportation.

(1c) CITY OF KEWAUNEE HARBOR ASSISTANCE GRANT. In the 2015–16 fiscal year, from the appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, as affected by this act, notwithstanding the eligibility criteria under section 85.095 of the statutes, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes to the city of Kewaunee for harbor infrastructure improvements and repair and restoration of harbor facilities. The amount of the grant awarded under this subsection shall be $4,220,000 or the total cost of the project, whichever is less.

(1d) STATE HIGHWAY PROGRAM AUDIT. The joint legislative audit committee is requested to direct the legislative audit bureau to conduct a performance evaluation

audit of the state highway program. If the committee directs the legislative audit bureau to conduct the audit, the bureau shall file its reports in the manner described under section 13.94 (1) (b) of the statutes by January 1, 2017. If conducted, the audit shall do all of the following:

(a) Evaluate the department of transportation's traffic forecasting methodologies, assess the accuracy of its forecasts as compared to those produced by other states, assess the conformity of the department's traffic forecasting methodologies with relevant professional standards, and consider any other factor relevant to the assessment of the department's traffic forecasting methodologies.

(b) The evaluation under paragraph (a) shall include a comparison of traffic forecasts provided by the department of transportation from 1990 to 2014 during federal environmental project reviews with postconstruction traffic counts in corresponding completed project locations.

(c) The comparison under paragraph (b) shall include a comparison of the accuracy of the department of transportation's traffic forecasts for projects in the state highway rehabilitation program, the major highway development program, the southeast Wisconsin freeway rehabilitation program, and the southeast Wisconsin freeway megaprojects program.

(d) Evaluate the processes and factors that the department of transportation uses to select the timing, type, and scope of highway improvements. The types of improvements evaluated shall include lane additions, increasing highway shoulder width, purchase of additional right–of–way, construction of bicycle and pedestrian facilities, changes to roadway geometric alignments, use of dynamic and static messaging signs, and inclusion of ramp gates, barriers, roundabouts, diverging diamond intersections, or aesthetic design elements in projects.

(e) The evaluation under paragraph (d) shall include the total amount expended for each highway improvements type from fiscal year 2005–06 to fiscal year 2014–15 by fiscal year.

(f) Assess whether the department of transportation could reduce state highway program expenditures on safety–related improvements without significantly reducing public safety.

(g) Evaluate the extent to which the department of transportation has met, failed to meet, or exceeded minimum federal and state requirements for highway design and construction for fiscal year 2005–06 to fiscal year 2014–15 and the costs or savings associated with the department's practices related to compliance with highway design and construction requirements.

(h) Audit the department of transportation's bidding practices related to the state highway program for fiscal year 2005–06 to fiscal year 2014–15 and assess the extent to which these practices have complied with state statutes.

(i) Provide recommendations for the improvement or correction of practices of the department of transportation related to the components of this audit.

(1f) GENERAL TRANSPORTATION AID PAYMENT TO THE TOWN OF KENDALL. Notwithstanding any provision of section 86.30 of the statutes relating to amount of or eligibility for aids payments under that section, in the 2015–16 fiscal year, from the appropriation under section 20.395 (1) (ar) of the statutes, as affected by this act, the department of transportation shall make an aid payment of $24,800 to the town of Kendall in Lafayette County to correct a prior aid payment by the department.

(1v) CONTINGENT TRANSPORTATION BONDING.

(a) The department of transportation may submit a request to use the proceeds of general obligation bonds issued under section 20.866 (2) (uuu) of the statutes to

the joint committee on finance. If paragraph (d) 2. applies, the request shall include a recommendation regarding whether section 20.395 (6) (ae) or (av) of the statutes should be used to pay principal and interest costs. If the cochairpersons of the joint committee on finance do not notify the department of transportation within 14 working days after the submission of the request that the committee intends to schedule a meeting to review the request, the department of transportation may expend the bond proceeds as requested and any recommendation by the department regarding the appropriation to be used to pay principal and interest costs is approved. If, within 14 working days after the date of the submission of the request, the cochairpersons of the committee notify the department that the committee intends to schedule a meeting for the purpose of reviewing the request, the department of transportation may not expend the bond proceeds, except as the committee determines.

(b) Notwithstanding paragraph (a), the joint committee on finance may not approve the use of more than $200,000,000 in state debt under section 20.866 (2) (uuu) of the statutes in fiscal year 2015–16.

(c) For fiscal year 2016–17, the modification amount is equal to the amount by which total state revenues for the transportation fund as shown in the annual fiscal report for fiscal year 2015–16 exceed $1,661,562,400, except that the modification amount may not exceed $150,000,000. Notwithstanding paragraph (a), the total amount of debt authorization under section 20.866 (2) (uuu) of the statutes that the joint committee on finance may approve in fiscal year 2016–17 is reduced by the modification amount.

(d) Principal and interest costs incurred in financing major highway and rehabilitation projects under section 20.866 (2) (uuu) of the statutes shall be paid as follows:

1. For costs related to the first $175,000,000 in state debt incurred under section 20.866 (2) (uuu) of the statutes, from the appropriation under section 20.395 (6) (ae) of the statutes.

2. For costs related to state debt incurred under section 20.866 (2) (uuu) of the statutes other than that described under subdivision 1., from the appropriations under section 20.395 (6) (ae) or (av) of the statutes, as the joint committee on finance directs in approving a request under paragraph (a).

(e) If the modification amount under paragraph (c) is greater than zero, the department of transportation may submit a request to the joint committee on finance to supplement appropriations under section 20.395 (3) (bq) and (cq) of the statutes for additional major highway development or state highway rehabilitation funding up to the amount of the modification amount. If the cochairpersons of the joint committee on finance do not notify the department of transportation within 14 working days after the submission of the request that the committee intends to schedule a meeting to review the request, the appropriations shall be supplemented as requested. If, within 14 working days after the date of the submission of the request, the cochairpersons of the committee notify the department that the committee intends to schedule a meeting for the purpose of reviewing the request, the appropriations requested to be supplemented shall not be supplemented, except as the committee determines.

(f) This subsection does not apply after June 30, 2017.

(2f) GENERAL TRANSPORTATION AID PAYMENT TO THE VILLAGE OF LAKE HALLIE. Notwithstanding any provision of section 86.30 of the statutes relating to amount of or eligibility for aids payments under that section, in the 2015–16 fiscal year, from the appropriation under section 20.395 (1) (ar) of the statutes, as affected by this act, the department of transportation shall make an aid payment of $168,700 to the village of Lake Hallie in Chippewa County to correct a prior aid payment by the department.

(3f) PAYMENTS TO REPLACE YOUNG ROAD BRIDGE IN THE TOWN OF SENECA. Notwithstanding eligibility requirements for receiving aid or limitations on the amount and use of aid provided under section 84.18 of the statutes, in the 2015–16 fiscal year, from the appropriation under section 20.395 (2) (eq) of the statutes, as affected by this act, the department of transportation shall provide to the town of Seneca in Wood County a grant of $85,000, or an amount equal to the share of the total project cost paid by the town of Seneca, whichever is less, for the replacement of the Young Road Bridge in the town of Seneca. The grant under this subsection shall be paid from amounts allocated under section 20.395 (2) (eq) of the statutes, as affected by this act, for bridge development, construction, and rehabilitation under section 84.18.

(4f) FREIGHT OPTIMIZATION MODELING REPORT.

(a) The department of transportation and the Wisconsin Economic Development Corporation shall conduct a study and prepare a report analyzing possible applications of freight optimization modeling for the purposes of economic development and transportation infrastructure prioritization in the state. The report shall include a description of how the department and the Wisconsin Economic Development Corporation would use freight optimization consultant

services for the purposes of economic development and transportation infrastructure prioritization and a recommendation regarding the use of available funding for contracting with one or more consultants for providing freight optimization modeling services. No later than June 30, 2016, the department and the Wisconsin Economic Development Corporation shall complete the study and submit the report to the joint committee on finance.

(b) The department of transportation may submit together with the report under paragraph (a) a request under section 13.10 of the statutes to supplement the appropriation under section 20.395 (4) (bk) of the statutes from the appropriation under section 20.865 (4) (a) of the statutes for the purpose of contracting with a consultant for freight optimization modeling. Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance is not required to find that an emergency exists prior to making a supplementation under this paragraph.

(5f) TRANSPORTATION FUND SOLVENCY STUDY. The department of transportation shall study methods of improving the solvency of the transportation fund and, not later than January 1, 2017, shall submit to the joint committee on finance a report detailing the use of funds allocated for this study, describing the study that was conducted, including the results and conclusions of the study, and making recommendations for statutory modifications needed to improve the solvency of the transportation fund.

SECTION 9146. Nonstatutory provisions; Treasurer.

SECTION 9147. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9148. Nonstatutory provisions; University of Wisconsin System.

(2d) PROCUREMENT POLICIES. The Board of Regents shall submit to the joint committee on finance its procurement policies required under section 36.11 (56m) (b) of the statutes. The joint committee on finance shall submit its approval of the procurement policies to the legislative reference bureau. Upon receipt of the approval, the legislative reference bureau shall publish the approval as a notice in the Wisconsin Administrative Register that states the date on which the approval was submitted.

(3d) GENERAL PURPOSE REVENUE ALLOCATION.

(a) In this subsection, "institution" has the meaning given in section 36.05 (9) of the statutes, and includes the extension, as defined in section 36.05 (7) of the statutes.

(b) The Board of Regents of the University of Wisconsin System shall allocate the $50,000,000 increase in general purpose revenues under motion number 521 adopted by the Joint Committee on Finance on May 29, 2015, to the institutions that are most impacted by reductions in general purpose revenue spending under this act.

(4) RESIDENT UNDERGRADUATE TUITION. Notwithstanding section 36.27 (1) (a) of the statutes, and except as provided in subsection (4d), the Board of Regents of the University of Wisconsin System may not charge resident undergraduates enrolled in an institution or college campus in the 2015–16 or 2016–17 academic year more in academic fees than it charged resident undergraduates enrolled in that institution or college campus in the 2014–15 academic year.

