Senator Darling
Representative Nygren

BUDGET MODIFICATIONS

Motion:

Move the following provisions:

1. ***Revenue Limit for Consolidated School Districts.*** Modify prior Joint Finance action to specify that both districts currently receiving consolidation aid (rather than only one) would receive a recurring revenue limit adjustment in 2015-16 equal to 75% of the consolidation aid that is outside of revenue limits received by the district in 2014-15. Specify that this adjustment would also apply to any future school district consolidations, and delete the current law provisions related to consolidation aid for the sixth and seventh years after consolidation.

2. ***Additional Charter School Authorizers.*** Modify prior Joint Finance action to specify that the Gateway Technical College District Board would be able to authorize charter schools located only in the district, not in counties adjacent to the district. Also, specify that the College of Menominee Nation and the Lac Courte Oreilles Ojibwa Community College, rather than tribal colleges generally, would be able to authorize charter schools. Specify that these two colleges could authorize up to a total of six schools between them, with no geographic limitations on the location of those schools.

3. ***Course Options Program.*** Modify prior Joint Finance action to restore the course options program. Additionally, specify that an institution of higher education, including the University of Wisconsin System, a technical college, a nonprofit institution of higher education, or a tribal college may charge tuition and fees to a pupil or his or her parents or guardians if that pupil receives postsecondary credit for a course taken through the course options program in an amount determined based on a negotiation between the institution of higher education and the school district. Specify that no tuition or fees could be charged for a course for which the pupil would not receive postsecondary credit.

4. ***Supplemental Special Education Aid for District With Special Circumstances.*** Modify prior Joint Finance action to specify that the alternative criteria for the distribution of supplemental special education aid would apply to a district that experienced a natural disaster, including a fire, rather than a district that experienced unforeseen and extenuating circumstances.

Clarify that in 2015-16, a district could qualify for supplemental special education aid under either the current law criteria or the alternative criteria identified by the Committee.

5. ***Participation in Athletics and Extra-Curricular Activities.*** Modify prior Joint Finance action to: (a) specify that it would only apply to pupils who are enrolled in a home-based private educational program; and (b) require that the home-based educational program 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, rather than the public school making that determination as under Joint Finance. With regard to the statement under (b), specify that no person could provide a false statement, and the school board could not question the accuracy or validity of the statement or request additional information.

6. ***Educational Communications Board.*** Delete 8.6 PR positions and $1,647,300 PR annually to reflect GPR funding adjustments made by the Committee to the Educational Communications Board.

7. ***Teacher Licensure.*** Make the following modifications to prior Joint Finance action regarding alternative teacher licenses.

a. Maintain the provisions of the JFC motion requiring DPI to grant an initial teaching license to teach a technical education subject to an individual based on experience in a technical field and pedagogical experience, except require DPI to approve or deny an application for an initial teaching license to teach a technical education subject within 45 business days after receipt of the application, rather than 15 business days. If DPI did not act within 45 business days, the application would be considered to be approved until further action by DPI.

b. Create a new provision requiring DPI to grant an initial teaching license to any individual who was granted a teaching license by another state and completed at least one year of teaching experience in that state. Additionally, require DPI to grant an administrator license to any individual who was granted an administrator license by another state and completed at least of year of administrator experience in that state. Provide that the individual must have received an offer of employment from a school in Wisconsin prior to applying for such a license, and the application must be completed by both the applicant and the employing school/school district. Specify that the license type, including the subject area and grade level, would be determined by DPI based on the individual's out-of-state license type or experience.

c. Delete provisions of the JFC motion that would have required DPI to issue a teaching license to teach English, social studies, mathematics, or science to any individual with a bachelor's degree, if the school board, operator, or governing body of the school district, independent "2r" charter school, or private choice school in which the individual intends to teach would have determined that the individual is proficient in each subject that he or she intends to teach and that the individual has relevant experience in each subject that he or she intends to teach.

d. Delete provisions of the JFC motion that would have required DPI to issue a teaching permit to an individual in any subject area excluding English, social studies, mathematics, or science if the school board, operator, or governing body of the school district, independent "2r" charter school, or private choice school in which the individual intends to teach determines that the individual is proficient in each subject that he or she intends to teach and that the individual has relevant experience in each subject that he or she intends to teach.

e. Delete provisions of the JFC motion that would have specified that a license or permit issued under c. and d. would have authorized an individual to teach only the following: (a) the subject or subjects for which a school board, operator, or governing body determines the individual

is proficient and possesses sufficient experience; (b) in the school district, independent "2r" charter school, or choice school governed by the school board, operator, or governing body that determines the individual is proficient and possesses relevant experience; and (c) pupils in grades 6 through 12. The license would have been valid for three years, and would have been renewable upon a request made jointly by the school board, operator, or governing body and license or permit holder. Delete the provision that would have specified that DPI could not have imposed additional requirements for a license or permit issued based on these requirements.

f. Delete the provision of the JFC motion that would have required DPI to make an online teacher training program consisting of at least 40 hours of instruction available to any individual holding a license or permit issued under c. or d.

8. ***Student Information System.*** Reduce funding in the appropriation for the student information system by $2,350,000 GPR in 2015-16.

9. ***General Fund Structural Balance.*** Provide that s. 20.003(4m) of the statutes, which requires that no bill may be passed by the Legislature if estimated general fund expenditures exceed estimated revenues in the second year of any fiscal biennium, would not apply to the 2015-17 budget bill.

10. ***Statutory Reserve.*** In addition to the Joint Finance provision, provide that beginning in 2017-18, the statutory reserve would be increased from the prior year by $5 million annually. Specify that the statutory reserve could not exceed 2% of GPR appropriations plus compensation reserves.

11. ***Wisconsin Environmental Education Board (WEEB).*** Delay the effective date of the repeal of the two appropriations for environmental education grants and current law provisions related to the Wisconsin environmental education board from July 1, 2016, under the bill and a previous motion, to July 1, 2017. This would allow WEEB to fully expend revenues received in the 2014-15 and 2015-16 fiscal years but would not provide any additional moneys for grants compared to the bill or the previous motion.

12. ***Nonresident Tuition Remissions.*** Modify previous action to retain current law specifying that, to be eligible for a tuition remission, a graduate student who is employed within the UW System must have an appointment equal to at least 33% of a full-time equivalent position.

13. ***Application Fees.*** Clarify previous action by specifying that each UW institution would be required to charge a uniform application fee to all undergraduate applicants to that institution. In addition, modify previous action to specify that each institution could set a different application fee for each of the following groups of applicants: (a) undergraduate applicants; (b) graduate applicants; (c) law school applicants; and (d) medical school applicants.

14. ***University Personnel Systems.*** Clarify two current law references to persons who are assigned to university senior executive salary groups and delete one such reference to conform with other changes made under 2011 Act 32 related to the creation of the UW personnel systems, which will take effect on July 1, 2015.

