AN ACT relating to state finances and appropriations, constituting the 1988 annual budget bill, and making appropriations.

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

SECTION 1. All of the acts and parts of acts set forth in this act which are not in conflict herewith are hereby declared to be continued in force and effect as if set forth in this act.

SECTION 2. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 3. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

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SECTION 4. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 5. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 6. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 7. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 8. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 9. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 10. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 11. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 12. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 13. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 14. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 15. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 16. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 17. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 18. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations.

SECTION 19. (a) The board shall designate the amount of each budget appropriation to be used to fund the operation of each department and agency within the state government, and the board shall authorize the governor to make any necessary transfers between the departments and agencies within the state government.

(b) The governor shall make the necessary transfers to ensure that the department and agency budgets are funded according to the Board's designations.

(c) The governor shall report to the Joint Committee on Finance for each department and agency within the state government, the amount of the budget appropriation to be used to fund the operation of each department and agency, and the amount of any necessary transfers made to ensure that the department and agency budgets are funded according to the Board's designations.

SECTION 20. The amount of each budget appropriation designated for the operation of each department and agency within the state government shall be used to fund the operation of each department and agency in accordance with the Board's designations. 
Vetoed in Part

SECTION 10 (a) 14 of the statutes is hereby amended to read:

10 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than 10 days after the last day in which they are filed, in a manner that facilitates public access. The reports shall be available for public inspection and copying in the office of the filing office in which they are filed and shall be maintained in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

Vetoed in Part

In Part

SECTION 15 (b) (1) of the statutes is hereby amended to read:

15 (b) (1) The reports and statements filed with the filing office shall be available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 20 of the statutes is hereby amended to read:

20 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

Vetoed in Part

In Part

SECTION 25 of the statutes is hereby amended to read:

25 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 30 of the statutes is hereby amended to read:

30 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 35 of the statutes is hereby amended to read:

35 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 40 of the statutes is hereby amended to read:

40 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 45 of the statutes is hereby amended to read:

45 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 50 of the statutes is hereby amended to read:

50 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 55 of the statutes is hereby amended to read:

55 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 60 of the statutes is hereby amended to read:

60 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 65 of the statutes is hereby amended to read:

65 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 70 of the statutes is hereby amended to read:

70 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part

Vetoed in Part

SECTION 75 of the statutes is hereby amended to read:

75 (a) (1) Make the reports and statements filed with the filing office available for public inspection and copying, commencing as soon as practicable but not later than the end of the day in which they are filed. The reports shall be available for public inspection and copying in a manner that facilitates public access. The reports shall be updated regularly to reflect any changes or additions.

In Part
SECTION lk. 13.172 (1) of the statutes is amended to read:

13.172 (1) In this section, "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, and any authority created in ch. 234.

SECTION lm. 13.48 (26) of the statutes is created to read:

13.48 (26) CLEAN WATER ANNUAL FINANCE PLAN APPROVAL. The building commission shall review the annual finance plan submitted to it by the department of natural resources under s. 144.241 (4) and the recommendations of the joint committee on finance and the standing committees to which the annual finance plan was submitted under s. 144.241 (4) (a). The building commission shall consider the extent to which the annual finance plan will maintain the clean water fund in perpetuity, maintain the purchasing power of the clean water fund, meet the requirements of s. 144.241 to provide financial assistance for water quality pollution abatement needs and nonpoint source water pollution management needs, and provide a stable and sustainable annual level of financial assistance under s. 144.241 proportional to the state’s long-term water pollution abatement and management needs and priorities. The building commission shall, after September 1 and on or before October 1 annually, either approve or disapprove the annual finance plan. When the building commission approves the annual finance plan, the building commission shall establish the total capital dollar amount, by source, available for financial assistance commitments through the end of that fiscal year and the composite annual interest rate which the total dollar amount shall yield, to the extent practicable to accommodate administrative difficulties in achieving the yield. If the building commission disapproves the annual finance plan, it must notify the department of natural resources of its reasons for disapproving the plan.

SECTION 3. 13.488 (1) (m) of the statutes is created to read:

13.488 (1) (m) The duty to compute and make payments to the United States required under 26 USC 148 (f) so that public debt, revenue obligations and operating notes issued pursuant to ch. 18 will not be treated as arbitrage bonds for the purpose of exclusion from gross income under 26 USC 103 (b) (2). If the proceeds of an obligation are utilized for an activity that is financed from program revenue, the building commission shall make the payment required under this paragraph from that revenue.
SECTION 4. 13.62 (2) of the statutes is amended to read:

13.62 (2) "Agency" means any board, commission, committee, department or officer in the state government, or any authority created in ch. 231, 233 or 234.

SECTION 4m. 13.94 (4) (a) 5 of the statutes is created to read:

13.94 (4) (a) 5. A local service agency as defined in s. 101.35 (1) (d).

SECTION 5g. 14.017 (3) of the statutes is repealed.

SECTION 5r. 14.25 of the statutes is repealed.

SECTION 5wu. 15.01 (6) of the statutes, as affected by 1987 Wisconsin Act 27, is amended and recreated to read:

15.01 (6) "Council" means a part-time body appointed to function on a continuing basis for the study and recommendation of solutions and policy alternatives to the problems arising in a specified functional area of state government, except the council shall have the powers and duties specified in s. 16.01 (4) and the council shall have the powers and duties specified in ch. 278.

SECTION 5xw. 15.01 (6) of the statutes, as affected by 1987 Wisconsin Act 27, is amended and recreated to read:

15.01 (6) "Division," "bureau," "section" and "unit" means the subunits of a department, whether specifically created by law or created by the head of the department for the more economic and efficient administration and operation of the programs assigned to the department. The office of justice assistance in the department of administration has the meaning of "division" under this subsection and the office of health care information in the subunit of the department of health and social services having responsibility for health has the meaning of "bureau" under this subsection.

SECTION 5x. 15.02 (3) (c) 2 of the statutes is amended to read:

15.02 (3) (c) 2. The principal subunit of the division is the "bureau". Each bureau shall be headed by a "director". The office of health care information in the subunit of the department of health and social services having responsibility for health has the meaning of "bureau" under this subdivision.
other times on the call of the chairperson or a majority
of the board’s members.

SECTION 12. 15.07 (5) (d) of the statutes is
amended to read:

15.07 (5) (d) Members of the board of agriculture,
trade and consumer protection, not exceeding $40 $35
per day as fixed by the board with the approval of the
governor, but not to exceed $600 $1,000 per year.

SECTION 12g. 15.08 (1m) (b) of the statutes is
amended to read:

15.08 (1m) (b) The public members of the chiro-
practic examining board, the dentistry examining
board, the hearing aid dealers and fitters examining
board, the medical examining board and its physical
therapists examining council, podiatry examining
council, occupational therapy examining council and
council on physician’s assistants, the board of nursing,
the nursing home administrator examining board, the
veterinary examining board, the optometry examining
board, the pharmacy examining board and the psy-
chology examining board shall not be engaged in any
profession or occupation concerned with the delivery
of physical or mental health care.

SECTION 13. 15.155 (2) of the statutes is amended
to read:

15.155 (2) Employe ownership board. There is
created an employe ownership board attached to the
department of development under s. 15.03 consisting of
the secretary of development or his or her designee,
a representative from the labor community and another
member appointed by the governor, and the
director of the small business development center at
the university of Wisconsin-extension or the director’s
designee and the executive director of the community
development finance authority.

SECTION 13g. 15.194 of the statutes is created
to read:

15.194 Same; offices. (1) Office of health care
information. There is created an office of health care
information which is in the subunit of the department
of health and social services having responsibility for
health. The director of the office shall be appointed
by the secretary of health and social services, to serve
at the pleasure of the secretary.

SECTION 13j. 15.195 (6) of the statutes is created
to read:

15.195 (6) Board on health care information.
There is created a board on health care information
which is attached to the department of health and
social services under s. 15.03. The board shall consist
of 7 members, a majority of whom may not be nor
represent health care providers, appointed for 4-year
terms.
SECTION 13kg. 15.227 (18) of the statutes is created to read:

15.227 (18) PETROLEUM STORAGE ENVIRONMENTAL CLEANUP COUNCIL. There is created in the department of industry, labor and human relations a petroleum storage environmental cleanup council consisting of 5 members appointed for 4-year terms and the secretaries of natural resources and industry, labor and human relations, or their designees. The governor shall appoint the members, other than ex officio members, to the council from lists of names submitted by the secretary of natural resources and by the secretary of industry, labor and human relations. In preparing the lists, each secretary shall consider representatives from petroleum product transporters, manufacturers, suppliers, retailers and wholesalers, hydrogeologists and environmental scientists, consultants, contractors and engineers.

SECTION 13r. 15.347 (15) of the statutes is created to read:

15.347 (15) MILWAUKEE RIVER REVITALIZATION COUNCIL. There is created in the department of natural resources a Milwaukee river revitalization council consisting of:

(a) The secretary of natural resources or his or her designee.

(b) The secretary of development or his or her designee.

(c) Nine members appointed by the governor for 3-year terms.

SECTION 13rm. 15.407 (1) (c) of the statutes is created to read:

15.407 (1) (c) OCCUPATIONAL THERAPISTS. There is created an occupational therapy examining council consisting of 5 members appointed by the medical examining board for 3-year terms. Two members shall be occupational therapists certified under ch. 448 who have performed or taught occupational therapy or performed research in occupational therapy for at least 3 years prior to appointment. One member shall be an occupational therapy assistant certified under ch. 448. Two members shall be public members.

SECTION 13. 16.01 (1) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

16.01 (1) (b) “Agency” means any 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, and any authority created under ch. 231, 233 or 234.

SECTION 15. 16.41 (4) of the statutes is amended to read:

16.41 (4) In this section, “authority” means a body created under ch. 231, 233 or 234.