(4d) UNIVERSITY OF WISCONSIN-STEVENS POINT DIFFERENTIAL TUITION. The Board of Regents of the University of Wisconsin System may increase resident undergraduate tuition at the University of Wisconsin–Stevens Point in the 2015–16

and 2016–17 academic years to implement a differential tuition that is approved by students in a referendum held after the effective date of this subsection.

(4g) DIRECTOR OF THE OFFICE OF EDUCATIONAL OPPORTUNITY. The president of the University of Wisconsin System shall appoint a special assistant to serve as the director of the office of educational opportunity under section 36.09 (2) (c) of the statutes by no later than 120 days after the effective date of this subsection.

(5) CAPITALIZATION CHANGE. Wherever "board of regents" appears in the statutes, "Board of Regents" is substituted.

(6d) SUPPLEMENTS FROM COMPENSATION RESERVE DURING 2015–17 FISCAL BIENNIUM. Notwithstanding section 20.928 of the statutes, the Board of Regents of the University of Wisconsin System may not certify any amount to supplement its agency budget to the department of administration under section 20.928 (1) of the statutes for the 2015–17 fiscal biennium.

(7j) ANNUAL FINANCIAL AUDIT OF THE UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Definitions*. In this subsection:

1. "Board" has the meaning given in section 36.05 (2) of the statutes.

2. "System" has the meaning given in section 36.05 (12) of the statutes.

(b) *No financial audit by legislative audit bureau*. Notwithstanding section 13.94 (1) (t) of the statutes, the legislative audit bureau shall not conduct a financial audit of the system for the 2015–16 and 2016–17 fiscal years.

(c) *Contract for financial audit*. The board shall contract with an independent accounting firm licensed under chapter 442 of the statutes for purposes of conducting an annual financial audit of the system for fiscal year 2015–16 and fiscal year 2016–17. This accounting firm shall report to the board and shall provide all of the

following to the board, the governor, the joint legislative audit committee, and the joint committee on finance:

1. The audited financial statements.

2. Performance improvement observations.

3. A management letter complete with internal control deficiencies and audit differences.

(d) *Legislative audit bureau assistance.* The accounting firm with which the board contracts under paragraph (c) may use the legislative audit bureau to assist in conducting the audit to the extent the work relied upon does not modify the audit opinion with the exception of accepting the prior year's unqualified opinion.

(8u) ACCOUNTABILITY MEASURES.

(a) The Board of Regents of the University of Wisconsin System shall identify accountability measures in all of the following areas:

1. Financial management.

2. Administrative management.

3. Educational performance.

4. Research and economic development.

(b) By October 1, 2015, the Board of Regents of the University of Wisconsin System shall submit the accountability measures identified under paragraph (a) to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes, for approval by these committees.

SECTION 9149. Nonstatutory provisions; Veterans Affairs.

SECTION 9150. Nonstatutory provisions; Wisconsin Economic Development Corporation.

(5d) POLICY CONCERNING UNASSIGNED BALANCE. No later than October 1, 2015, the board of directors of the Wisconsin Economic Development Corporation shall submit its policies and procedures established under section 238.03 (4) of the statutes, as created by this act, to the joint committee on finance and the joint legislative audit committee.

(5dc) ECONOMIC DEVELOPMENT GRANTS. In fiscal year 2015–16, from the appropriation under section 20.192 (1) (a) of the statutes, the Wisconsin Economic Development Corporation shall do all of the following:

(a) Grant $250,000 to the Mid–West Energy Research Consortium to support the growth, training, and research and development of private businesses in the energy, power, and control sector that are headquartered in Wisconsin. The Wisconsin Economic Development Corporation shall develop policies and procedures for determining whether a business is headquartered in Wisconsin and otherwise eligible to receive grant moneys under this paragraph. The Mid–West Energy Research Consortium may not expend any grant moneys under this paragraph after June 30, 2017; shall repay any grant moneys not expended under this paragraph to the secretary of administration for deposit in the general fund; and shall comply with all record–keeping and reporting requirements applicable to other recipients of grants from the Wisconsin Economic Development Corporation.

(b) Grant $250,000 to Prosperity Southwest Wisconsin for a new revolving loan program in the southwest region of the state to promote regional economic development and entrepreneurial start–ups.

(c) Grant $150,000 to the Northcentral Technical College for the purchase of commercial stoves, ovens, and other equipment for that college's culinary arts program and business incubator facilities.

(d) Grant $100,000 to the Marathon County Economic Development Corporation for a revolving loan fund to support minority–owned businesses in Marathon County. A business is considered to be minority owned for purposes of this paragraph if the business is at least 30 percent owned by a minority group member, as defined in section 16.287 (1) (f) of the statutes.

SECTION 9151. Nonstatutory provisions; Workforce Development.

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

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

(bu) *Positions and employees.* On the effective date of this paragraph, not less than 18.0 FTE SEG administrative law judge positions, and all incumbent employees holding those positions, in the department of workforce development performing duties that are primarily related to the adjudicatory functions of the division of worker's compensation in that department, as determined by the secretary of administration, are transferred to the division of hearings and appeals in the department of administration. In determining the number of administrative law positions to be transferred under this paragraph, the secretary of administration shall ensure that not less than 6.0 FTE SEG administrative law judge positions and 2.0 FTE SEG legal support staff positions remain at the department of workforce development.

(c) *Employee status.* Employees transferred under paragraph (bu) have all the rights and the same status under chapter 230 of the statutes in the division of hearings and appeals in the department of administration that they enjoyed in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

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

(e) *Pending matters.* Any matter pending with the department of workforce development on the effective date of this paragraph that is primarily related to the adjudicatory functions of the division of worker's compensation in that department, as determined by the secretary of administration, is transferred to the division of hearings and appeals in the department of administration. All materials submitted to or actions taken by the department of workforce development with respect to the pending matter are considered as having been submitted to or taken by the division of hearings and appeals in the department of administration.

(f) *Contracts.* All contracts entered into by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the adjudicatory functions of the division of worker's compensation in that department, as determined by the secretary of administration, remain in effect and are transferred to the division of hearings and appeals in the department of

administration. The division of hearings and appeals in the department of administration shall carry out any obligations under those contracts unless modified or rescinded by the division of hearings and appeals in the department of administration to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the adjudicatory functions of the division of worker's compensation in that department, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the administrator of the division of hearings and appeals in the department of administration. All orders issued by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the adjudicatory functions of the division of worker's compensation in that department, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the administrator of the division of hearings and appeals in the department of administration.

(5) UNEMPLOYMENT INSURANCE; DRUG TESTING.

(a) *Scope statements for rules.* The department of workforce development shall present the statements of scope of the rules required under sections 108.04 (8) (b) and 108.133 (2) (a) and (am) and (4) (b) of the statutes, as created by this act, to the governor for approval under section 227.135 (2) of the statutes no later than the 180th day after the effective date of this paragraph.

(b) *Emergency rule authority.* Using the procedure under section 227.24 of the statutes, the department of workforce development may promulgate any rules required under sections 108.04 (8) (b) and 108.133 (2) (a) and (am) and (4) (b) of the

statutes, as created by this act, for the period before the effective date of any corresponding permanent rules, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(6) INFRASTRUCTURE EMPLOYEE TRANSFERS.

(a) *Employee transfers*. On the effective date of this paragraph, 4.0 FTE positions and the incumbent employees in the classified service of the state civil service holding those positions in the department of workforce development performing duties primarily related to infrastructure, as determined by the secretary of administration, are transferred to the department of administration.

(b) *Employee status*. Employees transferred under paragraph (a) have all the rights and the same status under chapter 230 of the statutes in the department of administration that they enjoyed in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

SECTION 9152. Nonstatutory provisions; Other.

(1c) PAY-FOR-PERFORMANCE CONTRACTS.

(a) In this subsection:

1. "Pay–for–performance contract" means a contract between a state agency and a private organization for the delivery of services under which payment for those

services is contingent upon, and delayed until, the private organization achieves specified performance outcomes as measured by an independent evaluator using agreed–upon standards of measurement. The private organization may serve as an intermediary for obtaining funding to perform the contract by raising capital from private donors or investors and for subcontracting with direct providers to achieve the specified performance outcomes.

2. "State agency" means any office, department, or independent agency in the executive branch of state government.

(b) All state agencies shall review current programs and submit to the joint committee on finance on or before December 1, 2015, a plan that identifies expenditures that could be decreased or programs that could be improved through the use of pay–for–performance contracts.

(1d) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Section 20.003 (4m) of the statutes shall not apply to the action of the legislature in enacting this act.

SECTION 9201. Fiscal changes; Administration.

(1) CONSOLIDATION OF CERTAIN STATE AGENCY SERVICES APPROPRIATIONS. The assets and unencumbered balance in the appropriation account under section 20.505 (1) (ke), 2013 stats., are transferred to the appropriation account under section 20.505 (1) (kL) of the statutes, as affected by this act.

(2) TRANSFER TO STATE BUILDING TRUST FUND. Before July 1, 2016, the secretary of administration may transfer to the state building trust fund, from the appropriation account under section 20.505 (1) (kc) of the statutes, an amount not exceeding $3,000,000 from the unencumbered balance of that appropriation account.

(3q) LAPSE FROM CAPITAL PLANNING AND BUILDING CONSTRUCTION SERVICES APPROPRIATION ACCOUNT TO GENERAL FUND. Notwithstanding section 20.001 (3) (a) of

the statutes, there is lapsed to the general fund from the appropriation account under section 20.505 (1) (kc) of the statutes an amount equal to $5,000,000 in the 2015–16 fiscal year.

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

(1) TRANSFER FROM AGRICULTURAL CHEMICAL CLEANUP FUND TO ENVIRONMENTAL FUND. There is transferred from the agricultural chemical cleanup fund to the environmental fund $1,000,000 in each fiscal year of the 2015–17 biennium.