15. ***Special Prosecutor Positions for the Department of Justice.*** Provide $220,000 GPR annually to the Joint Committee on Finance's supplemental GPR appropriation for the purpose of providing funding to the Department of Justice (DOJ) for 2.0 assistant attorney general (AAG) positions. The 2.0 AAG positions would serve as special prosecutors who would prosecute cases related to gun violence and other offenses involving the use of a firearm. The release of funding from the Committee's supplemental GPR appropriation to the Department of Justice would be contingent upon DOJ submitting a plan to the Committee, under s. 13.10 of the statutes, which would detail how DOJ would utilize the funding and the 2.0 AAG positions for gun violence prosecutors.

16. Remove Military Property Program Modifications. Delete the provisions previously adopted by the Joint Committee on Finance under Motion #112 related to Wisconsin's involvement in the federal military property program.

Motion #112 would have created additional oversight over state and local law enforcement agencies' participation in the military property program. Specifically, the motion would have specified the following:

a. Require that state or local law enforcement agencies receive approval from the appropriate state or local approval entity in order to acquire weapons and machines under the military property program. Further, specify that specific policies must be developed by the appropriate state or local approval entity as to when such weapons or machines, or parts of such weapons or machines, may be fully or partially utilized by law enforcement, and the training that is required to utilize such weapons or machines.

b. Require law enforcement agencies to report on the use of weapons or machines, or parts of such weapons or machines, obtained under the military property program to the law enforcement agency's state or local approval entity within 14 days of use of such weapons or equipment. Such a report must detail the circumstances surrounding the use of the weapons or machines.

c. Require that the appropriate state or local approval entity develop policies that would specify the appropriate use of equipment acquired under the military property program. Further, require that the developed policies specify what would happen to any equipment acquired under the program that has been utilized inappropriately, as specified by the state or local approval entity's policies.

d. Require that state or local law enforcement agencies requesting to obtain equipment under the military property program public a notice of such a request on a publicly accessible website within 14 days of submitting a request. Further, require that the state or local law enforcement agency report on the receipt of any items under the military property program on the same publicly accessible website within 14 days of receipt.

17. ***Wisconsin Interoperability System for Communications.*** Require the Interoperability Council to submit a report to the Joint Committee on Finance on the Wisconsin Interoperability System for Communications (WISCOM) by June 30, 2016. Provide that the required report must, at

a minimum, include answers to the following questions:

- From inception of the program through 2015-16, how much has the state expended to develop, construct, and operate WISCOM? Be sure to identify the amounts that have been spent from GPR, PR, FED, and SEG sources. Further, for PR, FED, and SEG expenditures, identify the revenue sources utilized to support WISCOM.

- What is the annual operating budget for WISCOM during 2015-16? Specifically identify costs relating to staff, infrastructure expansion, infrastructure maintenance, supplies and services, and other costs related to WISCOM.

- Which local, state, and federal agencies utilize WISCOM? How frequently do these agencies use the system? How is each agency utilizing the system to support its agency's operations? Are there agencies in Wisconsin that utilize an alternative communications system for their emergency responders? If so, identify these agencies. Further, elaborate as to why these agencies utilize an alternative communications system for their emergency responders. What are the benefits of these alternative communications systems?

- Which local, state, and federal agencies are daily users of WISCOM? Is it anticipated that additional local, state, or federal agencies will become daily users of WISCOM? If so, identify these agencies. Further, when is it anticipated that these agencies will become daily users of WISCOM? [Note that a daily user of WISCOM utilizes WISCOM for its emergency response communications needs, and foregoes use of a separate communication system for its emergency responders.]

- What is the current status of WISCOM's infrastructure? How, if at all, will WISCOM's infrastructure be expanded in future years?

- How have other Midwestern states developed statewide interoperable systems for communications? Has WISCOM been developed in a similar manner? If so, how? If not, why not?

- What successes has WISCOM had in providing an effective system for statewide communication between local, state, and federal public safety agencies?

- Has WISCOM faced any challenges in providing an effective system for statewide communication between local, state, and federal public safety agencies? If so, how could these challenges be addressed?

- To what extent is WISCOM compatible with other emergency response communication networks utilized by local agencies? Are there instances in which WISCOM's Very High Frequency (VHF) channels or sites have interfered with channels or sites utilized by local emergency responders? If so, why has this occurred, and has, or will, this issue be addressed?

- How many sites, channels, and users does WISCOM currently support? Further, what is the maximum number of sites, channels, and users that WISCOM could currently support? Would there be a way of expanding the number of sites, channels, and users that could be supported by WISCOM?

18. ***Law Enforcement Officer-Involved Deaths.*** Specify that before releasing the investigative report of an officer-involved death, the investigators who conducted the investigation must delete any information from the report released to the public that would not be subject to disclosure pursuant to the balancing test under the state's open records laws. [The state's open records laws generally provide that an individual has a right to inspect any public record, unless the legal custodian of the record or the appropriate authority makes a specific determination that there is a need to restrict public access at the time that the request to inspect or copy the record is made (this is commonly known as the balancing test). Current law does not specify that reports released to the public related to officer-involved death investigations are subject to the balancing test provided under the open records law.]

19. ***One-Time Funding for Department of Corrections Wheelchair Recycling Program.*** Provide one-time funding of $25,000 GPR in each year of the 2015-17 biennium to the Department of Corrections' general program operations appropriation for wheelchair recycling.

20. ***CCAP Definition and Removal of Certain Information from WCCA.*** Create statutory language defining the Courts' Consolidated Court Automation programs as follows:

"Wisconsin Circuit Court Access Internet site" means the Internet site of the consolidated court automation programs, which is the statewide electronic circuit court case management system and maintained by the director of state courts.

Specify that the Director of State Courts must remove from the Wisconsin Circuit Court Access Internet site all information relating to a criminal case if all of the following have occurred: (a) all charges have been dismissed by the court prior to trial; (b) all dismissed charges were offenses for which the maximum period of imprisonment was six years or less; (c) none of the dismissed changes was for a violent offense as defined in s. 301.048(2)(bm) of the statutes; (d) an order has been issued by the court having jurisdiction to remove such information; and (e) the dismissed charges were filed when the person charged was under the age of 25.

Specify that the change would apply to judgments or orders entered before and after the effective date if information regarding the judgement or order is available on the Wisconsin Circuit Court Access Internet site on the effective date.

21. ***Eliminate Certain Boards and Councils.*** Eliminate the following boards and councils. In addition, specify that the Department of Safety and Professional Services (DSPS) must include a proposal to eliminate inactive boards, councils, or commissions with the submission of its biennial agency budget request. Under current law, DOA proposes the elimination of inactive boards, councils, or commissions with the submission of its biennial agency budget request. [It should be noted that 2015 Senate Bill 171 would eliminate the identified boards and councils and transfer responsibility to propose elimination from DOA to DSPS. As amended by Senate Amendment 1 to SB 171, the Automatic Fire Sprinkler System Contractors and Journeymen Council would not be eliminated and would remain in statute. The amended bill passed the Senate on June 9, 2015.]