SECTION 15m. 16.417 (2) of the statutes, as affected by 1987 Wisconsin Act ... (Senate Bill 315), is amended to read:

16.417 (2) No individual who is employed or retained in a full-time position or capacity with an agency or authority may hold any other position or be retained in any other capacity with an agency or authority from which the individual receives directly or indirectly, more than $5,000 from the agency or authority as compensation for the individual’s services during the same year. No agency or authority may employ any individual or enter into any contract in violation of this subsection. The department shall annually check to assure that no individual violates this subsection. The department shall order any individual whom it finds to be in violation of this subsection to forfeit that portion of the economic gain that the individual realized in violation of this subsection. The attorney general, when requested by the department, shall institute proceedings to recover any forfeiture incurred under this subsection which is not paid by the individual against whom it is assessed.
This subsection does not apply to an individual who has a full-time appointment for less than 12 months, during any period of time that is not included in the appointment.

SECTION 17g. 16.501 of the statutes is renumbered 16.501 (1) and amended to read:

16.501 (1) No funds appropriated under s. 20.143 (1) (bm) may be expended until the department of development submits to the secretary a report setting forth the amount of private contributions received by Forward Wisconsin, inc., since the date the department of development last submitted a report under this section subsection. After receiving the report, the secretary may approve the expenditure of funds up to the amount set forth in the report. Total funds expended in any fiscal year may not exceed the amounts in the schedule under s. 20.143 (1) (bm).

SECTION 17h. 16.501 (2) of the statutes is created to read:

16.501 (2) Forward Wisconsin, inc., shall expend funds appropriated under s. 20.143 (1) (bm) in adherence with the uniform travel schedule amounts approved under s. 20.916 (8). Forward Wisconsin, inc., may not expend funds appropriated under s. 20.143 (1) (bm) on entertainment, foreign travel, payments to persons not providing goods or services to Forward Wisconsin, inc., or for other purposes prohibited by contract between Forward Wisconsin, inc., and the department.

SECTION 20. 16.52 (7) of the statutes is amended to read:

16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency which is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. 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 ch. 231–233 or 234.

SECTION 21. 16.528 (1) of the statutes is amended to read:

16.528 (1) DEFINITION. In this section, “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 ch. 231–233 or 234.

SECTION 22. 16.53 (2) of the statutes is amended to read:

16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed invoice, the agency shall notify the sender of the invoice within 10 working days after it receives the invoice of the reason it is improperly completed. 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 ch. 231–233 or 234.

SECTION 23. 16.54 (9) (a) 1 of the statutes is amended to read:

16.54 (9) (a) 1. “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 ch. 231–233 or 234.

SECTION 24. 16.70 (1) of the statutes is amended to read:

16.70 (1) “Authority” means a body created under ch. 231–233 or 234.

SECTION 25. 16.70 (2) of the statutes is amended to read:

16.70 (2) “Authority” means a body created under ch. 231–233 or 234.

SECTION 25d. 16.75 (1) (a) 1 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment and contractual services, except as other-
consideration life cycle cost estimates under sub. (1m), (2m), (3m), (3s), (3t), (6) and (7) and ss. 16.754, 46.265, 50.05 (7) (f) and 144.48 (7), shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformance with the specifications, and the purposes for which they are required and the date of delivery.

SECTION 25h. 16.75 (1) (a) 3 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

16.75 (1) (a) 3. Bids may be received only in accordance with such specifications as are adopted by the department as provided in this subsection. Any or all bids may be rejected. Each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated shall, after the award or letting of the contract, be opened to public inspection. Where a low bid is rejected, a complete written record shall be compiled and filed, giving the reason in full for such action. Any waiver of sealed, advertised bids as provided in sub. (2m) or (6) of the purchasing prohibition provided in sub. (8) shall be entered on a record kept by the department and open to public inspection.

SECTION 25p. 16.75 (3m) (b) of the statutes is amended to read:

16.75 (3m) (b) The department and any agency making purchases under s. 16.74 shall attempt to ensure that 5% of the total amount expended under this subchapter in each fiscal year is paid to minority businesses. Except as provided under sub. sub. (7) and (8), the department may purchase materials, supplies, equipment and contractual services from any minority business submitting a qualified responsible competitive bid that is no more than 5% higher than the apparent low bid or competitive proposal that is no more than 5% higher than the most advantageous offer, unless the department is required under sub. (3s) to award the order or contract to a sheltered workshop. In administering the preference for minority businesses established in this paragraph, the department and any agency making purchases under s. 16.74 shall maximize the use of minority businesses which are incorporated under ch. 180 or which have their principal place of business in this state.

SECTION 25t. 16.75 (8) of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 26. 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. 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 ch. 231, 233 or 234.

SECTION 27. 16.865 (8) of the statutes is amended to read:

16.865 (8) On July 1 of each year, allocate as a charge to agencies a proportionate share of the estimated cost attributable to programs not funded from general purpose revenue to be paid from the appropriations under s. 20.865 (1) (dm), (f) and (fm). Costs may be charged to and collected from agencies on an estimated or premium basis and paid from the appropriations on an actual basis. The department shall deposit all collections in the general fund as general purpose revenue—earned. 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 ch. 231, 233 or 234.

SECTION 28. 16.963 (2) of the statutes is amended to read:

16.963 (2) The council, if created, may utilize staff resources made available to it by agencies as defined in s. 16.52 (7), authorities created under ch. 231, 233 or 234 or private sector sources.

SECTION 29. 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 and the community development finance authority as defined in s. 234.94 (2). The department shall acquire surplus real and personal property at such cost to the recipient as is necessary to amortize expenditures for transportation, packing, crating, handling and program overhead.

SECTION 30. 16.963 (1), (2) and (3) of the statutes are amended to read:

16.963 (1) By the secretary of state, pursuant to any general state experiment, for a period of three years, the council shall make a study of the extent, economy and cost of transferring state data to computer storage by the agencies and institutions of state government and the secretaries of state.

16.963 (2) The council, if created, may utilize staff resources made available to it by agencies as defined in s. 16.52 (7), authorities created under ch. 231, 233 or 234 or private sector sources.

16.963 (3) The council is authorized to make grants to counties, cities, towns, villages, school districts, institutions of higher education, community development corporations and other entities for the development of computer storage and data processing services.

Vetoed in Part
Vetoed in Part

SECTION 30. 19.42 (10) (k) of the statutes is created to read:

19.42 (10) (k) The executive director, executive assistant to the executive director and investment directors of the investment board.

SECTION 31. 19.42 (13) (j) of the statutes is created to read:

19.42 (13) (j) The executive director, executive assistant to the executive director and investment directors of the investment board.

SECTION 32. 19.43 (5) of the statutes is amended to read:

19.43 (5) Each member of the investment board and each employee of the investment board identified in s. 20.923 who is a state public official shall complete and file with the ethics board a quarterly report of economic transactions no later than the last day of the
month following the end of each calendar quarter during any portion of which he or she was a member or employee of the investment board. Such reports of economic transactions shall be in the form prescribed by the ethics board and shall identify the date and nature of any purchase, sale, put, call, option, lease, or creation, dissolution or modification of any economic interest made during the quarter for which the report is filed and disclosure of which would be required by s. 19.44 if a statement of economic interests were being filed.

SECTION 32w. 19.445 (9) of the statutes is amended to read:

19.445 (9) An official required to file a report to disclose the economic transactions of which he or she was a member or employee of the investment board shall submit a sworn statement of the report to the department of investigations and audit and the ethics board. Such reports of economic transactions shall be in the form prescribed by the ethics board and shall identify the date and nature of any purchase, sale, put, call, option, lease, or creation, dissolution or modification of any economic interest made during the quarter for which the report is filed and disclosure of which would be required by s. 19.44 if a statement of economic interests were being filed.

SECTION 32w. 20.002 (1) of the statutes, as affected by 1987 Wisconsin Act 4, is repealed and recreated to read:

20.002 (1) EFFECTIVE PERIOD OF APPROPRIATIONS. Unless otherwise provided appropriations shall become effective on July 1 of the fiscal year shown in the schedule under s. 20.005 and shall be expendable until the following June 30. If the legislature does not amend or eliminate any existing appropriation on or before July 1 of the odd-numbered years, such existing appropriations provided for the previous fiscal year shall be in effect in the new fiscal year and all subsequent fiscal years until amended or eliminated by the legislature. If the biennial state budget has not been enacted on or before June 30 of the odd-numbered year, the department of administration may, for accounting purposes, adjust its appropriation account structure, beginning on July 1 of the odd-numbered year, to reflect the appropriation account structure in the biennial state budget.

SECTION 32w. 20.002 (11) (a) of the statutes is amended to read:

20.002 (11) (a) All appropriations, special accounts and fund balances within the general fund shall be made temporarily available for the purpose of allowing encumbrances or financing expenditures of other general or segregated fund activities which do not have sufficient moneys in the accounts from which they are financed but have accounts receivable balances or moneys anticipated to
be received from lottery proceeds, as defined in s. 25.75 (1) (c), tax revenues, gifts, grants, fees, sales of service, or interest earnings recorded under s. 16.52 (2). The secretary of administration shall determine the composition and allowability of the accounts receivable balances and anticipated moneys to be received for this purpose in accordance with s. 20.903 (2) and shall specifically approve the use of surplus moneys from the general or segregated funds after consultation with the appropriate state agency head for use by specified accounts or programs. The secretary of administration shall reallocate available moneys from the budget stabilization fund under s. 16.465 prior to reallocating moneys from any other fund.