SECTION 9203. Fiscal changes; Arts Board.

SECTION 9204. Fiscal changes; Building Commission.

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

SECTION 9206. Fiscal changes; Children and Families.

SECTION 9207. Fiscal changes; Circuit Courts.

SECTION 9208. Fiscal changes; Corrections.

SECTION 9209. Fiscal changes; Court of Appeals.

SECTION 9210. Fiscal changes; District Attorneys.

SECTION 9211. Fiscal changes; Educational Communications Board.

SECTION 9212. Fiscal changes; Employee Trust Funds.

SECTION 9213. Fiscal changes; Employment Relations Commission.

(1v) UNSPENT PROGRAM REVENUE. Notwithstanding section 20.001 (3) (a) of the statutes, at the end of each fiscal year in the 2015–17 fiscal biennium, there is lapsed to the general fund any unencumbered balance exceeding 10 percent of that fiscal year's expenditures from the appropriation account under section 20.425 (1) (i) of the statutes.

SECTION 9214. Fiscal changes; Financial Institutions.

SECTION 9215. Fiscal changes; Government Accountability Board.

SECTION 9216. Fiscal changes; Governor.

SECTION 9217. Fiscal changes; Health and Educational Facilities Authority.

SECTION 9218. Fiscal changes; Health Services.

(1) MERGER OF DIVISIONS INTO MEDICAID SERVICES DIVISION.

(a) The unencumbered balances of the appropriations to the department of health services under section 20.435 (7) (g) and (hc) of the statutes, as affected by this act, are transferred to the appropriation account under section 20.435 (4) (h) of the statutes, as affected by this act, on the effective date of this paragraph.

(b) The unencumbered balances of the appropriations to the department of health services under section 20.435 (7) (gc) and (h) of the statutes, as affected by this act, are transferred to the appropriation account under section 20.435 (4) (hp) of the statutes, as affected by this act, on the effective date of this paragraph.

(c) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (gm) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.435 (4) (iL) of the statutes, as affected by this act, on the effective date of this paragraph.

(d) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (hs) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.435 (4) (hs) of the statutes, as affected by this act, on the effective date of this paragraph.

(e) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (i) of the statutes, as affected by this act, is

transferred to the appropriation account under section 20.435 (4) (i) of the statutes, as affected by this act, on the effective date of this paragraph.

(f) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (im) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.435 (4) (im) of the statutes, as affected by this act, on the effective date of this paragraph.

(g) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (jb) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.435 (4) (jc) of the statutes, as affected by this act, on the effective date of this paragraph.

(h) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (kx) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.435 (4) (kx) of the statutes, as affected by this act, on the effective date of this paragraph.

(i) The unencumbered balance of the appropriations to the department of health services under section 20.435 (7) (m) and (mc) of the statutes, as affected by this act, are transferred to the appropriation account under section 20.435 (4) (m) of the statutes, as affected by this act, on the effective date of this paragraph.

(j) The unencumbered balance of the appropriation to the department of health services under section 20.435 (7) (n) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.435 (4) (n) of the statutes, as affected by this act, on the effective date of this paragraph.

(2c) LAPSE FROM PHYSICIAN ASSESSMENT TO GENERAL FUND. Notwithstanding section 20.001 (3) (a) of the statutes, in the fiscal year 2015–16, there is lapsed to the

general fund $1,100,000 from the appropriation account of the department of health services under section 20.435 (1) (hg) of the statutes.

SECTION 9219. Fiscal changes; Higher Educational Aids Board.

SECTION 9220. Fiscal changes; Historical Society.

SECTION 9221. Fiscal changes; Housing and Economic Development Authority.

SECTION 9222. Fiscal changes; Insurance.

SECTION 9223. Fiscal changes; Investment Board.

SECTION 9224. Fiscal changes; Joint Committee on Finance.

SECTION 9225. Fiscal changes; Judicial Commission.

SECTION 9226. Fiscal changes; Justice.

(1) RETURN OF CERTAIN UNUSED MONEYS TO THE JUSTICE INFORMATION SURCHARGE APPROPRIATION ACCOUNT.

(a) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.410 (1) (kd) of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

(b) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.455 (2) (kb)of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

(c) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.455 (2) (ki) of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

(d) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.455 (2) (kn) of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

(e) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.455 (2) (ko) of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

(f) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.455 (5) (ke) of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

(g) In fiscal year 2015–16, an amount equal to the unencumbered balance as of June 30, 2015, in the appropriation account under section 20.505 (1) (kh) of the statutes is transferred from that appropriation account to the appropriation account under section 20.505 (1) (id) of the statutes.

SECTION 9227. Fiscal changes; Legislature.

(1) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint committee on legislative organization shall take actions during the 2015–17 fiscal biennium to ensure that from general purpose revenue appropriations to the legislature under section 20.765 of the statutes an amount equal to $9,232,200 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both.

SECTION 9228. Fiscal changes; Lieutenant Governor.

SECTION 9229. Fiscal changes; Local Government.

SECTION 9230. Fiscal changes; Medical College of Wisconsin.

SECTION 9231. Fiscal changes; Military Affairs.

SECTION 9232. Fiscal changes; Natural Resources.

(1q) WELL COMPENSATION LAPSE. Notwithstanding section 20.001 (3) (b) and (c) of the statutes and the treatment of section 20.370 (6) (cr) of the statutes by this act, the unencumbered balance of the appropriation account under section 20.370 (6) (cr), 2013 stats., shall not lapse to the environmental fund on the effective date of this subsection and all of the following shall occur with respect to that appropriation account:

(a) In fiscal year 2015–16, there is lapsed to the environmental fund $320,000.

(b) In the 2015–17 fiscal biennium, the amounts that may be expended from that appropriation account are the sum of the amounts in the schedule under chapter 20 of the statutes, as affected by this act, and the unencumbered balance in the appropriation account, less the amount lapsed under paragraph (a).

(c) At the end of the 2015–17 fiscal biennium, the unencumbered balance of the appropriation account is lapsed to the environmental fund.

SECTION 9233. Fiscal changes; Public Defender Board.

SECTION 9234. Fiscal changes; Public Instruction.

SECTION 9235. Fiscal changes; Public Lands, Board of Commissioners of.

SECTION 9236. Fiscal changes; Public Service Commission.

(1v) UNIVERSAL SERVICE FUND TRANSFER. There is transferred from the universal service fund to the appropriation account under section 20.155 (3) (r) of the statutes, as created by this act, $6,000,000 in the 2015–16 fiscal year.

SECTION 9237. Fiscal changes; Revenue.

SECTION 9238. Fiscal changes; Safety and Professional Services.

(1) TRANSFER FROM PETROLEUM INSPECTION FUND TO TRANSPORTATION FUND. There is transferred from the petroleum inspection fund to the transportation fund $21,000,000 in each fiscal year of the 2015–17 fiscal biennium.

(3) TRANSFER OF CREDENTIALING FEES. The unencumbered balance in the appropriation account under section 20.165 (1) (g) of the statutes that is primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, is transferred to the appropriation account under section 20.115 (2) (jm) of the statutes, as created by this act.

SECTION 9239. Fiscal changes; Secretary of State.

(1q) AGENCY COLLECTIONS. Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the general fund $30,000 from the appropriation account of the secretary of state under section 20.575 (1) (ka) of the statutes.

SECTION 9240. Fiscal changes; State Employment Relations, Office of.

SECTION 9241. Fiscal changes; State Fair Park Board.

SECTION 9242. Fiscal changes; Supreme Court.

SECTION 9243. Fiscal changes; Technical College System.

SECTION 9244. Fiscal changes; Tourism.

SECTION 9245. Fiscal changes; Transportation.

(1q) FREIGHT RAIL INFRASTRUCTURE IMPROVEMENT LOAN PROGRAM LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the transportation fund $5,200,000 from the appropriation account under section 20.395 (2) (bw) of the statutes.

SECTION 9246. Fiscal changes; Treasurer.

SECTION 9247. Fiscal changes; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9248. Fiscal changes; University of Wisconsin System.

SECTION 9249. Fiscal changes; Veterans Affairs.

SECTION 9250. Fiscal changes; Wisconsin Economic Development Corporation.

SECTION 9251. Fiscal changes; Workforce Development.

SECTION 9252. Fiscal changes; Other.

SECTION 9301. Initial applicability; Administration.

(3) INTEREST ON COMPENSATION FOR SPECIAL PROSECUTORS. The treatment of section 978.045 (2) (a), (b), and (c) of the statutes first applies to appointments made on the effective date of this subsection.

(3f) ASSESSMENTS FOR BUILDING CONSTRUCTION SERVICES. The treatment of section 16.85 (2) of the statutes first applies to services provided on the effective date of this subsection.

SECTION 9302. Initial applicability; Agriculture, Trade and Consumer Protection.

SECTION 9303. Initial applicability; Arts Board.

SECTION 9304. Initial applicability; Building Commission.

(1n) CONTRACTING REQUIREMENTS. The treatment of section 13.48 (19) of the statutes first applies to waivers or authorizations made on the effective date of this subsection.

SECTION 9305. Initial applicability; Child Abuse and Neglect Prevention Board.

SECTION 9306. Initial applicability; Children and Families.

(1) WISCONSIN SHARES ELIGIBILITY AND FUNDING. The treatment of section 49.155 (1m) (intro.), (3) (intro.), and (3m) (am) and (b) 1. of the statutes first applies to a contract made between the department of children and families and a county department or agency for a contract period beginning on October 1, 2015.

(2) ASSIGNMENT OF BENEFITS. The treatment of sections 40.08 (1c), 46.10 (14) (e) 1., 49.345 (14) (e) 1. (as it relates to income continuation insurance benefits and duty disability benefits), 301.12 (14) (e) 1., and 767.75 (1f) and (2m) (a) 1. and 2. of the statutes first applies to benefits paid on the effective date of this subsection.