Administration
Acid Deposition Research Council
Council on Utility Public Benefits
Information Technology Management Board
Service Award Board

Office of the Governor
Standards Development Council

Historical Society
Historical Society Endowment Fund Council

Natural Resources
Managed Forest Land Board
Milwaukee River Revitalization Council

Public Service Commission
Telecommunications Privacy Council

Safety and Professional Services
Automatic Fire Sprinkler System Contractors and Journeymen Council
Crematory Authority Council Examining Council on Licensed Practical Nurses
Examining Council on Registered Nurses
Multifamily Dwelling Code Council
Pharmacist Advisory Council

Workforce Development
Labor and Management Council

22. ***Appraisals of State-Owned Property.*** Provide $100,000 PR annually to the Department of Administration's facility operations and maintenance and police and protection functions appropriation for appraisals of state-owned real property. [Under the bill, the appropriation is funded at $39,482,300 PR in 2015-16 and $39,582,700 in 2016-17.]

23. ***Retirement Systems for First Class Cities and Counties with a Population of 500,000 or More -- Mental Injury Related Duty Disability Benefits.*** Provide that no compensable mental injury duty disability benefit may be paid from any retirement system of a first class city or of a county with a population of 500,000 or more unless: (a) the employer certifies that the compensable mental injury was duty-related; or (b) the Department of Workforce Development (DWD) determines that the compensable mental injury was duty-related on appeal. Provide that any appeal to DWD would follow the procedures under ss. 102.16 to 102.26 of the statutes. Specify that a compensable mental injury would mean a mental injury resulting 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.

24. ***High-Deductible Health Plan Alternative for Local Protective Service Employees.*** Specify that 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 must also offer to the employees who are police officers, fire fighters, or emergency medical technicians, a

high-deductible health plan (HDHP) that has identical design features to the HDHP offered to state employees.

25. ***General Employee Labor Union Recognition Elections.*** Provide that state and local general employee unions seeking initial recognition to represent a collective bargaining unit would have to receive at least 51% of the votes of all of the general employees in the collective bargaining unit in order to be initially certified to represent the collective bargaining unit. [Under current law, a general employee union already authorized to represent a collective bargaining unit must receive at least 51% of the votes of all of the general employees in the collective bargaining unit in order to be recertified to represent the collective bargaining unit for an additional year. General employee unions must win a recertification election every year in order to continue to be authorized to represent the collective bargaining unit. However, under current law, if a collective bargaining unit has been unrepresented, a general employee union must only win a majority of votes cast at the election in order to be initially recognized or certified to represent the collective bargaining unit.]

26. ***STAR Project Implementation Group Insurance Changes.*** Eliminate the requirement that executive branch state employees must be covered under the Wisconsin Retirement System for a period of at least six months in order to be eligible for group insurance benefits, other than health insurance. As a result, employees would be immediately eligible for life and income continuation insurance benefits.

Provide that state employees electing to receive health care coverage within 30 days of being hired, begin to receive this coverage on the first day of the month that first occurs during the 30-day election period, instead of receiving coverage effective on the first day of the month which begins on or after the date the employee's application for coverage is received by the employer. Further, provide that state employees electing to receive income continuation insurance within 30 days of initial eligibility, begin to receive this coverage on the first day of the month that first occurs during this 30-day period, instead of receiving coverage effective on the first day of the month which begins on or after the date the employee's application for coverage is received by the employer.

Specify that state employees would now have 60 days, instead of the current 30 days, to elect income continuation coverage when initially eligible for a higher level of employer contribution towards the premium cost. For state employees other than teachers employed by the university, this coverage would be effective the following April 1. For teachers employed by the university, this coverage would be effective the first day of the month following the date of eligibility instead of the first day of the month following the date the employee's application for coverage is received by the employer.

The state is currently undertaking a project to replace various existing finance, procurement, human resource, payroll, benefits and budget information systems across state agencies with one consolidated system. The project is entitled the STAR (state transforming agency resources) project. The administration indicates that these requested group insurance changes would reduce the customization that will be required of PeopleSoft (the base information technology system for the STAR project). It is estimated that eliminating the six month waiting period for group life insurance coverage would increase state costs by $48,000 in 2015-16, and $96,000 in 2016-17 (all

funds). Under the motion, these increased costs would be addressed by state agencies from base resources.

27. ***Legislative Organization and Powers.*** Modify the authority and organization of the Legislature in the following areas as indicated.

a. *Joint Survey Committee on Retirement Systems.* Delete current law which provides that the Joint Survey Committee on Retirement Systems (JSCRS) be composed of 10 members as follows: (1) two majority party senators, one minority party senator, two majority party representatives, and one minority party representative, appointed as are the members of standing committees in their respective houses; (2) an assistant attorney general appointed by the Attorney General; (3) a member of the public who is not a participant in any public retirement system in Wisconsin, to be selected by the Governor; (4) the Commissioner of Insurance or an experienced actuary in the Commissioner's Office designated by the Commissioner; and (5) the Secretary of Employee Trust Funds or his or her designee. Instead, provide that JSCRS continue to be composed of 10 members, consisting of five senators and five representatives appointed as are members of standing committees in their respective houses. With the elimination of nonlegislator members from JSCRS, delete the requirement that the secretary of JSCRS be elected from the nonlegislator members of the committee. Delete current law which provides that legislators, the assistant attorney general and the member of the public appointed to JSCRS under current law serve for a period of four years and until a successor is appointed and qualified. Further, delete current law which provides that any member of JSCRS ceases to be a member of the committee upon losing the status upon which the appointment was based. Finally, delete current law which specifies that membership on JSCRS must not be incompatible with any other public office.

b. *Legislative Audit Bureau.* Amend current law to provide that any audit by the Legislative Audit Bureau (LAB) of the operations of the Wisconsin Veterans Home at Chippewa Falls by any private entity would be performed at such times as the Legislature directs, instead of at such times as the Governor or Legislature directs. Delete the authority of the Governor to direct the LAB to make special examinations of the accounts and financial transactions of any department, agency, or officer.

c. *Public Records.* Provide that the records and correspondence of any officer of the Legislature, any legislative employee, and of any legislative service agency would not be considered public records for purposes of public records preservation by the Public Records Board. Under current law, the records and correspondence of any member of the Legislature are not considered public records for purposes of public records preservation by the Public Records Board.

28. ***Definition of Public Records.*** Provide that "deliberative materials" would not be considered a public record for purposes of the state's public records law. Specify that deliberative materials would mean communications and other materials, including opinions, analyses, briefings, background information, recommendations, suggestions, drafts, correspondence about drafts, and notes, 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 would include inter-authority and intra-authority communications but would 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; and (b) communications with persons other than an authority (as defined under the state's public records law), unless the communication is within the scope of a contract between the person and an authority. This provision is effective and initially applicable July 1, 2015.