SECTION 32x. 20.005 (3) (figure) of the statutes, as affected by 1987 Wisconsin Acts 1 to 299, is repealed and recreated to read:

Figure: 20.005 (3) *

<table>
<thead>
<tr>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
<th>1987-88</th>
<th>1988-89</th>
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<tbody>
<tr>
<td>20.115 Agriculture, trade and consumer protection, department of</td>
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<td></td>
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<tr>
<td>(1) Food and trade regulation</td>
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<td></td>
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<tr>
<td>(a) General program operations</td>
<td>GPR</td>
<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>Food inspection</td>
<td>GPR</td>
<td>A</td>
<td>1,860,400</td>
<td>2,118,700</td>
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<td>GPR</td>
<td>A</td>
<td>531,900</td>
<td>1,079,900</td>
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<tr>
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<td>1,542,700</td>
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<td>4,942,100</td>
<td>4,741,300</td>
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<td>(b) Meat and poultry inspection</td>
<td>GPR</td>
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<td>1,780,000</td>
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<td>GPR</td>
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<td>(d) Groundwater laboratory services</td>
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<td>(g) Related services</td>
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<td>468,400</td>
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<td>(m) Federal funds</td>
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<td>C</td>
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<td>(q) Automobile repair regulation</td>
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<td>(s) Groundwater--standards;</td>
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* The program totals, department totals and functional area totals do not reflect the impact of the Governor's partial vetoes.
<table>
<thead>
<tr>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
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<td>implementation</td>
<td>SEG A</td>
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<td>191,500</td>
<td>224,300</td>
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(1) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 7,042,100 | 6,841,300 |
| PROGRAM REVENUE         | 5,507,700 | 5,734,100 |
| FEDERAL                  | (2,265,800) | (2,267,400) |
| OTHER                    | (3,241,900) | (3,466,700) |
| SEGREGATED FUNDS         | 408,700 | 441,500 |
| OTHER                    | (408,700) | (441,500) |
| TOTAL-ALL SOURCES        | 12,958,500 | 13,016,900 |

(2) ANIMAL AND PLANT HEALTH SERVICES

(a) General program operations
Animal health services GPR A 2,670,100 2,680,500
Plant health services GPR A 694,100 694,100
NET APPROPRIATION GPR S 3,364,200 3,374,600

(b) Animal health services

(c) Pseudorabies control program; administration GPR A 132,000 132,000

(g) Related services PR A 1,054,900 1,625,900

(gb) Animal health and disease research; gifts and grants PR C -0- -0-

(gm) Seed testing and labeling PR C 23,900 23,900

(h) Sale of supplies PR A 62,500 62,500

(hm) Dead animal regulation PR C 7,500 7,500

(i) Mink research assessments PR A 6,000 6,000

(j) Dog licenses, rabies control and related services PR A 102,700 102,700

(m) Federal funds PR-F C 134,600 134,600

(2) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 3,532,200 | 3,552,600 |
| PROGRAM REVENUE         | 1,392,100 | 1,955,500 |
| FEDERAL                  | (134,600) | (134,600) |
| OTHER                    | (1,257,500) | (1,828,500) |
| TOTAL-ALL SOURCES        | 4,924,300 | 5,515,700 |

(3) MARKETING SERVICES

(a) General program operations
Agricultural services GPR A 1,182,900 1,182,900
Management information services GPR A 740,000 772,600
NET APPROPRIATION GPR A 1,922,900 1,955,500

(g) Related services PR A 878,200 900,000

(h) Grain regulation--Milwaukee PR A 800,400 572,200

(i) Marketing orders and agreements PR C 24,100 24,100

(j) Grain regulation--Superior PR A 2,832,100 2,751,300

(k) Potato board; assessments PR A 357,500 357,500

(m) Federal funds PR-F C -0- -0-

(3) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 1,922,900 | 1,955,500 |
| PROGRAM REVENUE         | 4,892,300 | 4,605,100 |
| FEDERAL                  | (0-) | (0-) |
| OTHER                    | (4,892,300) | (4,605,100) |
| TOTAL-ALL SOURCES        | 6,815,200 | 6,560,600 |

(4) AGRICULTURAL ASSISTANCE

(a) Aid to Wisconsin livestock breeders association GPR A 27,200 27,200

(b) Aids to county and district fairs GPR A 368,500 368,500

(e) Premium aids to world dairy expo, inc. GPR A 53,300 53,300
### Statute, Agency and Purpose

<table>
<thead>
<tr>
<th>Source Type</th>
<th>Type</th>
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**General Purpose Revenues**

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<thead>
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<th>449,000</th>
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**State Fair Park**

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<th>Program Total</th>
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**State Fair Operations**

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<tr>
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**State Fair Capital Expenses**

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**State Fair Principal Repayment, Interest and Rebates**

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<th>Program Total</th>
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**Program Revenue**

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<tr>
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**Land Conservation and Farmland Preservation**

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<tr>
<th>Program Total</th>
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**General Program Operations**

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<tr>
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**Soil and Water Resource Management Program**

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<tr>
<th>Program Total</th>
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**Agricultural Impact Statements**

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<tr>
<th>Program Total</th>
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**Funds Received from Other State Agencies**

<table>
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<tr>
<th>Program Total</th>
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**Federal Funds**

<table>
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<tr>
<th>Program Total</th>
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**General Purpose Revenues**

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<tr>
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<th>1,592,800</th>
<th>1,499,000</th>
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**Emergency Loan Processing**

<table>
<thead>
<tr>
<th>Program Total</th>
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**Gifts and Grants**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>109,000</th>
<th>109,000</th>
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**Sale of Supplies**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>42,300</th>
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**Plat Review**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>147,300</th>
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**Stray Voltage Program**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>93,400</th>
<th>93,400</th>
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**Central Auto Pool**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>1,600,200</th>
<th>1,600,200</th>
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**Central Laboratory Services**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>1,421,800</th>
<th>1,421,800</th>
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**Indirect Cost Reimbursements**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>187,500</th>
<th>187,500</th>
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**Farm Mediation and Arbitration Program**

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<tr>
<th>Program Total</th>
<th>170,900</th>
<th>153,300</th>
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**General Purpose Revenues**

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<tr>
<th>Program Total</th>
<th>1,151,700</th>
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**Program Revenue**

<table>
<thead>
<tr>
<th>Program Total</th>
<th>20,123,400</th>
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**Federal Funds**

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<tr>
<th>Program Total</th>
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**Gifts and Grants**

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<th>Program Total</th>
<th>18,077,300</th>
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**Sale of Supplies**

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**General Purpose Revenues**

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<tr>
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<th>17,402,500</th>
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**Program Revenue**

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<tr>
<th>Program Total</th>
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<th>22,267,000</th>
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**Federal Funds**

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<tr>
<th>Program Total</th>
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**Gifts and Grants**

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**Sale of Supplies**

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<tr>
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**Central Administrative Services**

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**General Program Operations**

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**Emergency Loan Processing**

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<tr>
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**Gifts and Grants**

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**Sale of Supplies**

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**Plat Review**

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<th>Program Total</th>
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**Stray Voltage Program**

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**Central Auto Pool**

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<tr>
<th>Program Total</th>
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**Central Laboratory Services**

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<tr>
<th>Program Total</th>
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**Indirect Cost Reimbursements**

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**Farm Mediation and Arbitration Program**

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**General Purpose Revenues**

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<tr>
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20.124 Banking, office of the commissioner of
(SUPERVISION OF BANKS AND RELATED FINANCIAL INSTITUTIONS)
(a) Losses on public deposits GPR S -0- -0-
(g) General program operations PR A 3,564,900 3,529,100
(u) State deposit fund SEG S -0- -0-

20.141 Credit unions, office of the commissioner of
(SUPERVISION OF CREDIT UNIONS)
(g) General program operations PR A 1,020,700 1,067,100

20.143 Development, department of
(ECONOMIC AND COMMUNITY DEVELOPMENT)
(a) General program operations GPR A 2,815,500 3,517,500
(b) Economic development GPR A 127,000 177,000
(bm) Aid to Forward Wisconsin, inc. GPR A 500,000 500,000
(c) Wisconsin development fund; grants and loans GPR B 5,000,000 978,000
(d) Wisconsin development fund; major grants and loans GPR B -0- 15,000,000
(dm) Grants to regional planning commissions GPR B 100,000 -0-
(dr) Main street program GPR A 37,500 170,000
(f) Employe ownership assistance loans GPR B 50,000 50,000
(g) Gifts, grants and proceeds PR C 20,100 20,100
(h) Economic development operations PR A 30,600 30,600
(i) Plat review PR A 147,300 -0-
(e) Wisconsin development fund, repayments PR C -0- -0-
(j) Employe ownership assistance loans PR C -0- -0-
(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-
(m) Federal aid, state operations PR-F C 400,000 400,000
(n) Federal aid, local assistance PR-F C 19,810,000 19,810,000
(o) Federal aid, individuals and organizations PR-F C -0- -0-
(x) Industrial building construction loan fund SEG C -0- -0-
### Statute, Agency and Purpose

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<td>Segregated Funds</td>
<td>-0-</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>Other</td>
<td>-0-</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td><strong>Total—All Sources</strong></td>
<td>29,038,000</td>
<td>40,655,200</td>
<td></td>
</tr>
</tbody>
</table>

#### (2) Tourism Development and Promotion

- **(a)** General program operations
  - GPR A
  - 1,167,600
  - 1,250,200
- **(b)** Tourism marketing
  - GPR A
  - 5,000,000
  - 5,000,000
- **(c)** Film promotion
  - GPR A
  - 150,000
  - 150,000
- **(g)** Gifts, grants and proceeds
  - PR C
  - 5,000
  - 5,000
- **(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-
- **(m)** Federal aid, state operations
  - 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-

#### (3) Housing Assistance

- **(w)** Housing project revenue
  - SEG C
  - -0-
  - -0-

#### (4) Executive and Administrative Services

- **(a)** General program operations
  - GPR A
  - 1,779,800
  - 1,866,400
- **(g)** Gifts, grants and proceeds
  - PR C
  - 5,000
  - 5,000
- **(k)** Sale of materials or services
  - PR-S C
  - 33,100
  - 33,100
  - **(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-
- **(m)** Federal aid, state operations
  - PR-F C
  - 70,900
  - 70,900
- **(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
    - 302,600
    - 302,600

#### (4) Program Totals

<table>
<thead>
<tr>
<th>General Purpose Revenues</th>
<th>1,779,800</th>
<th>1,866,400</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program revenue</td>
<td>6,317,600</td>
<td>6,400,200</td>
</tr>
<tr>
<td>Federal</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>Service</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td><strong>Total—All Sources</strong></td>
<td>6,322,600</td>
<td>6,405,200</td>
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</tbody>
</table>