(3u) RATE-REGULATED AND RATE-BASED SERVICE CONTRACTS. The treatment of sections 46.036 (3) (a) and (c) and (5m) (a) 1., 1d., 1g., 1j., 2., and 3., (b) 1. and 2., (c), (d), (e), and (em), 49.34 (3) (a) and (c) and (5m) (a) 1., 1d., 1g., 1j., 2., and 3., (b) 1., 2., and 3., (d), (e), and (em), and 301.08 (2) (c) 1. and 3., (e), and (em) of the statutes first applies to a contract under which a provider commences performance on the effective date of this subsection.

SECTION 9307. Initial applicability; Circuit Courts.

(1) COSTS OF BLOOD WITHDRAWALS. The treatment of sections 814.63 (3m) (a), 814.65 (4m) (a), and 973.06 (1) (j) of the statutes first applies to a blood withdrawal that occurs on the effective date of this subsection.

(2j) CONSOLIDATED COURT AUTOMATION PROGRAM. The treatment of section 758.20 of the statutes first applies to a charge, dismissal, judgment, or order entered before, on, or after the effective date of this subsection if information regarding the charge, dismissal, judgment, or order is available on the Wisconsin Circuit Court Access Internet site, as defined in section 758.20 (1) of the statutes, on the effective date of this subsection.

SECTION 9308. Initial applicability; Corrections.

SECTION 9309. Initial applicability; Court of Appeals.

SECTION 9310. Initial applicability; District Attorneys.

SECTION 9311. Initial applicability; Educational Communications Board.

SECTION 9312. Initial applicability; Employee Trust Funds.

SECTION 9313. Initial applicability; Employment Relations Commission.

SECTION 9314. Initial applicability; Financial Institutions.

(3f) RAILROAD PROPERTY FILINGS. The treatment of section 190.11 (1), (3), and (4) of the statutes first applies to filings made on the effective date of this subsection.

SECTION 9315. Initial applicability; Government Accountability Board.

SECTION 9316. Initial applicability; Governor.

SECTION 9317. Initial applicability; Health and Educational Facilities Authority.

SECTION 9318. Initial applicability; Health Services.

(1) FUNERAL EXPENSES AID; ESTATE RECOVERY AND REDUCTION FOR LIFE INSURANCE. The treatment of sections 49.682 (title), (1) (a), (2) (am), (bm) 1. and 2., and (c) (intro.), (3), (4) (a) and (b), and (5), 49.785 (1m) (d) and (2), 49.849 (1) (e), (2) (a) (intro.), 1., and 2., (3) (b) and (c) 5. and 6., (4) (b) (intro.) and (bm), and (7), 632.697, 705.04 (2g), 859.07 (2) (a) 3., 867.01 (3) (am) 4. and (d), 867.02 (2) (am) 6., and 867.03 (1g) (c), (1m) (a) and (b), and (2g) (b) of the statutes, the renumbering and amendment of sections 49.682 (1) (d) and 49.849 (1) (c) of the statutes, and the creation of sections 49.682 (1) (d) 2. and 49.849 (1) (c) 2. of the statutes first apply to individuals receiving funeral, burial, and cemetery expenses aid who die on the effective date of this subsection.

(1v) LEAD-BEARING PAINT; DEFINITIONS AND PENALTIES. The treatment of sections 254.11 (8), 254.156, and 254.30 (2) (a) and (b) of the statutes first applies to violations of sections 254.11 to 254.178 of the statutes or rules promulgated or orders issued under those sections that occur on the effective date of this subsection.

(2) DENTAL REIMBURSEMENT PILOT PROJECT. The treatment of section 49.45 (24k) (a) of the statutes first applies to claims by dental services providers for services that are provided on the effective date of the waiver or plan amendment described in section 49.45 (24k) (b) of the statutes.

(3f) QUI TAM CLAIMS FOR FALSE CLAIMS FOR MEDICAL ASSISTANCE.

(a) The treatment of sections 20.931, 165.25 (11), and 893.981 of the statutes does not apply to actions filed before the effective date of this subsection.

(b) The treatment of sections 165.08, 801.02 (1), 803.09 (1) and (2), 804.01 (2) (intro.), and 805.04 (1) and (2m) of the statutes first applies to actions filed after the effective date of this subsection.

(3j) FUNERAL EXPENSES AID; FEES EXEMPTION. The treatment of section 49.785 (1r) of the statutes first applies to fees imposed with respect to individuals receiving funeral, burial, and cemetery expenses aid who die on September 1, 2015.

(4f) FOODSHARE BENEFIT REDUCTION FOR REPLACEMENT OF CARD. The treatment of section 49.79 (7c) (a) of the statutes first applies to requests for the replacement of electronic benefit transfer cards that are received by the department of health services or its contracted entities on July 1, 2016.

SECTION 9319. Initial applicability; Higher Educational Aids Board.

(3f) MINORITY TEACHER LOAN PROGRAM. The treatment of section 39.40 (2) (a), (am), (b), (bm), (c), (cm), (d), and (dm) and (2m) of the statutes, the renumbering and amendment of section 39.40 (3) of the statutes, and the creation of section 39.40 (3)

(b) 1. and 2. of the statutes first apply to loans made after the effective date of this subsection.

SECTION 9320. Initial applicability; Historical Society.

SECTION 9321. Initial applicability; Housing and Economic Development Authority.

SECTION 9322. Initial applicability; Insurance.

SECTION 9323. Initial applicability; Investment Board.

SECTION 9324. Initial applicability; Joint Committee on Finance.

SECTION 9325. Initial applicability; Judicial Commission.

SECTION 9326. Initial applicability; Justice.

SECTION 9327. Initial applicability; Legislature.

(1f) DRAFTING RECORDS. The treatment of section 13.92 (intro.) and (1) (a) 3., (c), and (e) 5. of the statutes first applies to a proposal introduced on the effective date of this subsection.

(1v) LEGISLATIVE PRIVILEGE. The treatment of section 905.17 of the statutes first applies to actions or special proceedings that are commenced on the effective date of this subsection.

SECTION 9328. Initial applicability; Lieutenant Governor.

SECTION 9329. Initial applicability; Local Government.

(1) CENSUS DATA REPORTING. The treatment of section 5.15 (1) (c), (4) (b), (bg), and (br), and (7) of the statutes first applies with respect to transmittal of municipal boundary information for the 2016 calendar year.

(2) BOUNDARY, STATUS, NAME CHANGES. The treatment of sections 60.05 (4), 60.065, 61.187 (2) (d), 61.189 (2), 62.02, 62.075 (5), 62.26 (7), 66.0203 (7) (a), 66.0211 (5), 66.0213 (4) (a) and (6), 66.0215 (5), 66.0216 (5) and (6), 66.0217 (9) (a) and (b),

66.0219 (7), 66.0221 (1), 66.0223 (1), 66.0227 (5), 66.0231, 66.0301 (6) (e), and 66.0307 (10) of the statutes first applies to a document that is filed, recorded, supplied, provided, forwarded, or issued, or to a fact that is certified, on the effective date of this subsection.

(3c) LOCAL LEVY LIMIT; COVERED SERVICE. The treatment of section 66.0602 (2m) (b) 1. of the statutes first applies to a levy that is imposed in December 2015.

(3f) LOCAL ROOM TAX. The treatment of section 66.0615 (1m) (a), (d) 1. and 2., and (dm) of the statutes first applies to taxes collected and expenditures made on January 1, 2016.

(3u) DRAINAGE DISTRICTS. The creation of section 88.81 (5) of the statutes first applies to a petition for suspension of operation for which no final order has been issued on the effective date of this subsection.

SECTION 9330. Initial applicability; Medical College of Wisconsin.

SECTION 9331. Initial applicability; Military Affairs.

SECTION 9332. Initial applicability; Natural Resources.

(1) SNOWMOBILE REGISTRATION. The treatment of section 350.12 (3) (b) 1. of the statutes first applies to snowmobile registration certificates issued on the effective date of this subsection.

(2u) FOREST PRODUCTION AREAS. The treatment of section 28.04 (3) (am) of the statutes first applies to a plan prepared, amended, or revised or for which a variance is approved on the effective date of this subsection.

SECTION 9333. Initial applicability; Public Defender Board.

(1) INTEREST ON PAYMENTS FOR LEGAL REPRESENTATION. The treatment of section 16.528 (3) (f) (with respect to public defender contracts) of the statutes first applies

to contracts entered into, or modified, renewed, or extended, on the effective date of this subsection.

SECTION 9334. Initial applicability; Public Instruction.

(1) CHARTER SCHOOL CONTRACTS. The treatment of section 118.40 (2r) (b) 2. and (c), (3) (e) and (g), and (4) (d) of the statutes first applies to a contract for the establishment of a charter school that is entered into, renewed, or modified on the effective date of this subsection.

(2) APPLICATIONS TO PARTICIPATE IN A PARENTAL CHOICE PROGRAM. The treatment of sections 118.60 (3) (a) (intro.) 1., (intro.), a. to c., 1m, 2., 2m., 3., 4., and 5. and 119.23 (3) (a) (intro.), 1., 2., 3., 4., and 5. of the statutes first applies to applications to participate in a program under section 118.60 of the statutes or section 119.23 of the statutes in the 2016–17 school year.

(2d) OPEN ENROLLMENT APPLICATIONS; PUPILS RECEIVING SPECIAL EDUCATION SERVICES. The treatment of section 118.51 (3) (a) 4., (3m) (d) (intro.), 1., and 2., (9), and (12) (a), (am), and (b) of the statutes first applies to applications to attend a public school in a nonresident school district under section 118.51 of the statutes in the 2016–17 school year.

(3) FINANCIAL AUDITS FOR PRIVATE SCHOOLS PARTICIPATING IN PARENTAL CHOICE PROGRAMS. The treatment of sections 118.60 (7) (am) and 119.23 (7) (am) of the statutes first applies to a financial audit of the 2015–16 school year.

(3c) TUITION FOR PUPILS ATTENDING A PUBLIC SCHOOL OUTSIDE DISTRICT OF RESIDENCE. The treatment of section 121.78 (1) (a) of the statutes first applies to the payment of tuition for pupils attending a public school outside the pupil's school district of residence in the 2015–16 school year.