29. ***Legislator Disclosure Privileges.*** Provide that a legislator has a legal privilege or right to refuse to disclose, and to prevent a current or former legislative staff member from disclosing, all of the following communications and related records if made within the course of legislative business during the legislator's term of office: (a) 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 clerk or sergeant staff; (b) 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; (c) a communication between the legislator, or a person acting on behalf of the legislator, and a member of the legislator's personal staff; (d) a communication between two or more members of the nonpartisan staff or clerk and sergeant staff related to the legislative business of a legislator; (e) a communication between two or more members of the legislator's personal staff; and (f) 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. In addition, specify that a legislator has a legal privilege or right to refuse to disclose, and to prevent a current or former 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. For purposes of these legislator privileges, legislative business means all aspects of the legislative process, broadly construed, and includes: (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; and (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. Provide that legislative business does not include criminal conduct or political campaigning. For purposes of these legislator privileges, provide that personal staff means the employees assigned to or interning in the office of a legislator. A legislator's term of office is considered to begin on the date of certification of the legislator's election to the Legislature.

Require legislative service agencies to at all times observe the confidential nature of all communications, records, and information that may be subject to these legislator privileges. Further, provide that these legislator privileges or rights may be waived only by the express personal waiver of each legislator who may claim the privilege. Disclosure of a communication, record, or information that is legally privileged by any person to any other person, regardless of whether that disclosure is authorized by the legislator and including an authorized disclosure by nonpartisan staff, shall not constitute a legal waiver of the privilege. A legislative staff member or former legislative staff member must assert and may not waive a legal privilege on behalf of a legislator who may claim the legal privilege. Legislative staff members includes: (a) members of the legislator's personal staff; (b) members of the nonpartisan staff; or (c) clerk or sergeant staff.

These provisions related to legislator privilege may not be construed to limit or restrict in any way a privilege or other protection available to a legislator under any other law.

This provision is effective and initially applicable July 1, 2015.

30. ***Legislative Reference Bureau Records and Communications.*** Provide that the Legislative Reference Bureau (LRB) must at all times observe the confidential nature of research requests received by it. Further, provide that all drafting files and other records relating to reference, drafting, and research requests received by the LRB must remain confidential at all times. Delete the requirements that, in carrying out its reference responsibilities, the LRB: (a) maintain the drafting records of legislation introduced in prior sessions of the legislature and utilize such records to provide information on questions of legislative intent; and (b) retain these drafting records in its offices at all times. Delete the requirements that the drafting section of the LRB: (a) maintain the files for all drafting requests received during a legislative session while the Legislature remains in session; and (b) after final adjournment of a legislative session turn over to the reference section of the LRB the files for all drafting requests received during a legislative session which resulted in introduced legislation. Eliminate the requirement for the LRB to administer payments associated with costs incurred for microfilming, optical imaging, or electronic formatting of legislative drafting records. This provision is effective and initially applicable July 1, 2015.

31. ***Application of State's Public Records Law to Legislative Records.*** Specify that no provision of the state's public records law that conflicts with a rule or policy of the Senate or Assembly or joint rule or policy of the Legislature applies to a record that is subject to such legislative rule or policy. This provision is effective July 1, 2015.

32. ***Nonpartisan Legislative Service Agencies' Communications.*** Provide that the confidentiality requirements imposed on nonpartisan legislative service agencies may 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. This provision is effective July 1, 2015.

33. ***Lead-Bearing Paint -- Definitions and Penalties.*** Change the definition of "lead-bearing paint" (from the current statutory definition of any paint or other surface coating material containing more than 0.06% lead by weight in liquid paint or more than 0.7 milligrams of lead per square centimeter in the dried film of applied paint) to any paint or other surface coating containing more than 0.06% by weight in liquid paint, more than 0.5% lead by weight in dried paint, or 1.0 milligram of lead per square centimeter in dried paint. Delete a current law provision that allows administrative rules to supersede the statutory definition of "lead-bearing paint" if the Centers for Disease Control and Prevention specifies a standard that differs from state statute.

Increase the forfeiture for a violation of statutes relating to ss. 254.11 to 254.178 of the statutes, or rules promulgated, or orders issued, under those sections from not less than $100 nor more than $1,000, to not less than $100 nor more than $5,000 per violation. Specify that the

criminal penalty for a person who knowingly violates any provision of ss. 254.11 to 254.178, or any rule promulgated, or order issued, under those sections is not less than $100 nor more than $5,000 per violation (current law does not specify that the penalty is per violation). Specify that these provisions would first apply to violations that occur on the bill's general effective date. These penalties apply to the use or sale of lead-bearing paint, and the prevention and control of lead-bearing paint hazards.

34. ***Nonemergency Medical Transportation in Southeastern Wisconsin.*** Require DHS to modify the current contract for the arrangement and reimbursement of nonemergency medical transportation services for medical assistance beneficiaries, to the extent permitted by that contract, to exclude Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha county MA beneficiaries from the contract and make alternative arrangements for the provision of nonemergency medical transportation services for beneficiaries in those counties. Specify that alternative arrangements may be made with counties, health maintenance organizations, or transportation providers. Specify that this change would apply to the contract in effect on the effective date of the bill and would take effect no later than January 1, 2016.

35. ***Dental Pilot Program.*** Clarify that the rate used for dental procedures for which there is no survey data shall be 80% of the median usual and customary charge for that procedure for dentists practicing in Wisconsin (or the provider's usual and customary charge for that procedure if that charge is less). Specify that the enhanced MA reimbursement rates for dental services provided under the dental pilot project would be discontinued for dates of service beginning on the first day of the 37th month after the enhanced reimbursement rates take effect.

36. ***Long-Term Care Waiver.*** Modify provisions that direct DHS to seek changes to the federal waiver under which Family Care and IRIS (Include, Respect, I Self-Direct) operates, as follows.

First, require DHS to submit, as a part of the MA quarterly reports submitted by September 30, 2015, and December 30, 2015, progress reports regarding the development of the waiver proposal. Specify that the reports must include, but are not limited to, information regarding outcomes from discussions with representatives of consumers of long-term care, long-term care providers, and the federal Centers for Medicare and Medicaid Services.

Second, require that DHS hold no less than two public hearings regarding the proposed Family Care waiver prior to its submission to JFC.

37. ***Nursing Home Bed Transfer.*** Require DHS to redistribute three nursing home beds that are currently available under the statewide bed limit to a facility that meets all of the following criteria: (a) has a licensed bed capacity of no more than 75, on the effective date of the bill; (b) is covered by a continuing care permit under s. 647.02 of the statutes, on the effective date of the bill; (c) is located in a county with a population of at least 380,000 and adjacent to a county with a population of at least 750,000, on the effective date of the bill; and (d) for which the facility has applied for the beds using an application that, on a form provided by the Department, includes the applicant's per diem operating and capital rates.

38. ***FoodShare Replacement Cards -- Initial Applicability.*** Specify that the policy to require DHS to deduct the allowable costs the state incurs to replace a lost or stolen electronic benefit transfer (EBT) card from the FoodShare benefit amount provided on the EBT card first applies to requests to replace lost or stolen EBT cards received by DHS or its contracted entities on July 1, 2016, rather than requests received on October 1, 2015.