#### (3) Executive and Administrative Services

<table>
<thead>
<tr>
<th>General Purpose Revenues</th>
<th>16,727,400</th>
<th>28,659,100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program revenue</td>
<td>411,600</td>
<td>411,600</td>
</tr>
<tr>
<td>Federal</td>
<td>373,500</td>
<td>373,500</td>
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<tr>
<td>Other</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Service</td>
<td>33,100</td>
<td>33,100</td>
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<tr>
<td><strong>Total—All Sources</strong></td>
<td>2,191,400</td>
<td>2,278,000</td>
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#### 20143 Department Totals

<table>
<thead>
<tr>
<th>General Purpose Revenues</th>
<th>16,727,400</th>
<th>28,659,100</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total—All Sources</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statute, Agency and Purpose</td>
<td>Source</td>
<td>Type</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>Program Revenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Segregated Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - All Sources</td>
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</table>

**20.145 Insurance, office of the commissioner of**

(1) Supervision of the insurance industry

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>General program operations</td>
<td>PR A</td>
<td>4,371,200</td>
<td>4,372,700</td>
<td></td>
</tr>
<tr>
<td>Gifts and grants</td>
<td>PR C</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>Federal funds</td>
<td>PR-F C</td>
<td>-0-</td>
<td>-0-</td>
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</table>

(1) Program Totals

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Revenue</td>
<td>4,371,200</td>
<td>4,372,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>4,371,200</td>
<td>4,372,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - All Sources</td>
<td>4,371,200</td>
<td>4,372,700</td>
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</table>

(2) Patients Compensation Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>SEG A</td>
<td>316,200</td>
<td>316,200</td>
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</tr>
<tr>
<td>Peer review council</td>
<td>SEG A</td>
<td>48,500</td>
<td>48,500</td>
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<tr>
<td>Operations and benefits</td>
<td>SEG C</td>
<td>18,350,000</td>
<td>18,350,000</td>
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</tbody>
</table>

(2) Program Totals

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Segregated Funds</td>
<td>18,714,700</td>
<td>18,714,700</td>
<td></td>
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<tr>
<td>Other</td>
<td>18,714,700</td>
<td>18,714,700</td>
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<td></td>
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<tr>
<td>Total - All Sources</td>
<td>18,714,700</td>
<td>18,714,700</td>
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</table>

(3) Local Government Property Insurance Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>SEG A</td>
<td>173,000</td>
<td>173,000</td>
<td></td>
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<tr>
<td>Operations and benefits</td>
<td>SEG C</td>
<td>6,038,400</td>
<td>6,038,400</td>
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</tbody>
</table>

(3) Program Totals

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Segregated Funds</td>
<td>6,211,400</td>
<td>6,211,400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>6,211,400</td>
<td>6,211,400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - All Sources</td>
<td>6,211,400</td>
<td>6,211,400</td>
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</table>

(4) State Life Insurance Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>SEG A</td>
<td>251,500</td>
<td>251,500</td>
<td></td>
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<tr>
<td>Operations and benefits</td>
<td>SEG C</td>
<td>1,415,000</td>
<td>1,425,000</td>
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</table>

(4) Program Totals

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Segregated Funds</td>
<td>1,666,500</td>
<td>1,676,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>1,666,500</td>
<td>1,676,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - All Sources</td>
<td>1,666,500</td>
<td>1,676,500</td>
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<td></td>
</tr>
</tbody>
</table>

(7) Health Insurance Risk Sharing Plan Administration

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Premium reduction subsidy</td>
<td>GPR B</td>
<td>380,500</td>
<td>380,500</td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>SEG C</td>
<td>194,500</td>
<td>194,500</td>
<td></td>
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</table>

(7) Program Totals

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>380,500</td>
<td>380,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Segregated Funds</td>
<td>194,500</td>
<td>194,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>194,500</td>
<td>194,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - All Sources</td>
<td>575,000</td>
<td>575,000</td>
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</table>

20.145 Department Totals

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>380,500</td>
<td>380,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Revenue</td>
<td>4,371,200</td>
<td>4,372,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>4,371,200</td>
<td>4,372,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Segregated Funds</td>
<td>26,787,100</td>
<td>26,797,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>26,787,100</td>
<td>26,797,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - All Sources</td>
<td>31,538,800</td>
<td>31,550,300</td>
<td></td>
<td></td>
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</tbody>
</table>

**20.155 Public service commission**

(1) Regulation of Public Utilities

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility regulation</td>
<td>PR A</td>
<td>7,299,500</td>
<td>7,519,800</td>
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</tr>
</tbody>
</table>
## 87 WisAct 399
### Statute, Agency and Purpose
<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(h)</td>
<td>Holding company regulation</td>
<td>PR C</td>
<td>302,900</td>
</tr>
<tr>
<td>(j)</td>
<td>Intervenor financing</td>
<td>PR A</td>
<td>200,000</td>
</tr>
<tr>
<td>(L)</td>
<td>Stray voltage program</td>
<td>PR A</td>
<td>-0-</td>
</tr>
<tr>
<td>(Lb)</td>
<td>Gifts for stray voltage</td>
<td>PR C</td>
<td>-0-</td>
</tr>
<tr>
<td>(m)</td>
<td>Federal funds</td>
<td>PR-F C</td>
<td>97,000</td>
</tr>
</tbody>
</table>

#### 20.155 Department Totals
<table>
<thead>
<tr>
<th>Program Revenue</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>97,000</td>
<td>97,000</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>7,899,400</td>
<td>8,282,100</td>
</tr>
</tbody>
</table>

### 20.165 Regulation and Licensing, Department of
#### (1) Professional Regulation
| General Program Operations | PR A | 5,091,400 | 5,070,900 |

#### 20.165 Department Totals
<table>
<thead>
<tr>
<th>Program Revenue</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>Other</td>
<td>5,091,400</td>
<td>5,070,900</td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>5,091,400</td>
<td>5,070,900</td>
</tr>
</tbody>
</table>

### 20.175 Savings and Loan, Office of the Commissioner of
#### (1) Supervision of Savings and Loan Associations
| General Program Operations | PR A | 903,700 | 899,300 |

#### 20.175 Department Totals
<table>
<thead>
<tr>
<th>Program Revenue</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>903,700</td>
<td>899,300</td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>903,700</td>
<td>899,300</td>
</tr>
</tbody>
</table>

### 20.185 Securities, Office of the Commissioner of
#### (1) Securities, Corporate Take-Over and Franchise Investment Regulation
| General Program Operations | PR A | 1,327,100 | 1,306,000 |

#### 20.185 Department Totals
<table>
<thead>
<tr>
<th>Program Revenue</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>1,327,100</td>
<td>1,306,000</td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>1,327,100</td>
<td>1,306,000</td>
</tr>
</tbody>
</table>

### 20.195 Lottery Board
#### (1) Lottery Operation
| General Fund Loan | GPR B | 5,000,000 | -0- |
| General Program Operations | SEG A | 348,500 | 526,000 |
| General Fund Loan Repayment | SEG S | -0- | 5,400,000 |
| Prizes | SEG S | -0- | -0- |
| General Fund Transfer | SEG S | -0- | -0- |

#### 20.195 Department Totals
| General Purpose Revenues | 5,000,000 | -0- |
| Segregated Funds | 348,500 | 5,926,000 |
| Other | 348,500 | 5,926,000 |
| Total-All Sources | 5,348,500 | 5,926,000 |

#### Commerce Functional Area Totals
| General Purpose Revenues | 39,769,600 | 46,442,100 |
| Program Revenue | 65,126,400 | 67,471,500 |
| Federal | 23,268,400 | 23,270,000 |
- 1559 -
STATUTE, AGENCY AND PURPOSE

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>OTHER</td>
<td>(</td>
<td>(41,646,500)</td>
<td>(42,568,200)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(</td>
<td>(211,500)</td>
<td>(1,633,300)</td>
</tr>
<tr>
<td>SEGREGATED FUNDS</td>
<td>(</td>
<td>27,544,300</td>
<td>33,164,600</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>(</td>
<td>(0)</td>
<td>(0)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(</td>
<td>(27,544,300)</td>
<td>(33,164,600)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(</td>
<td>(0)</td>
<td>(0)</td>
</tr>
<tr>
<td>LOCAL</td>
<td>(</td>
<td>(0)</td>
<td>(0)</td>
</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
<td>(</td>
<td>132,440,300</td>
<td>147,078,200</td>
</tr>
</tbody>
</table>

Education

20.215 Arts board

(1) SUPPORT OF ARTS PROJECTS

(a) General program operations GPR A 291,100 291,100
(b) State aid for the arts GPR A 779,300 779,300
(c) Portraits of governors GPR A 5,800 5,800
(d) Challenge grant program GPR A 75,000 400,000
(e) Cultural excellence awards GPR A (0) (0)

(2) Milwaukee community arts

| Program | PR C | 0 | 2,500 |

Vetoed in part

20.215 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES 1,151,200 1,767,200
PROGRAM REVENUE 496,700 496,700
FEDERAL (459,000) (459,000)
OTHER (2,500) (2,500)
SERVICE (35,200) (35,200)
TOTAL-ALL SOURCES 1,647,900 2,263,900

20.225 Educational communications board

(1) INSTRUCTIONAL TECHNOLOGY

(a) General program operations GPR A 2,982,300 2,897,600
(b) Utilities and heating GPR A 478,800 528,800
(c) Principal repayment and interest GPR S 248,900 240,000
(d) Milwaukee area technical college GPR A 238,000 330,000
(f) Programming GPR A 1,683,000 1,683,000
(g) Gifts, grants and leases PR C 3,861,700 3,861,700
(h) Instructional material PR A 307,300 158,500
(m) Federal grants PR-F C 313,800 313,800

20.225 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES 5,631,000 5,679,400
PROGRAM REVENUE 4,482,800 4,334,000
FEDERAL (313,800) (313,800)
OTHER (4,169,000) (4,020,200)
TOTAL-ALL SOURCES 10,113,800 10,013,400
### 20.235 Higher educational aids board