(3d) TRANSPORTATION OF PUPILS ENROLLED IN OUT-OF-STATE PUBLIC SCHOOLS. The treatment of section 121.78 (1) (b) of the statutes first applies to the transportation of pupils attending a public school in the 2015–16 school year.

(3j) LETTER OF INTEREST TO PURCHASE ELIGIBLE SCHOOL BUILDINGS IN THE CITY OF MILWAUKEE. The treatment of section 119.61 (4) (e) of the statutes first applies to a school building that qualifies as an eligible school building under section 119.61 (1) (b) of the statutes, as created by this act, on the effective date of this subsection.

SECTION 9335. Initial applicability; Public Lands, Board of Commissioners of.

SECTION 9336. Initial applicability; Public Service Commission.

(1c) COMMISSION MEMBERS. The treatment of sections 15.06 (4m), 15.79 (1) and (2) (intro.), 20.923 (4) (f) 8h., 196.02 (5), 196.65 (1) (e), 227.50 (1) (am) 4., and 230.08 (2) (mL) of the statutes first applies to individuals serving as chairperson and commissioners of the public service commission on the effective date of this subsection.

SECTION 9337. Initial applicability; Revenue.

(1) AUCTION, SALE RESTRICTIONS FOR PROPERTY OF DELINQUENT TAXPAYERS. The renumbering and amendment of section 71.91 (5) (c) of the statutes first applies to a warrant that is issued on the effective date of this subsection.

(2) MANUFACTURING AND AGRICULTURE CREDIT. The treatment of sections 71.07 (5n) (a) 3., 4., and 5. d. and 71.28 (5n) (a) 3., 4., and 5. d. of the statutes first applies retroactively to taxable years beginning on January 1, 2013.

(2j) ABLE ACCOUNTS. The treatment of sections 16.643, 71.05 (6) (a) 27. and 28. and (b) 52., and 71.07 (5) (a) 9. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this

subsection takes effect after July 31, the treatment of sections 16.643, 71.05 (6) (a) 27. and 28. and (b) 52., and 71.07 (5) (a) 9. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(3) SETOFFS. The treatment of sections 71.75 (9), 71.80 (3) and (3m) (intro.), 71.93 (3) (c), 71.935 (6), and 77.59 (5) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of sections 71.75 (9), 71.80 (3) and (3m) (intro.), 71.93 (3) (c), 71.935 (6), and 77.59 (5) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(4b) BONA FIDE ANGEL INVESTMENTS. The treatment of section 71.07 (5d) (a) 1. (intro.) of the statutes first applies to bona fide angel investments made in taxable years beginning on January 1, 2016.

(4c) CONSTRUCTION MATERIALS. The treatment of section 77.54 (9a) (k) of the statutes first applies to contracts entered into on January 1, 2016.

(4d) ALTERNATIVE MINIMUM TAX. The treatment of section 71.08 (1) (d) of the statutes first applies to taxable years beginning on January 1, 2017.

(4u) SPECIAL ASSESSMENTS AND SPECIAL CHARGES. The treatment of sections 66.0703 (13), 66.0809 (3) (a), (b), and (c), 66.0821 (4) (d), and 66.0907 (3) (f) of the statutes first applies to charges and assessments included on property tax bills issued in December 2015.

(5j) COLLEGE SAVINGS PROGRAM BOARD, COLLEGE SAVINGS PLAN MODIFICATIONS. The treatment of sections 16.641 (2) (i) and 71.05 (6) (a) 26. a. and c. and (b) 32. (intro.),

ae., and am. of the statutes first applies to taxable years beginning after December 31, 2014.

SECTION 9338. Initial applicability; Safety and Professional Services.

SECTION 9339. Initial applicability; Secretary of State.

(1q) NOTICES OF ENACTMENTS. The treatment of section 14.38 (10) (c) of the statutes first applies to acts published on the date of publication of this act.

SECTION 9340. Initial applicability; State Employment Relations, Office of.

SECTION 9341. Initial applicability; State Fair Park Board.

SECTION 9342. Initial applicability; Supreme Court.

SECTION 9343. Initial applicability; Technical College System.

(1v) ACCIDENT INSURANCE FEES. The treatment of sections 38.14 (9) and 38.24 (1v) of the statutes first applies to students enrolled for the first semester or session beginning after the effective date of this subsection.

(3f) AGE ELIGIBILITY. The treatment of section 38.22 (1s) (d) of the statutes first applies to students applying for enrollment for the first semester or session beginning after the effective date of this subsection.

(4f) MILWAUKEE AREA TECHNICAL COLLEGE DISTRICT BOARD. The treatment of section 38.08 (1) (a) 1g. a. of the statutes first applies to appointments made to the Milwaukee area technical college district board on the effective date of this subsection.

SECTION 9344. Initial applicability; Tourism.

SECTION 9345. Initial applicability; Transportation.

(1) OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The treatment of sections 343.15 (1) (a), 343.16 (2) (b) and (3) (a) and (am), 343.20 (1) (a) and (e) and (1m),

343.21 (1) (a), (ag), and (am) and (1m), and 343.50 (5) (b) and (d) of the statutes first applies to an application for an operator's license or identification card received by the department of transportation on the effective date of this subsection.

(2) PRIVATE MOTOR CARRIERS. The treatment of section 194.01 (11) of the statutes first applies to motor carrier operations occurring on the effective date of this subsection.

(4) COMMERCIAL DRIVER LICENSE APPLICATION FEE. The treatment of sections 343.16 (2) (f) 3. and 343.21 (1) (d) and (n) of the statutes first applies to applications made on the effective date of this subsection.

(4j) SAFE RIDE PROGRAM SURCHARGE. The creation of section 346.657 of the statutes first applies to offenses that are committed on the effective date of this subsection.

(5) COMMUNITY SENSITIVE SOLUTIONS. The treatment of section 85.0205 (1m) of the statutes first applies to a project for which an agreement between the state and a local government related to community sensitive solutions has not been entered into on the effective date of this subsection.

(6j) BICYCLE AND PEDESTRIAN FACILITIES. The treatment of section 84.01 (35) (b), (c) (intro.), 1., 2., 3., 4., and 5., and (d) of the statutes and chapter Trans 75 of the administrative code first applies to a project that is not complete on the effective date of this subsection, except to the extent that funds for a project that has not been completed are encumbered on the effective date of this subsection.

SECTION 9346. Initial applicability; Treasurer.

SECTION 9347. Initial applicability; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9348. Initial applicability; University of Wisconsin System.

(1f) PUBLIC RECORDS LAW; FINAL CANDIDATES FOR UNIVERSITY OF WISCONSIN SYSTEM POSITIONS. The treatment of section 19.36 (7) (a) (intro.), 1. (intro.), a., and c., 2. (intro.), and 3. of the statutes first applies to requests to inspect or copy a record that are made on the effective date of this subsection.

SECTION 9349. Initial applicability; Veterans Affairs.

SECTION 9350. Initial applicability; Wisconsin Economic Development Corporation.

(1) BROWNFIELDS GRANT PROGRAM MATCHING REQUIREMENT. The treatment of section 238.13 (2) (b) 2. and 3. of the statutes first applies to grants awarded on the effective date of this subsection.

SECTION 9351. Initial applicability; Workforce Development.

(1) TRANSFER TO WORKER'S COMPENSATION UNINSURED EMPLOYERS FUND. The amendment of section 20.445 (1) (ra) of the statutes and the creation of 102.81 (1) (c) of the statutes first apply to claims paid from the uninsured employers fund in 2014.

(2) REIMBURSEMENT OF SUPPLEMENTAL WORKER'S COMPENSATION BENEFITS PAID. The renumbering and amendment of section 102.44 (1) (c) of the statutes and the creation of section 102.44 (1) (c) 2. and 3. of the statutes first apply to supplemental benefits paid under section 102.44 (1) (ag) of the statutes on the effective date of this subsection.

(4) UNEMPLOYMENT INSURANCE; ADMINISTRATIVE PENALTIES FOR ACTS OF CONCEALMENT. The treatment of section 108.04 (11) (bh), 108.16 (6) (n), and 108.19 (1s) (a) of the statutes first applies to overpayments established by the department of workforce development on the effective date of this subsection.

(4u) ONE DAY OF REST IN 7. The treatment of section 103.85 (2) (g) of the statutes first applies to an employee who is covered under a collective bargaining agreement

that contains provisions inconsistent with that treatment on the day on which the collective bargaining agreement expires or is extended, modified, or renewed, whichever occurs first.

SECTION 9352. Initial applicability; Other.

(1j) COLLECTIVE BARGAINING ELECTIONS. The treatment of sections 111.70 (4) (d) 1. and 111.83 (1) and (5) (d), (e), and (f) of the statutes first applies to elections occurring on the effective date of this subsection.

(2u) PUBLIC RECORDS. The treatment of section 19.32 (1bb) and (2) of the statutes first applies to a request for inspection, copying, or disclosure of a record under section 19.35 (1) of the statutes that is received on the effective date of this subsection.

SECTION 9400. Effective dates; general. Except as otherwise provided in SECTIONS 9401 to 9452 of this act, this act takes effect on July 1, 2015, or on the day after publication, whichever is later.

SECTION 9401. Effective dates; Administration.

(1f) INFORMATION TECHNOLOGY BLOCK GRANTS; SUNSET. The treatment of sections 20.505 (4) (s) (by SECTION 800d) and 196.218 (5) (a) 12. (by SECTION 3532d) of the statutes and the repeal of section 16.994 of the statutes take effect on July 1, 2017.

SECTION 9402. Effective dates; Agriculture, Trade and Consumer Protection.

(1v) FOOD SAFETY ADVISORY COUNCIL. The treatment of section 15.137 (4) of the statutes takes effect on July 1, 2016.

SECTION 9403. Effective dates; Arts Board.

SECTION 9404. Effective dates; Building Commission.