39. ***Freeze on County-Imposed Fees for Coroner and Transportation Services -- Effective Date.*** Modify a provision that would prohibit a county from increasing fees for services rendered by a coroner, fees for the signing of a death certificate by a coroner or medical examiner, or the transportation services, for a two-year period, beginning on the bill's general effective date, so that instead, a county could not charge a funeral home, cemetery or crematorium an amount that exceeds the amount that was in effect on April 17, 2015, for a two-year period.

40. ***Veterans Affairs -- Assistance for Needy Veterans Program Eligibility.*** Delete all provisions in the bill relating to changes in eligibility for benefits under the assistance for needy veterans program, as the administration indicates that the provision, with the modification adopted by the Committee at the request of the administration, is unnecessary to accomplish the Department's intent.

41. ***Veterans Affairs -- Appropriation for Transfers from Other Agencies.*** Create a PR appropriation in the Department of Veterans Affairs to enable the agency to expend moneys it receives from other state agencies for the purposes for which the funding is received.

42. ***Authorization for Out-of-State Risk Retention Groups to Sell Medical Liability Insurance in Wisconsin.*** Incorporate the provisions of 2013 Assembly Bill 808, as amended by Assembly Amendment 1, into the bill. This provision would specify that a risk retention group that has not been issued an authorization to do business in the state as a nondomestic insurer ("foreign risk retention group") is authorized to sell health care liability policies if the risk retention group is approved by the Insurance Commissioner and it has and maintains a risk-based capital ratio of at least 300%, as determined under the risk-based capital instructions adopted by the National Association of Insurance Commissioners. Specify that a foreign risk retention group is considered an "insurer" for the purposes of Chapter 655 of the statutes (Health Care Liability and Injured Patients and Families Compensation), thereby extending the excess coverage offered by the injured patients and families compensation fund to parties insured by a foreign risk retention group that otherwise complies with Chapter 655 requirements for insurers. Specify that a 3% premium tax applicable to nondomestic insurers applies to a foreign risk retention group that sells health care liability insurance under Chapter 655.

43. ***Self-Insurance for School Districts and Local Units of Government.*** Modify current law provisions that allow two or more school districts or two or more local units of government (cities, towns, and villages) that together have at least 100 employees to provide health insurance benefits on a self-insured basis to allow school districts to combine with local units of government for the purpose of reaching the 100 employee threshold for self-insurance.

44. ***Dispute Resolution Process Relating Health Insurance Coverage of Chiropractic Treatment.*** Require the Insurance Commissioner to promulgate rules that provide for a fast, fair, cost-effective, and binding independent process for resolving disputes related to insurer conduct with respect to statutory requirements for chiropractic coverage, access, and reimbursement. Specify that the rules must include at least all of the following: (a) 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; (b) 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 pertaining to chiropractic coverage requirements; (c) 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; (d) the procedure for selecting an independent reviewer to review a particular complaint; (e) 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 nine months after the Commissioner receives the request for independent dispute resolution; (f) procedures for setting and paying the fees of the independent reviewers; (g) a requirement that the insurer about which the independent dispute resolution is requested pay the fees of the independent reviewer; and (h) 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. Authorize the Commissioner to promulgate emergency rules for the period before the effective date of permanent rules, without being required to provide evidence that an emergency rule is necessary for the preservation of public peace, health, safety, or welfare, or being required to provide a finding of emergency.

45. ***Pharmacy Benefit Manager Regulation.*** Require any pharmacy benefit manager, with respect to a contract with a pharmacy, to agree to do the following in each contract or contract renewal: (a) update maximum allowable cost pricing information for prescribed drugs or devices at least every seven business days and provide a means by which contracted pharmacies may promptly review pricing updates in a format that is readily available and accessible; (b) reimburse pharmacists and pharmacies for prescribed drugs or devices subject to maximum allowable cost information that has been updated at least every seven business days; and (c) 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.

Require a pharmacy benefit manager and pharmacy to include in each contract with a pharmacy a process to appeal, investigate, and resolve disputes regarding maximum allowable cost pricing that includes the following: (a) a 21-day limit on the right to appeal following the initial claim; (b) a requirement that the appeal be investigated and resolved within 21 days after the date of the appeal; (c) a dedicated telephone number at which the pharmacy may contact the pharmacy benefit manager to speak to a person responsible for processing appeals; (d) 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 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; and (e) 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.

Define a pharmacy benefit manager as an entity doing business in Wisconsin that contracts to administer or manage prescription drug benefits on behalf of any insurer or other entity that provides prescription drug benefits to Wisconsin residents. Define a prescription drug benefit as coverage of or payment or assistance for prescribed drugs or devices. Create cross references to current law definitions for the following terms: pharmacist, pharmacy, and prescribed drug or device.

Specify that these provisions take effect on July 1, 2016.

46. ***Septic and Well Pump Installer Electrician License Exemption.*** Create an exemption in the Department of Safety and Professional Services (DSPS) electrician licensing statutes in s. 101.862 to provide that the following persons would not have to be a licensed electrician: (a) a person engaged in installing, repairing, or maintaining a private on-site wastewater treatment system, 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; and (b) 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.

47. ***Local Electrical and Multifamily Sprinkler Code Ordinances.*** Require that if a city, village or town adopts an electrical code or ordinance regarding electrical wiring and inspection of electrical wiring under s. 101.86 of the statutes, the code or ordinance must strictly conform to administrative rules promulgated by the Department of Safety and Professional Services (DSPS) under s. 101.82 (1) (state electrical wiring code). [Currently, the electrical wiring provisions in Chapter 101 allow municipalities to enact a local electric wiring ordinance if it is not less restrictive than state requirements.]

Further, amend s. 101.02 (7r) to clarify that the provisions of s. 101.02 (7m) and s. 101.975 (3) allow a city, village or town to enforce a preexisting stricter automatic sprinkler ordinance, if the ordinance: (1) is for multifamily dwellings containing 20 or less attached dwellings; (2) was in effect on January 1, 1992, and remained in effect on May 1, 1992; (3) does not conform to the multifamily dwelling code subchapter of Chapter 101 and s. 101.02 (7m) or is contrary to an order of DSPS under the Department's general regulatory provisions; and (4) is stricter than the multifamily dwelling code or the contrary provision of the DSPS order. [Currently, s. 101.02 (7m) specifies that no city, village or town may make or enforce a multifamily dwelling ordinance that does not conform to the state multifamily dwelling code, unless the local ordinance has a preexisting stricter sprinkler ordinance. Section 101.02 (7r) specifies that 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 (commercial buildings), unless the ordinance conforms to applicable state rules, unless the ordinance met certain requirements for preexisting ordinances.]