#### (1) STUDENT SUPPORT ACTIVITIES

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) Tuition grants</td>
<td>GPR</td>
<td>A</td>
<td>12,154,400</td>
<td>12,403,700</td>
</tr>
<tr>
<td>(c) Loan forgiveness for critical manpower occupations</td>
<td>GPR</td>
<td>S</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>(cg) Nursing student loans</td>
<td>GPR</td>
<td>A</td>
<td>-0-</td>
<td>936,500</td>
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<td>(d) Dental education contract</td>
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<td>A</td>
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<td>(e) Minnesota-Wisconsin student reciprocity agreement</td>
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<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(fb) Indian student assistance</td>
<td>GPR</td>
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<td>1,097,300</td>
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<td>(fe) Wisconsin higher education grants</td>
<td>GPR</td>
<td>A</td>
<td>19,361,300</td>
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<td>(fg) Minority undergraduate retention grants program; private</td>
<td>GPR</td>
<td>A</td>
<td>382,500</td>
<td>400,500</td>
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<td>(fh) Minority undergraduate retention grants program; vocational</td>
<td>GPR</td>
<td>A</td>
<td>175,000</td>
<td>201,600</td>
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<td>(g) Student loans</td>
<td>PR</td>
<td>A</td>
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<tr>
<td>(gg) Nursing student loan repayments</td>
<td>PR</td>
<td>C</td>
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<td>(gn) Medical student loans</td>
<td>PR</td>
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<td>-0-</td>
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<td>(i) Gifts and grants</td>
<td>PR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(m) Federal aid; grants</td>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(n) Federal aid; grants</td>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(no) Federal aid; aids to individuals and organizations</td>
<td>PR-F</td>
<td>C</td>
<td>1,515,900</td>
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#### (1) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>Description</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
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<tbody>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
<td>34,072,600</td>
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<td>1,515,900</td>
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<tr>
<td>FEDERAL</td>
<td>(1,515,900)</td>
<td>(1,515,900)</td>
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<tr>
<td>OTHER</td>
<td>(0-0)</td>
<td>(0-)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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#### (2) ADMINISTRATION

<table>
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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>(aa) General program operations</td>
<td>637,500</td>
<td>701,200</td>
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<tr>
<td>(ba) Student loan interest</td>
<td>175,000</td>
<td>175,000</td>
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<tr>
<td>(bb) Student loan interest, loans sold or conveyed</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>(bc) Write-off of uncollectible student loans</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>(bd) Purchase of defective student loans</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>(ga) Student interest payments</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(gb) Student interest payments, loans sold or conveyed</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(ha) Medical loan collections, interest and principal</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(hb) Centralized lender collections; interest and principal</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(ia) Student loans; collection and administration</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(ja) Write-off of defaulted student loans</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td>(ma) Federal interest payments</td>
<td>PR-F</td>
<td>C</td>
</tr>
<tr>
<td>(mb) Federal interest payments, loans sold or conveyed</td>
<td>PR-F</td>
<td>C</td>
</tr>
<tr>
<td>(n) Federal aid; state operations</td>
<td>PR-F</td>
<td>C</td>
</tr>
</tbody>
</table>
(qa) Student loan revenue obligation repayment

(qb) Wisconsin health education loan revenue obligation repayment

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 812,500 876,200
PROGRAM REVENUE 3,375,900 794,700
FEDERAL ( 1,102,500) ( 654,700)
OTHER ( 2,273,400) ( 140,000)
SEGREGATED FUNDS 210,100 210,100
OTHER ( 210,100) ( 210,100)
TOTAL-ALL SOURCES 4,398,500 1,881,000

20.235 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES 34,885,100 37,199,800
PROGRAM REVENUE 4,891,800 2,310,600
FEDERAL ( 2,618,400) ( 2,170,600)
OTHER ( 2,273,400) ( 140,000)
SEGREGATED FUNDS 210,100 210,100
OTHER ( 210,100) ( 210,100)
TOTAL-ALL SOURCES 39,987,000 39,720,500

20.245 Historical society

(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES

(a) General program operations, archives and research services

(g) Admissions, sales and other receipts

(h) Gifts and grants

(k) Funds received from other state agencies

(m) General program operations; federal funds

(r) Endowment

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 2,025,600 2,068,400
PROGRAM REVENUE 489,300 491,600
FEDERAL ( 184,300) ( 184,300)
OTHER ( 305,000) ( 307,300)
SERVICE ( -0-) ( -0-)
SEGREGATED FUNDS 42,300 42,800
OTHER ( 42,300) ( 42,800)
TOTAL-ALL SOURCES 2,557,200 2,602,800

(2) HISTORIC SITES

(a) General program operations

(bd) Stonefield Village

(be) Pendarvis

(bf) Villa Louis

(bg) Old Wade House

(bh) Madeline Island

(bi) Old World Wisconsin

(c) Utilities and heat

(e) Principal repayment and interest

(g) Admissions, sales and other
<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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</thead>
<tbody>
<tr>
<td>receipts</td>
<td>PR</td>
<td>C</td>
<td>1,247,100</td>
<td>1,247,100</td>
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<tr>
<td>(h) Gifts and grants</td>
<td>PR</td>
<td>C</td>
<td>25,000</td>
<td>25,000</td>
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<tr>
<td>(j) Self-amortizing facilities; principal repayment, interest and rebates</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(k) Funds received from other state agencies</td>
<td>PR-S</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(m) General program operations; federal funds</td>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(r) Endowment</td>
<td>SEG</td>
<td>C</td>
<td>11,400</td>
<td>11,400</td>
</tr>
</tbody>
</table>

(2) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES   | 1,014,700 | 1,069,300 |
| PROGRAM REVENUE            | 1,272,100 | 1,272,100 |
| FEDERAL                    | (        | (        |
| OTHER                      | 1,272,100 | 1,272,100 |
| SERVICE                    | (        | (        |
| SEGREGATED FUNDS           | 11,400   | 11,400   |
| OTHER                      | 11,400   | 11,400   |
| TOTAL-ALL SOURCES          | 2,298,200 | 2,352,800 |

(3) Historic Preservation

| GENERAL PURPOSE REVENUES   | 207,800   | 262,700   |
| PROGRAM REVENUE            | 412,300   | 412,300   |
| FEDERAL                    | (406,300) | (406,300) |
| OTHER                      | 6,000     | 6,000     |
| SERVICE                    | (        | (        |
| SEGREGATED FUNDS           | -0-      | -0-      |
| OTHER                      | -0-      | -0-      |
| TOTAL-ALL SOURCES          | 620,100   | 675,000   |

(4) Executive and Administrative Services

| GENERAL PURPOSE REVENUES   | 1,274,900 | 1,274,900 |
| PROGRAM REVENUE            | 253,200   | 253,200   |
| FEDERAL                    | (47,200)  | (47,200)  |
| OTHER                      | (206,000) | (206,000) |
| SERVICE                    | (        | (        |
### Statute, Agency and Purpose

<table>
<thead>
<tr>
<th>Source Type</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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<td>OTHER</td>
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<td>(31,800)</td>
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<td>TOTAL-ALL SOURCES</td>
<td></td>
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<td>1,559,900</td>
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</table>

#### (5) Museum

- **General program operations**
  - Source: GPR
  - Type: A
  - 1987-88: 628,100
  - 1988-89: 629,100
- **Utilities and heat**
  - Source: GPR
  - Type: A
  - 1987-88: 35,000
  - 1988-89: 52,500
- **Principal repayment and interest**
  - Source: GPR
  - Type: S
  - 1987-88: 312,300
  - 1988-89: 300,300
- **Admissions, sales and other receipts**
  - Source: PR
  - Type: C
  - 1987-88: 57,400
  - 1988-89: 57,400
- **Gifts and grants**
  - Source: PR
  - Type: C
  - 1987-88: 11,600
  - 1988-89: 11,600
- **Funds received from other state agencies**
  - Source: PR-S
  - Type: C
  - 1987-88: 117,000
  - 1988-89: 117,000
- **General program operations, federal funds**
  - Source: PR-F
  - Type: C
  - 1987-88: 15,300
  - 1988-89: 15,300
- **Endowment**
  - Source: SEG
  - Type: C
  - 1987-88: 1,600
  - 1988-89: 1,600

#### (5) Program Totals

| General Purpose Revenues | 975,400 | 981,900 |
| Program Revenue | 201,300 | 201,300 |
| **FEDERAL** | (15,300) | (15,300) |
| **OTHER** | (69,000) | (69,000) |
| **SERVICE** | (117,000) | (117,000) |
| **SEGREGATED FUNDS** | 1,600 | 1,600 |
| **OTHER** | (1,600) | (1,600) |
| **TOTAL-ALL SOURCES** | 1,178,300 | 1,184,800 |

#### (6) Burial Site Preservation

- **General program operations**
  - Source: GPR
  - Type: A
  - 1987-88: 93,500
  - 1988-89: 93,500
- **Burial site excavation fees**
  - Source: PR
  - Type: C
  - 1987-88: -0- (0)
  - 1988-89: -0- (0)

#### (6) Program Totals

| General Purpose Revenues | 93,500 | 93,500 |
| Program Revenue | -0- | -0- |
| **OTHER** | -0- (0) | -0- (0) |
| **TOTAL-ALL SOURCES** | 93,500 | 93,500 |

#### 20.245 Department Totals

| General Purpose Revenues | 5,591,900 | 5,750,700 |
| Program Revenue | 2,628,200 | 2,630,500 |
| **FEDERAL** | (653,100) | (653,100) |
| **OTHER** | (1,860,400) | (1,860,400) |
| **SERVICE** | (117,000) | (117,000) |
| **SEGREGATED FUNDS** | 87,600 | 87,600 |
| **OTHER** | (87,600) | (87,600) |
| **TOTAL-ALL SOURCES** | 8,307,200 | 8,468,800 |

#### 20.250 Medical College of Wisconsin

#### Training of Health Manpower

- **General program operations**
  - Source: GPR
  - Type: A
  - 1987-88: 4,107,300
  - 1988-89: 4,107,300
- **Family medicine and practice**
  - Source: GPR
  - Type: A
  - 1987-88: 1,087,400
  - 1988-89: 569,100
- **Principal repayment and interest**
  - Source: GPR
  - Type: S
  - 1987-88: 350,200
  - 1988-89: 569,100

#### 20.250 Department Totals

| General Purpose Revenues | 5,784,900 | 5,763,800 |
| Program Revenue | 5,784,900 | 5,763,800 |