SECTION 9405. Effective dates; Child Abuse and Neglect Prevention Board.

SECTION 9406. Effective dates; Children and Families.

(1q) READ TO LEAD DEVELOPMENT FUND. The amendment of section 20.437 (1) (fm) of the statutes, the renumbering of section 48.53 (3) (a) of the statutes, and the repeal of sections 13.94 (1) (dL), 20.255 (2) (q), 20.437 (1) (q), 25.17 (1) (ge), 25.79, and 48.53 (3) (b) and (c) of the statutes take effect on June 30, 2017.

(1v) RATE-REGULATED AND RATE-BASED SERVICE CONTRACTS. The treatment of sections 46.036 (3) (a) and (c) and (5m) (a) 1., 1d., 1g., 1j., 2., and 3., (b) 1. and 2., (c), (d), (e), and (em), 49.34 (3) (a) and (c) and (5m) (a) 1., 1d., 1g., 1j., 2., and 3., (b) 1., 2., and 3., (d), (e), and (em), and 301.08 (2) (c) 1. and 3., (e), and (em) of the statutes and SECTION 9306 (3u) of this act take effect on the January 1 after publication.

SECTION 9407. Effective dates; Circuit Courts.

(1f) CONSOLIDATION OF CIRCUIT COURT APPROPRIATIONS. The amendment of section 758.19 (5) (b) of the statutes takes effect on July 1, 2016.

(2f) CONSOLIDATION OF CIRCUIT COURT APPROPRIATIONS. The treatment of sections 20.625 (1) (as), (c), (cg), (d), and (e), 753.061 (5), 758.19 (6) and (8), and 885.38 (8) (a) 1. of the statutes and the repeal of 2009 Wisconsin Act 28, section 9109 (1) take effect on July 1, 2016.

SECTION 9408. Effective dates; Corrections.

(1v) JUVENILE COMMUNITY SUPERVISION. The treatment of sections 20.410 (3) (cg) and (hr), 48.526 (7) (h), 48.981 (1) (b), 227.03 (4), 301.025 (by SECTION 4224), 301.03 (9) (by SECTION 4227b), (10) (b) and (d), 301.26 (4) (cm) 1., (d) 2. (by SECTION 4270), 3. (by SECTION 4272), and 5., (eg), and (g), 301.45 (1g) (b) and (bm), (2) (e) 1., (3) (a) 2. and (b) 2. and 4., and (5) (a) 2., 302.31 (7), 302.386 (5) (c), 938.02 (4) (by SECTION

4646b), 938.069 (1) (intro.) (by SECTION 4648bm), 938.19 (1) (d) 6. (by SECTION 4649bm), 938.20 (2) (cm) (by SECTION 4650bm), (7) (c) 1m. (by SECTION 4651bm), and (8) (c) (by SECTION 4652bm), 938.205 (1) (c) (by SECTION 4653bm), 938.208 (1) (intro.) (by SECTION 4654bm), 938.34 (4n) (intro.) (by SECTION 4655bm) and (a) (by SECTION 4656bm), 938.355 (6d) (b) (title), 1. (by SECTION 4658bm), 2. (by SECTION 4659bm), 2g., and 4., 938.357 (4) (a) (by SECTION 4662bm), (4g) (title), (a) (by SECTION 4664bm), (b) (by SECTION 4665bm), (c) (intro.), 2., 3., and 4., and (d), (4m) (by SECTION 4671bm), and (5) (title), (a) (by SECTION 4673bm), (b), (d), (e), and (g) (by SECTION 4677bm), 938.365 (7), 938.48 (13), 938.50 (by SECTION 4703bm), 938.51 (1m) (by SECTION 4704bm), 938.533 (title), (1), (3) (by SECTION 4709bm), and (3m), 938.538 (3) (a) 2. and (5) (a) (by SECTION 4712bm), 938.57 (4) (by SECTION 4714bm), 940.20 (2m) (title), (a) 1m., and (b), and 946.42 (1) (a) 2. and (3) (c) of the statutes, the amendment of sections 46.011 (1p), 49.11 (1c), and 301.01 (1n) of the statutes, the renumbering and amendment of section 938.533 (2) of the statutes, and the creation of section 938.533 (2) (e) of the statutes take effect on July 1, 2017, or on the 2nd day after publication of the 2017–19 biennial budget act, whichever is later.

(1vw) COMMUNITY-BASED JUVENILE DELINQUENCY-RELATED SERVICES. The treatment of sections 20.410 (3) (cd), (f), (ko), and (kp), 20.437 (1) (kz) and (o) (by SECTION 722), 20.505 (8) (hm) 21d., 46.011 (1) and (1c), 46.03 (18) (a) and (20) (a), 46.206 (1) (a) and (2), 46.215 (1) (d) and (2) (a) 1. and 2., and (c) 1., 2., and 3., 46.22 (1) (b) 1. b., 2. a. and c., and 5m. a. and c. and (e) 3. a., b., and c. and (2g) (d), 46.23 (5) (a) 1., 2., and 3., (c) 1., 2., and 3., and (n) 1., 2., and 3., (5m) (c), and (6) (a) (intro.), 48.48 (8p), 48.526 (title) and (1), 48.569 (2) (a), 49.11 (1), 49.275, 49.32 (1) (a) and (b) and (2) (b), 49.325 (1) (a), (2), (2g) (a), (b), and (c), and (2r) (a) 1. and 2., 49.34 (1), (2), and (3) (f), 49.345 (1), (2), (8) (g), (14) (b), (e) 1. (by SECTION 1783), and (g) and (16),

49.35 (1) (a) and (b) and (2), 49.45 (6m) (br) 1., 301.025 (by SECTION 4223), 301.03 (9) (by SECTION 4226b), (9r), (10) (a) and (c), and (18) (a), (am), and (b), 301.031 (1) (a), (2), (2g) (a), (b), and (c), and (2r) (a) 1. and 2., 301.032 (title), (1) (a), (b), and (c), and (2), 301.07, 301.08 (2) (a), 301.085 (2), 301.26 (title), (1), (2), (2m), (3) (title), (a), (c), (dm), (e), and (em), (4) (a), (b), and (bm), and (6) (title), (a), and (b), 301.263 (title), (1), (2), and (3), 938.02 (4) (by SECTION 4645b), (6), (7), (10r), (17), and (19r) 938.06 (4), 938.069 (1) (intro.) (by SECTION 4648b) and (2), 938.08 (3) (a) (intro.), 938.183 (3), 938.19 (1) (d) 6. (by SECTION 4649b), 938.20 (2) (cm) (by SECTION 4650b), (7) (c) 1m. (by SECTION 4651b), and (8) (c) (by SECTION 4652b), 938.205 (1) (c) (by SECTION 4653b), 938.208 (1) (intro.) (by SECTION 4654b), 938.209 (1) (a) (intro.) and 1. and (2m) (a) 1. and (b), 938.22 (2) (b) and (c) and (7) (a) and (b), 938.222 (2) (a) 1. and (b) 3. and 4., 938.223 (2) (a) 1. and (b) 3. and 4., 938.224 (1), (2) (a) 1. and 2. and (b), (3) (a) and (b), and (4), 938.225, 938.23 (1m) (a), 938.30 (6) (b), 938.31 (7) (b), 938.34 (2) (a) and (b), (3) (f) (intro.), (4m), (4n) (intro.) (by SECTION 4655b) and (a) (by SECTION 4656b), (6s), (8d) (c), and (15) (am) 2., 938.345 (3) (c) and (d), 938.355 (4m) (b), (6) (d) 1., (6d) (a) 1. and 2., (b) 1. (by SECTION 4658b), and 2. (by SECTION 4659b), and (6m) (a) 1g., 938.357 (4) (a) (by SECTION 4662b), (b) 1., 2., and 4., and (c) 1., 2., and 4., (4g) (a) (by SECTION 4664b), and (b) (by SECTION 4665b), (4m) (by SECTION 4671b), (5) (a) (by SECTION 4673b), and (g) (by SECTION 4677b), and (5m) (a), 938.36 (1) (b), 938.363 (1) (c), 938.366 (4) (intro.), 938.38 (1) (a), 938.396 (2g) (b) 1. and (em) and (2m) (b) 1. and (c) 1r., 938.48 (intro.), (1), (2), (8p), and (16), 938.485, 938.49 (title), (1), and (2) (intro.) and (b), 938.50 (by SECTION 4703b), 938.505 (1) and (2) (a) (intro.) and (b), 938.51 (1), (1d), (1m) (by SECTION 4704b), (2), (3), and (4), 938.52 (title), (1) (intro.) and (f), (2), and (4), 938.53, 938.533 (2) (by SECTION 4707b), and (3) (by SECTION 4709b), 938.534 (1) (b) 1. and 2. and (2), 938.535, 938.538 (2), (3) (a) (intro.) and 9., (4), (5) (a) (by

SECTION 4712b) and (b), (6), and (7), 948.539 (2) and (6), 938.54, 938.547 (2), 938.548, 948.549 (1) (intro.) and (g), 938.57 (4) (by SECTION 4714b), 9938.78 (1), (2) (b) 1., and (3), 938.993, 938.994, and 938.995 (2), of the statutes, the renumbering and amendment of sections 301.26 (7) (intro.) and 301.263 (1) of the statutes, the renumbering of section 301.26 (7) (a), (b), (bm), (c), (e), and (h) and (8) of the statutes, the creation of sections 46.011 (1p), 49.11 (1c), and 301.01 (1n) of the statutes, and SECTION 9108 (1) of this act take effect on January 1, 2016.

(2q) MILWAUKEE PARENTAL CHOICE PROGRAM RESEARCH. The creation of section 938.78 (2) (L) of the statutes takes effect on January 1, 2016.

SECTION 9409. Effective dates; Court of Appeals.

SECTION 9410. Effective dates; District Attorneys.

(1c) DISTRICT ATTORNEYS. The treatment of sections 978.01 (2) (a) and (b) and 978.06 (3) (a) and (5) (a) of the statutes takes effect on January 2, 2017.