48. ***Madison Metropolitan Sewerage District.*** Make the following changes to Metropolitan Sewerage Districts that are not first class cities, and that contain a second class city

with a population of 200,000 or more, including the following provisions:

a. Specify that a metropolitan sewerage district that contains a second class city with a population of 200,000 or more shall be governed by a nine-member commission appointed for staggered three-year terms. [This provision would only apply to the Madison Metropolitan Sewerage District. Currently, metropolitan sewerage districts in districts other than first class cities are governed by a five-member commission appointed for staggered five-year terms.] Specify that the members would be appointed as follows: (1) five by the mayor of the second class city; (2) three by a majority vote of the members of the executive council composed of the elected executive officers of each city and village that is wholly or partly within the boundaries of the district; and (3) one by a majority vote of the members of the executive council composed of the elected executive officers of each town that is wholly or partly within the boundaries of the district. [Currently, commissioners in metropolitan sewerage districts in districts other than first class cities are appointed by the county board of the county in which the district is located.]

b. Specify that the terms of the current members of a metropolitan sewerage district that contains a second class city with a population of 200,000 or more would expire on the 90th day after publication of the budget bill. Specify that the other provisions of the motion would take effect on the 90th day after publication of the budget bill.

c. Specify that the initial members of the commission appointed under this motion shall be appointed for the following terms: (1) the 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 second class city, for a term expiring three years after the initial appointment; (2) one member appointed by the cities and villages, and two members appointed by the mayor, for a term expiring two years after the initial appointment; and (3) one member appointed by the cities and villages, and two members appointed by the mayor, for a term expiring one year after the initial appointment.

d. Specify that all actions of a commission in a metropolitan sewerage district that contains a second class city with a population of 200,000 or more 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 (seven of the nine): (1) any policy, rule, regulation, ordinance, rate, or charging structure that does not by its terms apply uniformly to all geographical areas of the district; and (2) 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.

e. Authorize addition of territory to the district if it is annexed or attached to a city or village or added to a town sanitary district if a portion of the city, village, or town sanitary district is located within a district that contains a second class city with a population of 200,000 or more, if the city, village or town sanitary district submits official notice to the commission and the regional planning commission of the region within the district or the greatest portion of the district is located. [This would be in addition to the current allowance of addition of territory that is added to a city, village, or town sanitary district that is located entirely within the original district prior to the annexation or addition, when an official notice from the city, village or town sanitary district is submitted to the commission and regional planning commission.] Specify that the current

procedure for potential written objection by the regional planning commission, and public hearing by the commission, would apply to the addition of territory to the district if a portion of the city, village, or town sanitary district is located within the district. [Currently, if, within 30 days after receipt of a notice of addition of territory to the district, the regional planning commission files a written objection with the district commission to any part of the annexation or addition, the district commission holds a public hearing preceded by a class 2 notice, then the commission may approve the annexation based on a determination that specific standards are met.]

49. ***Dam Water Level Orders.*** Modify Motion #520, Item #18 to specify that the legislative approval provision applies to a dam in Vilas County meeting the specified criteria as of June 1, 2015 [no date was specified in the original motion].

50. ***Frank Lloyd Wright Heritage Trail.*** Modify Motion #509, Item #13 to provide the Department of Tourism $500,000 GPR in 2015-16 under its tourism marketing biennial appropriation to promote buildings designed or constructed by Frank Lloyd Wright that are open to the public. [The original motion would require Tourism to expend $500,000 from existing GPR or tribal gaming PR tourism marketing appropriations to promote Wright-designed or -constructed buildings open to the public.]

Further, in addition to the route previously specified, provide the Frank Lloyd Wright Heritage Trail is to extend from the junction of U.S. Highway 14 and State Trunk Highway 23 in Sauk County west on USH 14 to the junction at County Trunk Highway Q in the City of Richland Center (Richland County). In addition to the markers previously specified, require the Department of Transportation (DOT) to place one marker facing each direction at the following locations: (a) at the junction of USH 14 and CTH Q in the City of Richland Center, identifying one end of the trail and also the Richland Museum and Visitors Center; (b) at the junction of USH 14 and STH 23 in Sauk County, identifying the location of Taliesin in Iowa County and the continuation of the trail both west on USH 14 and south on STH 23; and (c) on STH 23 in Iowa County, identifying the end of the trail on the STH 23 spur, as well as the locations of the Frank Lloyd Wright Visitor Center and Taliesin in the Town of Wyoming.

Additionally, specify Transportation may erect and maintain directional signs along any highway along the Frank Lloyd Wright Heritage Trail to aid in navigation to the locations designated. Finally, clarify that the Racine County DOT sign for the S.C. Johnson Research Tower and Wingspread be at the Interstate 94 and State Trunk Highway 20 interchange.

51. ***PSC-Condemnation Authority for Oil Pipeline Companies.*** Delete the reference to "corporation" and substitute "business entity" in the current law provision which conveys the authority to condemn real estate and personal property to corporations that transmit oil or related products in pipelines in Wisconsin and that maintain terminal or product delivery facilities in Wisconsin, subject to the approval of the Public Service Commission (PSC) upon a finding by the PSC that the proposed real estate interests sought to be acquired are in the public interest. Include a reference to a business entity having condemnation authority in the current law provision concerning Building Commission approval of privately owned or operated facilities on state-owned land, and replace references to "corporation" with references to "business entity" under the current law provision concerning rights of abutting (land) owners.

52. ***PSC-Regulation of Alternative Telecommunications Utilities.*** Incorporate the provisions of LRB 0641/1 to delete a cross reference to s. 196.81 in s. 196.203(4m)(a). This would remove the PSC's authority under current law to require alternative telecommunications utilities (ATUs) to: (1) obtain PSC approval before abandoning or discontinuing any line, extension, or service; (2) remove poles and certain other structures from a right-of-way, if the ATU abandons the right-of-way; or (3) dispose of any part of a right-of-way obtained by the ATU by condemnation, if the right-of-way is in a rural area and the ATU abandons the right-of-way. This provision would become effective on the general effective date of the biennial budget act. [Under the motion, the responsibility for removing abandoned lines and poles would shift from affected providers to land owners and municipalities. In addition, if a competing telecommunication provider interconnects to an affected provider's network and that provider abandons service, the interconnected provider's access to its customers could be affected.]

53. ***PSC-Definition of Essential Telecommunications Services.*** Incorporate the provisions of LRB 0955/1 to modify the current law provision that defines essential telecommunications services as "the services or functionalities listed in 47 CFR 54.101(a) as of January 1, 2010" by deleting the reference to January 1, 2010. [The motion would incorporate any changes that the FCC has made or will make to its regulation after January 1, 2010.]

54. ***PSC-Designation of Chairperson of the Commission.*** Specify that the chairperson of the PSC is a distinct appointment, and is different from that of a Commissioner. Upon expiration of the two-year term as chairperson, specify that the individual would resume his or her remaining term as a Commissioner. Specify that all current law provisions that apply to a Commissioner of the PSC related to financial interests and involvement in political activities also apply to the chairperson. Specify that these provisions apply to an individual serving as chairperson on the effective date of the bill.

55. ***Limitation on Town and County Actions.*** Prohibit any town or county from imposing requirements that are expressly preempted by federal or state law as conditions for approving a conditional use permit. In addition, prohibit any town or county from imposing insurance requirements on an operator of an interstate hazardous liquid pipeline if the pipeline operating company carries comprehensive general liability insurance coverage that includes coverage for sudden and accidental pollution liability.