#### Public Instruction, Department of

#### Educational Leadership

- **General program operations**
  - Source: GPR
  - Type: A
  - 1987-88: 11,402,900
  - 1988-89: 11,670,700
- **General program operations; residential schools**
  - Source: GPR
  - Type: A
  - 1987-88: 7,556,100
  - 1988-89: 7,556,100
- **Utilities and heating**
  - Source: GPR
  - Type: A
  - 1987-88: 330,700
  - 1988-89: 330,700
- **Alternative school American**
  - Source: GPR
  - Type: A
  - 1987-88: 330,700
  - 1988-89: 330,700
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<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
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<th>1988-89</th>
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<tbody>
<tr>
<td>Indian language and culture education aid</td>
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<td>A</td>
<td>35,800</td>
<td>73,700</td>
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<td>(d) Debt service</td>
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<td>769,000</td>
<td>740,100</td>
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<td>(e) Aid to public library systems</td>
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<td>A</td>
<td>8,354,500</td>
<td>8,773,300</td>
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<td>(fg) Special Olympics</td>
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<td>75,000</td>
<td>75,000</td>
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<td>(fm) Human growth and development grants</td>
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<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(fw) Wisconsin educational opportunity program</td>
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<td>673,000</td>
<td>673,000</td>
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<tr>
<td>(fz) Minority group pupil scholarships</td>
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<td>232,700</td>
<td>232,700</td>
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<td>(g) Student activity therapy</td>
<td>PR</td>
<td>A</td>
<td>9,200</td>
<td>9,200</td>
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<tr>
<td>(gt) Residential schools; pupil transportation</td>
<td>PR</td>
<td>A</td>
<td>419,200</td>
<td>419,200</td>
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<tr>
<td>(hf) Administrative leadership academy</td>
<td>PR</td>
<td>A</td>
<td>31,700</td>
<td>42,300</td>
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<td>(hg) Personnel cert., teacher supply, information &amp; analysis &amp; teacher improvement</td>
<td>PR</td>
<td>A</td>
<td>980,000</td>
<td>1,180,400</td>
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<tr>
<td>(hm) Services for drivers</td>
<td>PR</td>
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<td>225,000</td>
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<td>(hr) Alcohol and other drug abuse program</td>
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<td>493,800</td>
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<tr>
<td>(i) Publications</td>
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<td>A</td>
<td>606,500</td>
<td>658,600</td>
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<td>(jg) School lunch handling charges</td>
<td>PR</td>
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<td>1,598,200</td>
<td>1,598,200</td>
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<td>(jr) Gifts, grants and trust funds</td>
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<td>(jz) School district boundary appeal proceedings</td>
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<td>6,900</td>
<td>6,900</td>
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<tr>
<td>(ke) Funds transferred from other state agencies; program operations</td>
<td>PR-S</td>
<td>C</td>
<td>3,257,600</td>
<td>3,257,600</td>
</tr>
<tr>
<td>(kk) Funds transferred from other state agencies; aids to ind. and organizations</td>
<td>PR-S</td>
<td>C</td>
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<td>870,000</td>
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<tr>
<td>(km) State agency library processing center</td>
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<td>A</td>
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<td>66,500</td>
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<tr>
<td>(ks) Data processing</td>
<td>PR-S</td>
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<td>1,408,400</td>
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<td>(kw) Fleet operations</td>
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<td>A</td>
<td>-0-</td>
<td>78,100</td>
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<tr>
<td>(L) Gifts, grants and trust funds; aids to individuals and organizations</td>
<td>PR</td>
<td>C</td>
<td>1,000</td>
<td>1,000</td>
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<tr>
<td>(me) Federal aids; program operations</td>
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<td>7,680,400</td>
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<tr>
<td>(mm) Federal funds; local assistance</td>
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<tr>
<td>(ms) Federal funds; individuals and organizations</td>
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<td>11,135,800</td>
<td>11,135,800</td>
</tr>
<tr>
<td>(pz) Indirect cost reimbursements</td>
<td>PR-F</td>
<td>C</td>
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<td>6,000</td>
</tr>
</tbody>
</table>

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 29,429,700 30,125,300
PROGRAM REVENUE 30,229,800 30,761,200
FEDERAL (20,239,700) (20,239,700)
OTHER (4,387,600) (4,840,900)
SERVICE (5,602,500) (5,680,600)
TOTAL-ALL SOURCES 59,659,500 60,886,500
## (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

<table>
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<tr>
<th>Source</th>
<th>Type</th>
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<th>1988-89</th>
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<td>(ac) General equalization aids</td>
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<td>GPR</td>
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<td>21,777,500</td>
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<tr>
<td>(b) Aids for handicapped education</td>
<td>GPR</td>
<td>A</td>
<td>187,853,200</td>
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<td>(cc) Bilingual-bicultural education aids</td>
<td>GPR</td>
<td>A</td>
<td>4,842,400</td>
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<tr>
<td>(cg) Tuition payments</td>
<td>GPR</td>
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<td>4,402,100</td>
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<tr>
<td>(cn) Aids for school lunches and elderly nutrition</td>
<td>GPR</td>
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<td>4,388,100</td>
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<tr>
<td>(cp) Wisconsin morning milk program</td>
<td>GPR</td>
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<td>-0-</td>
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<td>(cr) Aid for pupil transportation</td>
<td>GPR</td>
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<td>17,712,400</td>
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<td>(d) Youth initiatives program</td>
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<tr>
<td>(do) Grants for preschool to grade 5 programs</td>
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<td>3,110,000</td>
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<tr>
<td>(e) Vocational education instructor occupational competency program</td>
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<td>18,000</td>
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<td>(ec) Aid to Milwaukee public schools</td>
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<td>(em) Education for employment</td>
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<td>(f) Pupil minimum competency tests</td>
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<td>(fg) Aid for cooperative educational service agencies</td>
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<td>(fm) Human growth and development grants</td>
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<td>(fp) Teaching incentive program demonstration projects</td>
<td>GPR</td>
<td>A</td>
<td>214,000</td>
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<tr>
<td>(fs) Aid for suicide prevention programs</td>
<td>GPR</td>
<td>A</td>
<td>36,000</td>
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<tr>
<td>(g) Aid for alcohol and other drug abuse programs</td>
<td>PR</td>
<td>C</td>
<td>635,600</td>
</tr>
<tr>
<td>(k) Funds transferred from other state agencies; local aids</td>
<td>PR-S</td>
<td>C</td>
<td>6,576,200</td>
</tr>
<tr>
<td>(m) Federal aids; local aid</td>
<td>PR-F</td>
<td>C</td>
<td>113,654,000</td>
</tr>
<tr>
<td>(q) General equalization aids; lottery proceeds</td>
<td>SEG</td>
<td>C</td>
<td>-0-</td>
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<tr>
<td>(r) Driver education; local assistance</td>
<td>SEG</td>
<td>A</td>
<td>2,901,100</td>
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<tr>
<td>(rm) Pupil passenger safety</td>
<td>SEG</td>
<td>A</td>
<td>-0-</td>
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<tr>
<td>(s) School library aids</td>
<td>SEG</td>
<td>C</td>
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<td>(t) School aids from the badger fund</td>
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## 20.255 DEPARTMENT TOTALS

<table>
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<th>1988-89</th>
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<td>(774,300)</td>
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<td></td>
<td>14,199,100</td>
<td>15,415,600</td>
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<td>OTHER</td>
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<td>(15,415,600)</td>
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</tr>
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<td>------</td>
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<tr>
<td>SERVICE</td>
<td>(</td>
<td></td>
<td>12,178,700</td>
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<td>OTHER</td>
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<td>14,199,100</td>
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<td>1,664,318,900</td>
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<td>1,756,533,800</td>
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20.285 University of Wisconsin System