SECTION 9411. Effective dates; Educational Communications Board.

SECTION 9412. Effective dates; Employee Trust Funds.

(1c) STAR PROJECT ADJUSTMENTS TO BENEFIT PROGRAMS. The treatment of sections 40.02 (25) (a) 1., 3., 5., and 6., 40.51 (2), and 40.61 (2) of the statutes takes effect on January 1, 2016.

SECTION 9413. Effective dates; Employment Relations Commission.

SECTION 9414. Effective dates; Financial Institutions.

SECTION 9415. Effective dates; Government Accountability Board.

SECTION 9416. Effective dates; Governor.

SECTION 9417. Effective dates; Health and Educational Facilities Authority.

SECTION 9418. Effective dates; Health Services.

(1) COMMUNITY MENTAL HEALTH SERVICES.

(a) *Consolidating appropriations; eliminating certain relocation programs.* The treatment of sections 20.435 (5) (be) and (7) (b) (by SECTION 701) and (bc), 46.266, 46.268, 46.40 (7m), 49.45 (41) (b), 51.42 (5) (a) 13. and (6m) (o), 51.421 (3) (e), and 51.423 (3) of the statutes, the renumbering and amendment of sections 46.27 (6r) (b) 1m. and 46.277 (5g) (b) of the statutes, the creation of sections 46.27 (6r) (b) 1m. a. and b. and 46.277 (5g) (b) 1. and 2. of the statutes, and SECTION 9118 (1) of this act take effect on January 1, 2016.

(b) *Eliminating community support program appropriation.* The treatment of section 20.435 (5) (bL) of the statutes takes effect on June 30, 2016.

(2) TRANSFER OF FOOD SAFETY, RECREATIONAL FACILITIES, AND LODGING. The treatment of sections 20.115 (1) (gb), 20.435 (1) (gm) (by SECTION 670), 29.541 (1) (a) (intro.), 45.44 (1) (a) 14. (by SECTION 1455), 49.857 (1) (d) 4. (by SECTION 1854), 66.0417 (1), (2), (3), and (4), 66.0435 (9), 66.0436 (1) and (2), 73.0301 (1) (d) 3. (by SECTION 2472), 76.80 (3), 87.305 (1) (intro.), 93.06 (14), 93.07 (24) (e), 93.135 (1) (ng) and (nt), chapter 97 (title), subchapter I (title) of chapter 97, 97.01 (1), subchapter II (title) of chapter 97, 97.12 (1) and (5), 97.18 (5m), 97.20 (2) (e) 2., 97.25 (3), 97.29 (1) (c), (g) 3., and (h), 97.30 (1) (c), (2) (b) 1. c. and (c), (3m) (intro.), (a) (intro.), (b) (intro.), (c) (intro.), (cm), and (d), 97.41 (1m) and (4) (a), 97.42 (3) (em), subchapter III (title) of chapter 97, subchapter IV (title) of chapter 97, subchapter V (title) of chapter 97, 97.70, 97.703, 100.36, 101.05 (2), 101.123 (1) (bn) 1., 2., and 3. and (f), 101.128 (1) (c) and (e), 101.149 (1) (ag) and (cm), (5) (c), and (8) (a) (by SECTION 2710), 101.63 (1) (intro.), 101.647 (1) (am), 101.935 (2) (e) (by SECTION 2720), 106.52 (1) (d) 1., 2., and 3., 108.227 (1) (e) 3. (by SECTION 3122), 125.02 (3r), (7), and (18), 125.06 (12), 125.07 (3) (a) 6. and 6m., 125.29 (6), 125.295 (2) (a) 3. and (b), 125.68 (5), 250.041 (1)

(f), 252.02 (4), 252.18, 254.02 (3) (a), 254.115 (1) (c), 254.47 (title), (1), (1g), (1m), (2), (2m), (3), (4), (5), (5m), (6), and (7), subchapter VII (title) of chapter 254, 254.61 (title), (intro.), (1), (2), (3), (3m), (4), (5), (5m), (5r), (6), (7), (8), (9), and (10), 254.62, 254.63, 254.64, 254.65, 254.66, 254.67, 254.68, 254.69, 254.70, 254.71, 254.715, 254.72, 254.73, 254.74, 254.76, 254.78, 254.79, 254.80, 254.81, 254.82, 254.83, 254.84 (title), (1), (2), (3), (4), (5), and (6), 254.85, 254.86, 254.87, 254.88, 321.60 (1) (a) 4. (by SECTION 4318), 350.01 (9m) (a), (b), and (c), and 941.237 (1) (dm) of the statutes, the repeal of section 250.041 (1) (e) of the statutes, and SECTION 9118 (2) of this act take effect on July 1, 2016.

(2f) TRANSFER OF BODY ART AND TANNING FACILITY REGULATION; HOSPICE PLAN REVIEW. The treatment of sections 20.435 (1) (gm) (by SECTION 669), 45.44 (1) (a) 14. (by SECTION 1454), 49.857 (1) (d) 4. (by SECTION 1853), 50.92 (3m), 73.0301 (1) (d) 3. (by SECTION 2471), 101.12 (1) (intro.), 108.227 (1) (e) 3. (by SECTION 3121), 250.041 (1) (b) and (e), 252.23, 252.24, 252.241, 252.245, 254.115 (1) (d), 255.08, 321.60 (1) (a) 4. (by SECTION 4317), and 463.18 and chapter 463 (title) of the statutes takes effect on January 1, 2016.

(3) EMERGENCY DETENTION CRISIS ASSESSMENTS. The treatment of section 51.15 (2) of the statutes takes effect on July 1, 2016.

(4) MENTAL HEALTH CRISIS SERVICES GRANTS. The treatment of section 20.435 (2) (gk) (by SECTION 673) of the statutes takes effect on July 1, 2017.

(6) CHANGES TO COMMUNITY OPTIONS PROGRAM; CHILDREN'S COMMUNITY OPTIONS PROGRAM. The treatment of sections 20.435 (4) (b) (by SECTION 677) and (bd) (by SECTION 678), 46.27 (13), 46.272, 46.2803 (2) (by SECTION 1543), 46.40 (1) (a), (7), and (14m), 46.45 (3) (a) and (c) and (6) (a) and (b), 46.56 (3) (a) 4. and (10), and 46.985 of

the statutes, and the repeal of section 49.45 (6v) of the statutes take effect on January 1, 2016.

(7p) HEALTH SERVICES DIVISION ADMINISTRATORS. The treatment of section 230.08 (2) (e) 5. (by SECTION 3665s) of the statutes takes effect on June 30, 2017.

(7q) EMERGENCY MEDICAL SERVICES APPROPRIATION CHANGES. The treatment of section 20.435 (1) (ch) (by SECTION 668s) of the statutes takes effect on July 1, 2017.

(8f) HEALTHY AGING; EVIDENCE-BASED TRAINING AND PREVENTION APPROPRIATION CHANGES. The repeal of section 20.435 (7) (cx) of the statutes takes effect on July 1, 2017.

SECTION 9419. Effective dates; Higher Educational Aids Board.

SECTION 9420. Effective dates; Historical Society.

SECTION 9421. Effective dates; Housing and Economic Development Authority.

SECTION 9422. Effective dates; Insurance.

(1) HEALTH INSURANCE RISK-SHARING PLAN APPROPRIATIONS. The treatment of sections 20.145 (5) and 895.514 (3) (b) of the statutes takes effect on January 1, 2016.

(2j) PHARMACY BENEFIT MANAGER PRICING TRANSPARENCY. The treatment of section 632.865 of the statutes takes effect on July 1, 2016.

SECTION 9423. Effective dates; Investment Board.

SECTION 9424. Effective dates; Joint Committee on Finance.

SECTION 9425. Effective dates; Judicial Commission.

SECTION 9426. Effective dates; Justice.

(1q) WISCONSIN COURT APPOINTED SPECIAL ADVOCATE ASSOCIATION GRANTS. The repeal of sections 20.455 (5) (es) and 165.967 of the statutes takes effect on July 1, 2017.

SECTION 9427. Effective dates; Legislature.

(1c) LEGISLATIVE SERVICE AGENCY COLLABORATION. The treatment of section 13.97 of the statutes takes effect on July 1, 2015.

(1f) DRAFTING RECORDS. The treatment of section 13.92 (intro.) and (1) (a) 3., (c), and (e) 5. of the statutes and SECTION 9327 (1f) of this act take effect retroactively to July 1, 2015.

(1g) LEGISLATIVE RECORDS. The treatment of sections 16.61 (14) and 19.38 of the statutes takes effect retroactively to July 1, 2015.

(1v) LEGISLATIVE PRIVILEGE. The treatment of sections 13.97 and 905.17 of the statutes and SECTION 9327 (1v) of this act take effect on July 1, 2015.

SECTION 9428. Effective dates; Lieutenant Governor.

SECTION 9429. Effective dates; Local Government.

(1u) METROPOLITAN SEWERAGE DISTRICTS. The renumbering and amendment of section 200.09 (1) of the statutes, the creation of section 200.09 (1) (b) of the statutes, and SECTION 9129 (3u) of this act take effect on the 90th day after publication.

SECTION 9430. Effective dates; Medical College of Wisconsin.

SECTION 9431. Effective dates; Military Affairs.

SECTION 9432. Effective dates; Natural Resources.

(1c) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The repeal and recreation of section 20.370 (5) (cq) of the statutes takes effect on July 1, 2016.

(1d) AIDS IN LIEU OF TAXES. The amendment of section 20.370 (5) (dr) (by SECTION 636e) of the statutes takes effect on July 1, 2016.

(2f) STATE PARK AND TRAIL FEES. The treatment of section 27.01 (7) (f) 1., 2., and 3., (g) 1., 2., and 3., and (gm) 1. and 3. of the statutes, the renumbering and

amendment of section 27.01 (8) (c) of the statutes, and the creation of section 27.01 (8) (c) 2. and 3. of the statutes take effect on January 1, 2016.