56. ***One Day of Rest in Seven.*** Include the provisions of 2015 AB 118 to permit an employee to state in writing that he or she voluntarily chooses to work without one day of rest in seven. Specify the provision first apply to union contracts on the day the collective bargaining agreement expires, or is extended, modified, or renewed, whichever comes first. [Currently every factory or mercantile employer must allow each employee 24 hours of rest in every consecutive seven days, except for certain emergency circumstances. The requirement does not apply to janitors, security staff, bakeries, restaurants, hotels and certain dairy or agricultural plants.]

57. ***DWD Lapse Plan Correction.*** An administration errata identifies a double-count in the budget system related to the 2015-16 Department of Workforce Development required GPR and PR lapse amounts. The correction of this error reduces the amount identified for transfer to the general fund by $2,673,000 in 2015-16.

58. ***Statutory Minimum Wage Requirement.*** Repeal references to and provisions for a "living wage", including the provision allowing DWD to determine the living wage, and replace them with a "minimum wage". Further, statutorily set the minimum wage levels currently provided in administrative rule DWD 272. Establish in the statutes the allowance against the minimum wage that an employer who provides room and board for an employee may take at the levels currently set by DWD rule. Further, establish in the statutes similar employee classification definitions as currently provided in DWD rules.

Specify that the minimum wage for general employees, minors and agricultural employees is $7.25 per hour. Provide that if an employer furnishes an employee with meals or lodging, the employer may deduct the following amounts from the wages of the employee: (a) for lodging, $58 per week or $8.30 per day and (b) for meals, $87 per week or $4.15 per meal. Define "agricultural employee" to mean an employee who is employed in the operation of farm premises, as described in s. 102.04 (3). Define "minor employee" to mean a person under age 18 who is paid at the applicable minimum wage rate for minors.

Specify that the minimum wage for an opportunity employee is $5.90 per hour. Provide that if an employer furnishes an opportunity employee with meals or lodging, the employer may deduct the following amounts from the wages of the employee: (a) for lodging, $47.20 per week or $6.75 per day and (b) for meals, $70.80 per week or $3.35 per meal. Define "opportunity employee" to mean a person under 20 years of age who is in the first 90 consecutive days of employment with his or her employer.

Specify that 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.

Specify that the minimum wage for a golf caddy is $10.50 for caddying 18 holes and $5.90 for caddying 9 holes.

Specify that 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. Provide that the minimum wage for the tipped employee is as follows: (a) for wages earned by a tipped employee who is not an opportunity employee, $2.33 per hour and (b) for wages earned by a tipped employee who is an opportunity employee, $2.13 per hour. Specify that if an employer furnishes a tipped employee with meals or lodging, the employer may deduct the applicable amounts from the wages of the tipped employee. Define "tipped employee" to mean an employee who in the course of employment customarily and regularly receives money or other gratuities from persons other than the employee's employer.

Specify that DWD promulgate rules providing the minimum wage for the following: (a) an employee or worker with a disability covered under a license as defined under s. 104.07; (b) a student learner; and (c) a student employed by an independent college or university for less than 20 hours per week. In addition, specify that DWD promulgate rules that exempt from the minimum wage requirements 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; and (c) an elementary or secondary school student performing student work–like activities in the student's school. [DWD 272 currently contains provisions addressing these categories.]

Repeal the definition of "living wage" and the provision which specifies that within 20 days after the filing of a verified complaint of any person setting forth that the wages paid to any employee in any occupation are not sufficient to enable the employee to maintain himself or herself under conditions consistent with his or her welfare, DWD investigate and determine whether there is reasonable cause to believe that the wage paid to any employee is not a living wage. [Any person could still file a complaint with DWD that a specific employee is being paid in violation of law.]

Repeal the provision which states that if, upon investigation, DWD finds that there is reasonable cause to believe that the wages paid to any employee are not a living wage, DWD appoint a wage council, selected so as fairly to represent employers, employees, and the public, to assist in its investigations and determinations. Further repeal the provision which states that the living wage so determined be the living wage for all employees within the same class as established by the classification of the Department.

Repeal the provision which states that DWD investigate, ascertain, determine, and fix such reasonable classifications, and impose general or special orders, determining the living wage. Further repeal the provision which states that 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.

Further, include technical modifications related to the fine for intimidating a witness and the definition of a minimum wage violation.

Provide that these provisions take effect on the first day of the first month beginning after publication of the bill.

59. ***Work Experience Program Drug Screening, Testing, and Treatment.*** Specify that the drug screening, testing, and treatment requirements for the Transform Milwaukee program, the Transitional Jobs program, W-2 services and benefits for noncustodial parents, and Children First apply to applicants to such programs on the effective date of the rules (or emergency rules, whichever is earlier) promulgated by Department of Children and Families (DCF) to implement the drug screening, testing, and treatment requirements.

60. ***Temporary Assistance for Needy Families Funding for General Education Development Testing and Preparation, Adult Literacy Grants, and Legal Services for Low Income Families.*** Make a technical modification to Motions 349 (GED Test Assistance), 365

(Adult Literacy Grants), and 370 (Legal Services for Low Income Families) to specify that federal funding provided from the temporary assistance for needy families (TANF) block grant may be used for individuals "who are eligible for TANF" rather than individuals "who are eligible to receive assistance under the TANF program."

61. ***Expand Payday Lender Authority.*** Expand the types of financial products and services a payday lending company may provide to include: (a) the sale of insurance, annuities, and related products; and (b) any financial or consumer finance services subject to regulation by statute or rule. Specify that a payday loan licensee may conduct, and permit others to conduct, at the place of business specified in its license, services commonly offered by a currency exchange. Further, specify that a payday loan licensee may sell merchandise and conduct other business at the place of business specified in the payday loan license provided that the licensee holds any applicable license, permit, or other approval required by law to sell the merchandise or conduct the other business.

62. ***Grants for Fabrication Laboratories.*** Reduce the Joint Committee on Finance's supplemental GPR appropriation by $500,000 in 2015-16. Instead, increase the Wisconsin Economic Development Corporation's (WEDC) operations and programs appropriation by $500,000 in 2015-16 and require WEDC to develop and implement a program to make up to $500,000 of grants to eligible recipients for purchases of equipment used in fabrication laboratories for instructional and educational purposes by grade school, junior high school, and high school students. Specify that a fabrication laboratory is a medium-scale, high-technology workshop equipped with computer-controlled additive and subtractive manufacturing components, including three-dimensional printers, laser engravers, computer numerical control routers, and plasma cutters.

Specify that awards under the program could be made to eligible applicants, annually, over a three-year period in proportion to the eligible equipment expenditures used in eligible fabrication laboratories in the following manner for each eligible applicant: (a) 75% of eligible expenditures in the first year of the grant award; (b) 50% of eligible expenditures in the second year; and (c) 25% of eligible expenditures in the third year. Prohibit WEDC from making a grant award in excess of $25,000, annually, per eligible recipient (maximum total grant award over the three-year period of $75,000 per recipient). Require WEDC to develop policies and procedures to implement the grant program for fabrication laboratories. Specify that grants must be awarded on a competitive basis, annually, based on financial need and without consideration of whether the grant applicant received an award during the previous calendar year. Specify that WEDC could not certify a person as eligible to receive awards under the program after June 30, 2017.