(1) University Education, Research and Public Service

(a) General program operations | GPR | A | 494,975,900 | 501,329,600 |
(ab) Student aid | GPR | A | 833,300 | 893,300 |
(am) Distinguished professorships | GPR | A | 75,000 | 425,000 |
(as) Industrial and economic development research | GPR | A | 800,000 | 800,000 |
(b) Advanced opportunity program | GPR | A | 2,499,500 | 2,617,000 |
(c) Utilities and heating | GPR | A | 36,516,200 | 36,903,200 |
(cm) Doctoral student loans | GPR | C | -0- | 183,400 |
(d) Principal repayment and interest | GPR | S | 55,827,300 | 55,264,400 |
(da) Lease rental payments | GPR | S | 4,829,000 | 2,852,000 |
(db) Self-amortizing facilities principal and interest | GPR | S | -0- | -0- |
(dc) Minority teacher loans | GPR | A | -0- | 100,000 |
(dd) Ben R. Lawton minority undergraduate retention grant program | GPR | A | 1,530,000 | 1,601,900 |
(de) Pilot minority student tuition award program | GPR | A | -0- | 132,000 |
(fa) General medical operations | GPR | A | 2,282,200 | 2,282,200 |
(fc) Department of family medicine and practice | GPR | A | 4,327,900 | 4,477,900 |
(fd) State laboratory of hygiene; general program operations | GPR | A | 3,984,000 | 3,984,000 |
(fm) Laboratories | GPR | A | 3,083,900 | 3,083,900 |
(fn) Private sewage systems--systems research | GPR | C | -0- | -0- |
(g) Physical plant service departments | PR | C | -0- | -0- |
(ga) Surplus auxiliary funds | PR | C | -0- | -0- |
(gb) Principal repayment, interest and rebates | PR | S | 6,134,800 | 6,574,600 |
(gc) Lease rental payments | PR | S | 2,345,400 | 2,345,400 |
(gm) Auxiliary enterprises building projects | PR | C | 10,598,000 | 10,598,000 |
(h) Auxiliary enterprises | PR | A | 211,957,500 | 211,957,500 |
(ha) Stores | PR | C | -0- | -0- |
(i) State laboratory of hygiene | PR | C | 6,468,700 | 7,457,000 |
(ia) State laboratory of hygiene, drivers | PR | C | 362,600 | 362,600 |
(im) Academic student fees | PR | A | 249,842,400 | 253,453,200 |
(iw) Indoor practice facility for athletic programs operation and maintenance | PR | C | -0- | -0- |
(iz) General operations receipts | PR | C | 35,045,600 | 35,045,600 |
(j) Gifts and donations | PR | C | 84,468,600 | 84,468,600 |
(ja) Gifts; student loans | PR | C | 1,625,900 | 1,625,900 |
(jL) Doctoral student loan repayments | PR | C | -0- | -0- |
(jm) Distinguished professorships | PR | C | -0- | -0- |
(ka) Sale of real property | PR | C | -0- | -0- |
(kb) University of Wisconsin
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<th>Source</th>
<th>Type</th>
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<th>1988-89</th>
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<tr>
<td>hospital and clinics</td>
<td>PR A</td>
<td>153,657,900</td>
<td>153,657,900</td>
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<td>(L) Libraries</td>
<td>PR C</td>
<td>1,994,600</td>
<td>1,994,600</td>
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<tr>
<td>(Lm) Laboratories</td>
<td>PR C</td>
<td>1,451,200</td>
<td>1,451,200</td>
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<tr>
<td>(m) Federal aid</td>
<td>PR-F C</td>
<td>179,408,600</td>
<td>179,408,600</td>
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<td>(ma) Federal aid; loans and grants</td>
<td>PR-F C</td>
<td>80,264,500</td>
<td>80,264,500</td>
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<td>(n) Federal indirect cost reimbursement</td>
<td>PR-F C</td>
<td>39,216,300</td>
<td>39,216,300</td>
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<tr>
<td>(u) Trust fund income</td>
<td>SEG C</td>
<td>8,109,400</td>
<td>8,109,400</td>
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<tr>
<td>(w) Trust fund operations</td>
<td>SEG C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(x) Driver education teachers</td>
<td>SEG C</td>
<td>61,000</td>
<td>61,000</td>
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### (1) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>GENERAL PURPOSE REVENUES</th>
<th>609,564,200</th>
<th>616,929,800</th>
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<tr>
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<td>1,064,842,600</td>
<td>1,069,881,500</td>
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<td>FEDERAL</td>
<td>(298,889,400)</td>
<td>(298,889,400)</td>
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<tr>
<td>OTHER</td>
<td>(706,953,200)</td>
<td>(706,992,100)</td>
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<td>SEGREGATED FUNDS</td>
<td>8,170,400</td>
<td>8,170,400</td>
</tr>
<tr>
<td>OTHER</td>
<td>(8,170,400)</td>
<td>(8,170,400)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td>1,682,577,200</td>
<td>1,694,981,700</td>
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</table>

### (3) UNIVERSITY SYSTEM ADMINISTRATION

| (a) General program operations | GPR A | 7,501,700 | 7,501,700 |
| (iz) General operations receipts | PR C | 183,100 | 166,700 |
| (n) Federal indirect cost reimbursement | PR-F A | 706,900 | 706,900 |

### (3) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>GENERAL PURPOSE REVENUES</th>
<th>7,501,700</th>
<th>7,501,700</th>
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<tbody>
<tr>
<td>PROGRAM REVENUE</td>
<td>890,000</td>
<td>873,600</td>
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<tr>
<td>FEDERAL</td>
<td>(706,900)</td>
<td>(706,900)</td>
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<tr>
<td>OTHER</td>
<td>(166,700)</td>
<td>(166,700)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td>8,391,700</td>
<td>8,375,300</td>
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### (4) MINORITY AND DISADVANTAGED PROGRAMS

| (a) Minority and disadvantaged programs | GPR A | 5,500,000 | 5,500,000 |

### (4) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>GENERAL PURPOSE REVENUES</th>
<th>5,500,000</th>
<th>5,500,000</th>
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</thead>
<tbody>
<tr>
<td>TOTAL-ALL SOURCES</td>
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<td>5,500,000</td>
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### 20.285 DEPARTMENT TOTALS

<table>
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<th>GENERAL PURPOSE REVENUES</th>
<th>622,565,900</th>
<th>629,931,500</th>
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<tbody>
<tr>
<td>PROGRAM REVENUE</td>
<td>1,065,732,600</td>
<td>1,070,755,100</td>
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<tr>
<td>FEDERAL</td>
<td>(299,596,300)</td>
<td>(299,596,300)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(771,158,800)</td>
<td>(771,158,800)</td>
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<tr>
<td>SEGREGATED FUNDS</td>
<td>8,170,400</td>
<td>8,170,400</td>
</tr>
<tr>
<td>OTHER</td>
<td>(8,170,400)</td>
<td>(8,170,400)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td>1,696,468,900</td>
<td>1,708,857,000</td>
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### 20.292 Vocational, technical and adult education, board of

#### (1) VOCATIONAL, TECHNICAL AND ADULT EDUCATION

<p>| (a) General program operations | GPR A | 2,206,500 | 2,206,500 |
| (b) Displaced homemakers’ program | GPR A | 480,100 | 480,100 |
| (d) State aid for vocational, technical and adult education | GPR A | 80,194,100 | 85,005,700 |
| (da) Supplemental aid | GPR A | 792,600 | -0- |
| (db) State training at vocational schools | GPR A | -0- | -0- |
| (dc) Incentive grants | GPR C | 731,500 | 1,831,500 |
| (dm) Aid for special collegiate transfer programs | GPR A | 1,100,000 | 970,000 |
| (e) Vocational education instructor occupational competency program | GPR A | 71,300 | 71,300 |
| (g) Text materials | PR A | 123,000 | 123,000 |</p>
<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(gm) Fire schools; state operations</td>
<td>PR A</td>
<td>71,600</td>
<td>74,100</td>
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<td>(gr) Fire schools; local assistance</td>
<td>PR A</td>
<td>-0-</td>
<td>350,000</td>
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<tr>
<td>(h) Gifts and grants</td>
<td>PR C</td>
<td>20,600</td>
<td>20,600</td>
</tr>
<tr>
<td>(i) Conferences</td>
<td>PR C</td>
<td>85,900</td>
<td>85,900</td>
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<tr>
<td>(j) Personnel certification</td>
<td>PR A</td>
<td>149,300</td>
<td>149,300</td>
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<tr>
<td>(k) Gifts and grants</td>
<td>PR C</td>
<td>30,200</td>
<td>30,200</td>
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<tr>
<td>(ka) Interagency projects; local assistance</td>
<td>PR-S A</td>
<td>3,414,700</td>
<td>3,414,700</td>
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<tr>
<td>(kb) Interagency projects; state operations</td>
<td>PR-S A</td>
<td>931,000</td>
<td>931,000</td>
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<tr>
<td>(m) Federal aid, state operations</td>
<td>PR-F C</td>
<td>3,779,400</td>
<td>3,779,400</td>
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<tr>
<td>(n) Federal aid, local assistance</td>
<td>PR-F C</td>
<td>15,695,000</td>
<td>15,695,000</td>
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<tr>
<td>(o) Federal aid, aids to individuals and organizations</td>
<td>PR-F C</td>
<td>121,500</td>
<td>121,500</td>
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<tr>
<td>(pz) Indirect cost reimbursements</td>
<td>PR-F C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(q) Ambulance attendant and service provider training; aid</td>
<td>SEG A</td>
<td>-0-</td>
<td>101,200</td>
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<tr>
<td>(r) Ambulance attendant and service provider training; state operations</td>
<td>SEG A</td>
<td>-0-</td>
<td>57,400</td>
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<td>(u) Driver education, local assistance</td>
<td>SEG A</td>
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<td>206,300</td>
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<tr>
<td>(v) Chauffeur training grants</td>
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**Program Totals**

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<th>1988-89</th>
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<td>90,565,100</td>
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<td>TOTAL-ALL SOURCES</td>
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**Department Totals**

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<th>1988-89</th>
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<td>90,565,100</td>
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<td>OTHER</td>
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<td>SERVICE</td>
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<td>(4,345,700)</td>
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<td>SEGREGATED FUNDS</td>
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**Education**

**Functional Area Totals**

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<td>PROGRAM REVENUE</td>
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<td>1,257,348,800</td>
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<tr>
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<td>(456,831,800)</td>
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<td>Statute, Agency and Purpose</td>
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<tr>
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<td>SEGREGATED FUNDS</td>
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<td>OTHER</td>
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<tr>
<td>LOCAL</td>
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<td>TOTAL-ALL SOURCES</td>
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<td>3,537,314,700)</td>
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### Environmental Resources

#### 20.315 Boundary area commission, Minnesota-Wisconsin

1. **Boundary area cooperation**
   - (a) General program operations
     - GPR A 89,600 99,500
   - (g) Gifts or grants
     - PR C -0- -0-

2. **Department Totals**
   - GENERAL PURPOSE REVENUES 89,600 99,500
   - PROGRAM REVENUE -0- -0-
   - OTHER -0- -0-
   - TOTAL-ALL SOURCES 89,600 99,500

#### 20.370 Natural resources, department of

1. **Resource management**
   - (bq) Wildlife management--land leasing
     - SEG A 200,300 -0-
   - (cq) Forestry--reforestation
     - SEG C 100,000 100,000
   - (da) Water resources--Fox river management; general fund
     - GPR C 50,000 50,000
   - (di) Water resources--Fox river management; gifts and contributions
     - PR C -0- -0-
   - (dj) Water resources--Fox river management; fees
     - PR C -0- -0-
   - (dn) Water resources--Fox river management; federal moneys
     - PR C -0- -0-
   - (dq) Water resources--Fox river management
     - SEG B -0- 75,000
   - (dr) Water resources--Fox river maintenance and rehab.; transportation fund
     - SEG C -0- -0-
   - (ea) Parks--general program operations
     - GPR A 3,745,200 3,728,000
   - (ed) Parks--Olympic ice rink repair, maintenance and improvement
     - GPR A 32,400 32,400
   - (fb) Endangered resources--general program operations
     - GPR A -0- -0-
   - (fc) Endangered resources--Wisconsin stewardship program
     - GPR A 40,000 40,000
   - (fd) Endangered resources--natural heritage inventory program
     - GPR A 108,000 108,000
   - (fg) Endangered res.--Wisconsin natural areas heritage prog.; gifts and contrib.
     - PR A -0- -0-
   - (fh) Endangered resources--withdrawals from the state natural areas system
     - PR C -0- -0-
   - (fs) Endangered resources--voluntary payments
     - SEG C 418,100 394,400
   - (gg) Ice age trail - gifts and
<table>
<thead>
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<th>Statute, Agency and Purpose</th>
<th>Source Type</th>
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<th>1988-89</th>
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<tr>
<td>grants</td>
<td>PR C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>Lake research; voluntary contributions</td>
<td>SEG C</td>
<td>-0-</td>
<td>8,600</td>
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<tr>
<td>Rental property--maintenance</td>
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**General program operations--**