SECTION 9433. Effective dates; Public Defender Board.

SECTION 9434. Effective dates; Public Instruction.

(1) CHARTER SCHOOL GOVERNING BOARD. The treatment of section 118.40 (4) (ag) of the statutes takes effect on September 1, 2015.

SECTION 9435. Effective dates; Public Lands, Board of Commissioners of.

SECTION 9436. Effective dates; Public Service Commission.

SECTION 9437. Effective dates; Revenue.

(1) MANUFACTURING AND AGRICULTURE CREDIT. The treatment of sections 71.07 (5n) (a) 3., 4., and 5. d. and 71.28 (5n) (a) 3., 4., and 5. d. of the statutes takes effect retroactively to January 1, 2013.

(2c) CONSTRUCTION MATERIALS. The treatment of section 77.54 (9a) (k) of the statutes takes effect on January 1, 2016.

(2d) ALTERNATIVE MINIMUM TAX. The treatment of section 71.08 (1) (d) of the statutes takes effect on January 1, 2017.

(2j) FARM-RAISED DEER. The treatment of section 77.54 (62) of the statutes takes effect on January 1, 2016.

(2L) PRIVATE LABEL CREDIT CARD BAD DEBT. The treatment of 2013 Wisconsin Act 229, Section 6 (1) takes effect retroactively to June 30, 2015.

(2u) AMUSEMENT DEVICES. The renumbering of section 77.51 (1ba) of the statutes, the amendment of section 77.52 (2) (a) 2. a. of the statutes, and the creation of sections 77.51 (1bd) and 77.52 (2) (a) 2. d. of the statutes take effect on January 1, 2016.

(3f) PREMIER RESORT AREA TAX, RHINELANDER. The treatment of section 66.1113 (2) (b) of the statutes takes effect on the first day of the calendar quarter beginning at least 120 days after publication.

(5j) CIDER. The treatment of section 139.01 (2m) of the statutes takes effect on January 1, 2016.

SECTION 9438. Effective dates; Safety and Professional Services.

SECTION 9439. Effective dates; Secretary of State.

SECTION 9440. Effective dates; State Employment Relations, Office of.

SECTION 9441. Effective dates; State Fair Park Board.

SECTION 9442. Effective dates; Supreme Court.

SECTION 9443. Effective dates; Technical College System.

SECTION 9444. Effective dates; Tourism.

(1j) TOURISM MARKETING EXPENDITURES. The treatment of section 41.11 (6) of the statutes takes effect on July 1, 2017.

SECTION 9445. Effective dates; Transportation.

(1) OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The treatment of sections 343.15 (1) (a), 343.16 (2) (b) and (3) (a) and (am), 343.20 (1) (a) and (e) and (1m), 343.21 (1) (a), (ag), and (am) and (1m), and 343.50 (5) (b) and (d) of the statutes and SECTION 9345 (1) of this act take effect on the first day of the 7th month beginning after publication.

(2u) MOTOR VEHICLES ACQUIRED FOR SCRAP OR JUNKING. The treatment of sections 218.20 (1r) and (1t) and 218.23 (title), (1d), (1g), (1r), and (3) (a) and (b) of the statutes takes effect on the first day of the 4th month beginning after publication.

SECTION 9446. Effective dates; Treasurer.

SECTION 9447. Effective dates; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9448. Effective dates; University of Wisconsin System.

(1c) ENVIRONMENTAL EDUCATION. The repeal of sections 15.915 (6), 20.285 (1) (r) and (rc), 36.25 (29) and (29m) (a) and 36.54 of the statutes, the amendment of sections 36.25 (29m) (b), 118.40 (2r) (e) 2p. a. (by SECTION 3284m) and 321.62 (9) and (22) (d) 1. (intro.) of the statutes, and the creation of section 321.62 (1) (bm) of the statutes take effect on July 1, 2017.

(1d) SYSTEM ADMINISTRATION. The repeal of section 20.285 (3) of the statutes takes effect on July 1, 2016.

(1db) SOLID WASTE, RECYCLING, AND BIOENERGY. The repeal of sections 20.285 (1) (s), (tb), and (tm) and 36.25 (3m) of the statutes takes effect on July 1, 2016.

(2d) PROCUREMENT POLICIES. The treatment of sections 16.70 (1e), 16.705 (1r) (d) and (e), 16.71 (1m) and (4), 16.72 (8), 16.73 (5), 16.75 (3t) (c) 1. and 6., 16.78 (1), and 36.11 (56m) (a) of the statutes takes effect on the date stated in the notice published in the Wisconsin Administrative Register under SECTION 9148 (2d) of this act.

(5j) AQUACULTURE SPECIALIST FUNDING. The repeal of section 20.505 (8) (hm) 11c. of the statutes takes effect on July 1, 2017.

(5k) FORESTRY GRANTS. The amendment of section 20.285 (1) (qm) (by SECTION 596r) of the statutes takes effect on July 1, 2017.

SECTION 9449. Effective dates; Veterans Affairs.

(1q) GRANTS TO LOCAL GOVERNMENTS PROVIDING ASSISTANCE TO VETERANS HOMES. The treatment of sections 20.485 (1) (gk) (by SECTION 768kb) and (kj) (by SECTION 768pb) and 45.58 (by SECTION 1458rb) of the statutes takes effect on July 1, 2017.

SECTION 9450. Effective dates; Wisconsin Economic Development Corporation.

(2b) BUSINESS DEVELOPMENT TAX CREDIT. The amendment of section 238.15 (3) (d) (intro.) (by SECTION 3991o) of the statutes and the creation of section 238.308 of the statutes take effect on January 1, 2016.

SECTION 9451. Effective dates; Workforce Development.

(1) REIMBURSEMENT OF SUPPLEMENTAL WORKER'S COMPENSATION BENEFITS. The treatment of section 102.44 (1) (ag) (by SECTION 2944d) of the statutes takes effect on January 1, 2016.

(1v) TRANSFER OF WORKER'S COMPENSATION FUNCTIONS. The treatment of sections 40.65 (2) (a) and (b) 3. and 4., 102.01 (2) (a), (ad), (ar), and (dm), 102.11 (1) (am) 1., 102.12, 102.13 (1) (c), (d) 2., and 3., and (f), (2) (a), (3), (4), and (5), 102.14 (title), (1), and (2), 102.15 (1) and (2), 102.16 (1), (1m) (a), (b), and (c), (2) (a) and (b), (2m) (a) and (b), and (4), 102.17 (1) (a) 1., 2., 3., and 4., (b), (c), (d) 1., 2., 3., and 4., (e), (f), (g), and (h), (2), (2m), (2s), (7) (b) and (c), and (8), 102.175 (2), 102.18 (1) (b), (bg) 1., 2., and 3., (bp), (bw), (c), and (e), (3), (4) (c) 3. and (d), (5), and (6), 102.195, 102.21, 102.22 (1) and (2), 102.23 (1) (a), (2), (3), and (5), 102.24 (2), 102.25 (1), 102.26 (2), (3) (b) 1. and 3., and (4), 102.27 (2) (b), 102.28 (3) (c) and (4) (c) and (d), 102.29 (1) (b) (intro.), (c), and (d), 102.30 (7) (a), 102.32 (1m) (intro.), (a), (c), and (d), (5), (6m), and (7), 102.33 (title) and (2) (a), (b) (intro.), 1., 2., and 4., (c), and (d) 2., 102.35 (3), 102.42 (1m), (6), and (8), 102.425 (4m) (a) and (b), 102.43 (5) (b), 102.44 (2) and (6) (b), 102.475 (6), 102.48 (1), (2), and (3), 102.49 (3) and (6), 102.51 (3), (4), and (6), 102.55 (3), 102.555 (12) (a), 102.56 (1) and (2), 102.565 (1), (2), and (3), 102.61 (1g) (c), (1m) (c), and (2), 102.62, 102.64 (1) and (2), 102.65 (3), 102.66 (1), 102.75 (1), and 227.43 (1) (bm), (2) (am), (3) (bm), and (4) (bm) of the statutes, the renumbering and

amendment of section 102.18 (2) of the statutes, the creation of section 102.18 (2) (b) of the statutes, and SECTION 9151 (2) of this act take effect on January 1, 2016.

(4) UNEMPLOYMENT INSURANCE; ADMINISTRATIVE PENALTIES FOR ACTS OF CONCEALMENT. The treatment of sections 108.04 (11) (bh), 108.16 (6) (n), and 108.19 (1s) (a) of the statutes and SECTION 9351 (4) of this act take effect on October 4, 2015, or on the first Sunday after publication, whichever is later.

(7f) MINIMUM WAGE. The treatment of sections 49.141 (1) (g), 103.06 (1) (b) 5. and (c) 5., (3) (a) 4., and (4) (a) 1., 103.67 (2) (fm) 3., 103.70 (2) (b) 3., 104.001 (1) and (2), 104.01 (intro.), (1), (1d), (5), (5g), (5m), (7m), and (8), 104.02, 104.03, 104.035, 104.05, 104.06, 104.07 (1) and (2), 104.08 (2m), 104.10, 104.11, 104.12, 234.94 (5) and (8), 800.09 (1j), 800.095 (1) (d), and 895.035 (2m) (c) of the statutes, the repeal of section 104.04 (title) of the statutes, the renumbering and amendment of sections 104.04 and 104.045 of the statutes, and the creation of sections 104.045 (2) and (3) of the statutes take effect on the first day of the first month beginning after publication.

SECTION 9452. Effective dates; Other.

(1v) PUBLIC RECORDS. The treatment of section 19.32 (1bb) and (2) of the statutes and SECTION 9352 (2u) of this act take effect retroactively to July 1, 2015.

(3u) SCRAP METAL DEALER ACQUISITION OF MOTOR VEHICLES. The treatment of section 134.405 (2), (3) (a) (intro.), (3m), and (5) (a) (intro.) and (am) of the statutes takes effect on the first day of the 4th month beginning after publication.

(END)