63. ***Grant for St. Croix Valley Business Incubator.*** Reduce the Joint Committee on Finance's supplemental GPR appropriation by $250,000 in 2015-16. Instead, provide $250,000 GPR in 2015-16 to WEDC's operations and programs appropriation for the purpose of making a grant to the River Falls Economic Development Corporation to construct the St. Croix Valley Business Incubator. Specify that WEDC may only award the grant if federal monies are secured to finance construction of the St. Croix Valley Business Incubator.

64. ***Transfer the non-Uniform Commercial Code Wisconsin Railroad Records from the Department of Financial Institutions (DFI) to Office of the Commissioner of Railroads (OCR).*** Specify that every conveyance or lease, deed of trust, mortgage or satisfaction made by any railroad

corporation be acknowledged, filed, and stored with OCR and that OCR collect all fees associated with such filings.

65. ***Prohibiting Local Governments from Imposing Time of Sale Requirements.*** Prohibit any local governmental unit from restricting, by ordinance, resolution, or any other means, 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. Specify that the prohibition extends to any of the following times: (a) before the owner may sell, refinance, or transfer title to the property; (b) at the time of the sale or refinancing of, or the transfer of title to, the property; or (c) within a certain period of time after selling, refinancing, or transferring title to the property. Define "local governmental unit" as meaning any of the following: (a) a political subdivision of this state; (b) a special purpose district in this state; (c) an agency or corporation of a political subdivision or special purpose district in this state; (d) a combination or subunit of any of the preceding entities; or (e) an employee or committee of any of the preceding entities. Define "actions with respect to the property" as including such actions as: (a) having an inspection made by an employee or agent of, or contractor with, the local governmental unit; (b) making improvements or repairs; (c) removing junk or debris; (d) mowing or pruning; (e) performing maintenance or upkeep activities; (f) weatherproofing; (g) upgrading electrical systems; (h) paving; (i) painting; (j) repairing or replacing appliances; (k) replacing or installing fixtures or other items; and (l) actions relating to compliance with building codes or other property condition standards. Specify that the preceding provisions do 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. Provide that an ordinance, resolution, or policy of a local governmental unit that is in effect on the effective date of the biennial budget act and that is inconsistent with the preceding prohibition does not apply and may not be enforced.

66. ***Extension of Water or Sewer Service Between Municipalities.*** Authorize a municipality to 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 does not receive water or sewer service from any public utility or municipality on the date of the request, and the municipality requesting the service contains an area that receives water or sewer service from the water or sewer utility owned and operated by the other municipality on the date of the request. Authorize the municipality requesting the service extension to specify the point on the municipal water or sewer utility's system from which service is to be extended to the area that is the subject of the request. Require the municipality that owns and operates the water or sewer utility to approve or disapprove the request in writing within 45 days of the date on which the request is made. Prohibit the municipality owning and operating the water or sewer utility from disapproving a request unless 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. Authorize the municipality making the request to appeal any decision of the municipality that owns and operates the water or sewer utility to deny the service extension to the circuit court of the county in which the requesting municipality is located or is predominately located. Authorize the municipality making the request to proceed under these provisions even if the municipality that owns and operates the water or sewer utility has enacted an ordinance or entered an agreement, before the budget bill's general effective date,

specifying that the municipality is not obligated to provide utility service beyond the area covered by the ordinance or agreement.

67. ***Duties and Powers of the County Executive in Populous Counties.*** Modify the current law provision regarding the duties and powers of the county executive in counties with a population of 750,000 or more to authorize the county board to continue to exercise authority related to the acquisition of property with regard to land that is zoned as a park on or after the effective date of the biennial budget act, 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 East Mason Street, east of North Van Buren Street, and north of East Clybourn Avenue. Otherwise, authorize the county executive to exercise the authority vested with the county board under current law provisions with regard to: (a) making orders concerning county property and commencing and maintaining actions to protect county interests; (b) transferring county property; (c) constructing, maintaining, and financing county-owned buildings and public works projects; and (d) leasing lands to the Department of Natural Resources. Modify the current law provision pertaining to the sale or lease of property that requires actions of the county executive to be consistent with established county board policy and to be approved by the board to instead allow the county executive's action to not be consistent with established county board policy and to take effect without submission to or approval by the county board. Repeal the current law provision stating that the county board may only approve or reject the contract as negotiated by the county executive. Require the proceeds of the sale of property under this provision to first be applied to any debt attached to the property. Specify that the sale of county land by the county executive not take effect until a majority of the following individuals sign a document certifying that they believe the sale is in the best interest of the county: the county executive or the executive's designee; the county comptroller or comptroller's designee; and an individual who is a resident of the municipality where the property is located, who has been appointed, at least biennially, by the Executive Council for Milwaukee County, as defined under current law, who has demonstrable experience in real estate law or real estate sales or development, and who is not an elective official. Require a copy of that document to be attached to the bill of sale and require a second copy of that document to be retained by the county. Authorize the county executive in a county with a population of 750,000 or more to have sole authority over the following administrative actions and specify that the actions may take effect without any review or approval of the county 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) administrative 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; and (4) actions taken under the administrative manual of operating procedures related to the authority and powers granted to a county executive under state law and under county ordinances, and specify that 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. Extend these limitations to a related provision under current law concerning persons seeking review by a local governing body of a determination of a local government. Prohibit the county board from enacting an ordinance or adopting a resolution or policy that conflicts or interferes in form or function with the statutory authority of a county executive.

Repeal the current law provisions and remove related language that require the board's Finance Committee to approve contracts of at least $100,000 but not more than $300,000 and the county board to approve any contract of more than $300,000 in a county with a population of 750,000 or more. In addition, create a provision specifying that the county board has no role in the review of public contracts and that public contracts take effect without the approval of the county board.

Note:

The following table shows the fiscal effect of the motion.

	Funding			Positions		
	2015-16	2016-17	2015-17	2015-16	2016-17	
Educational Communications Board	-$1,647,300	-$1,647,300	-$3,294,600	-8.60	-8.60	PR
Student Information System	-2,350,000	0	-2,350,000	0.00	0.00	GPR
Special Prosecutor Positions -- DOJ	220,000	220,000	440,000	0.00	0.00	GPR
Corrections Wheelchair Recycling Program	25,000	25,000	50,000	0.00	0.00	GPR
Appraisals of State-Owned Property -- DOA	100,000	100,000	200,000	0.00	0.00	PR
Frank Lloyd Wright Heritage Trail	500,000	0	500,000	0.00	0.00	GPR
DWD -- GPR-Earned	-2,673,000	0	-2,673,000			GPR-REV
Totals	-$1,605,000	$245,000	-$1,360,000	0.00	0.00	GPR
	-2,673,000	0	-2,673,000			GPR-REV
	-1,547,300	-1,547,300	-3,094,600	-8.60	-8.60	PR
Net Impact on General Fund Balance	-$1,068,000	-$245,000	-$1,313,000	0.00	0.00	