- Use of departmental gravel pits

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**General Purpose Revenues**

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<td><strong>OTHER</strong></td>
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<td><strong>TOTAL-ALL SOURCES</strong></td>
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**Environmental Standards**

- Water resources management--lake and river management
- Wastewater management--fees
- Air management--sulfur dioxide emission reduction study
- Air management--permit review and enforcement
- Air management-- acid deposition activities
- Air management--motor vehicle emission inspec. and maint. program, state funds
- Solid waste management--2,4,5-t and silvex
- Solid waste management--solid and hazardous waste disposal administration
- Solid waste management--gifts and grants
- Solid waste management--reimbursements and environmental repair
### STATUTE, AGENCY AND PURPOSE

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<th>1988-89</th>
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<td>-0-</td>
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<td>A</td>
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<td>PR</td>
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<td>(fi) Environmental damage compensation</td>
<td>PR</td>
<td>C</td>
<td>106,300</td>
<td>106,300</td>
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<tr>
<td>(fj) Environmental quality--laboratory certification</td>
<td>PR</td>
<td>A</td>
<td>259,200</td>
<td>238,300</td>
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<tr>
<td>(gh) Mining--mining regulation and administration</td>
<td>PR</td>
<td>A</td>
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**NET APPROPRIATION**

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<td>2,885,400</td>
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<td>1,279,900</td>
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**NET APPROPRIATION**

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**2. PROGRAM TOTALS**

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**3. PROGRAM TOTALS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
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<tbody>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
<td></td>
<td>13,708,300</td>
<td>13,567,800</td>
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<td>PROGRAM REVENUE</td>
<td>9,499,900</td>
<td>11,894,600</td>
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<tr>
<td>FEDERAL</td>
<td>(</td>
<td>5,864,100</td>
<td>(</td>
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<td>OTHER</td>
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<tr>
<td>SERVICE</td>
<td>(</td>
<td>-0-</td>
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<td>SEGREGATED FUNDS</td>
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<td>7,229,500</td>
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<td>(</td>
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<td>(</td>
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<td>TOTAL-ALL SOURCES</td>
<td>28,958,100</td>
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**4. PROGRAM TOTALS**

<table>
<thead>
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<th>1988-89</th>
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<tr>
<td>GENERAL PURPOSE REVENUES</td>
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<td>3,869,100</td>
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**5. PROGRAM TOTALS**

<table>
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<th>Description</th>
<th>Source</th>
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<th>1988-89</th>
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<td>3,869,100</td>
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<td>Source</td>
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<tr>
<td></td>
<td>Federal</td>
<td></td>
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<td>Other</td>
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<td></td>
<td>Service</td>
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<td>Segregated Funds</td>
<td>Federal</td>
<td></td>
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<td></td>
<td>Other</td>
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<tr>
<td>Total-All Sources</td>
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<td>14,974,200</td>
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(4) Local Support

(a) Resource aids--National forest income aids
(b) Resource aids--payment in lieu of taxes; federal
(c) Resource aids--Canadian agencies migratory waterfowl aids
(d) Res. aids--county forests, forest croplands and managed forest land aids
(e) Resource aids--county conservation aids
(f) Recreation aids--waterfront park aids; conservation fund
(g) Recreation aids--fish, wildlife and forestry recreation aids
(h) Recreation aids--badger fund
(i) Recreation aids--snowmobile trail and area aids
(j) Recreation aids--snowmobile trail areas; transportation fund
(k) Recreation aids--motorcycle recreation aids; trails
(l) Recreation aids--waterfront park aids
(m) Recreation and resource aids, federal funds
(n) Recreation aids--all-terrain vehicle project aids
(o) Recreation aids--all-terrain vehicle project aids; transportation fund
(p) Environmental aids--point source; prior to bonding and small projects
(q) Environmental aids--point source; pollution abatement grants; general fund
(r) Environmental aids; nonpoint source
(s) Environmental aids--household hazardous waste
(t) Environmental aids--waste reduction and recycling

- Vetoes in Part
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<td>Environmental aids--inland lake renewal; federal funds (co)</td>
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<td>Environmental aids--clean water fund revenue obligation funding (cq)</td>
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<td>C</td>
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<td>Environmental aids -- clean water fund repayment of revenue obligations (cr)</td>
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<td>Environmental aids -- clean water fund financial assistance (cs)</td>
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<td>-0-</td>
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<td>-0-</td>
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<td>Environmental aids--scenic urban waterways (dq)</td>
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<td>Aids in lieu of taxes (ea)</td>
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<td>A</td>
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<td>Enforcement aids--snowmobiling enforcement (ft)</td>
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<td>A</td>
<td>126,500</td>
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<td>Enforcement aids--all-terrain vehicle enforcement (fu)</td>
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<td>A</td>
<td>18,000</td>
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<td>Enforcement aids--federal funds (fy)</td>
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<td>Enforcement aids--spearfishing enforcement (ga)</td>
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<td>C</td>
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<td>Wildlife damage claims and abatement (gg)</td>
<td>SEG</td>
<td>C</td>
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<td>Youth camps and work projects--state funds (hb)</td>
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<td>A</td>
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<td>A</td>
<td>266,800</td>
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<td>Aids administration--general program operations, federal funds (im)</td>
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<td>A</td>
<td>8,000</td>
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<tr>
<td>(ir) Aids administration--</td>
<td>SEG A 45,800 45,800</td>
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<td>motorcycle recreation</td>
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<tr>
<td>(is) Aids administration--</td>
<td>SEG A 71,900 72,400</td>
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<td>snowmobile recreation</td>
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<tr>
<td>(it) Aids administration--</td>
<td>SEG A 32,900 32,900</td>
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<td>wildlife damage claims and</td>
<td></td>
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<tr>
<td>abatement</td>
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<tr>
<td>(iu) Aids administration--</td>
<td>SEG A 359,300 359,300</td>
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<td>general program operations, state funds</td>
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<td></td>
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<tr>
<td>(iv) Aids administration--</td>
<td>SEG A -0- -0-</td>
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<tr>
<td>clean water fund program; state funds</td>
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<tr>
<td>(ix) Aids administration--</td>
<td>SEG-F A -0- -0-</td>
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<td></td>
</tr>
<tr>
<td>clean water fund program; federal funds</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(iy) Aids administration--</td>
<td>SEG-F C 50,000 50,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>general program operations, federal funds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(jb) Debt service--recreational</td>
<td>GPR S 145,300 139,300</td>
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<tr>
<td>boating bonds</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(jc) Debt service--pollution</td>
<td>GPR S 66,487,500 65,818,100</td>
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<tr>
<td>abatement bonds</td>
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<td>(jd) Debt service--combined sewer</td>
<td>GPR S 5,804,700 7,944,200</td>
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<tr>
<td>overflow; pollution abatement bonds</td>
<td></td>
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<tr>
<td>(jq) Debt service--clean water fund bonds</td>
<td>SEG A -0- -0-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(jr) Debt service--clean water fund revenue obligation repayment</td>
<td>SEG S -0- -0-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ka) Environmental aids--</td>
<td>GPR A -0- -0-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>clean water fund; general fund</td>
<td></td>
<td></td>
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</tbody>
</table>

| (4) PROGRAM TOTALS | 88,346,200 | 85,880,800 |
| GENERAL PURPOSE REVENUES | 3,421,700 | 3,498,800 |
| PROGRAM REVENUE | (3,421,700) | (3,498,800) |
| FEDERAL | (3,421,700) | (3,498,800) |
| OTHER | (-0-) | (-0-) |

| SEGREGATED FUNDS | 12,410,700 | 13,113,000 |
| FEDERAL | 233,200 | 233,200 |
| OTHER | (12,177,500) | (12,879,800) |

| TOTAL-ALL SOURCES | 99,178,600 | 102,492,600 |

| (8) ADMINISTRATIVE SERVICES |
| (dq) Snowmobile registration | SEG A 122,000 151,000 |
| (dr) Boat registration | SEG A 357,100 397,800 |
| (ds) All-terrain vehicle administration | SEG A 47,900 62,800 |
| (iq) Natural resources magazine | SEG C 523,100 523,100 |
| (La) Facility repair and maintenance | GPR A 13,600 13,600 |
| (Lb) Administrative facilities--principal repayment and interest | GPR S 419,500 423,100 |
| (Lc) Facility repair and maintenance--parks and youth camps | GPR A 15,000 15,000 |
| (Ld) Administrative facilities--acquisition, development and improvement | GPR C 66,000 16,000 |
| (Lr) Facility repair and | | |
### 20.395 Transportation, department of

#### (I) Aids

<p>| (aq) Transportation aids, state funds | SEG A | 187,577,000 | 199,575,900 |
| (bq) Transit operating aids, state funds | SEG A | 44,735,300 | 48,537,700 |
| (br) Milwaukee urban area rail transit system planning study; state funds | SEG A | -0- | -0- |
| (bt) Urban rail transit system grants | SEG C | -0- | -0- |
| (bv) Transit aids, local funds | SEG-L C | -0- | -0- |
| (bx) Transit aids, federal funds | SEG-F C | 2,100,000 | 2,100,000 |
| (cq) Elderly and handicapped | SEG-F C | 658,800 | 642,500 |</p>
<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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<tr>
<td>capital aids, state funds</td>
<td>SEG A</td>
<td>610,200</td>
<td>638,900</td>
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<td>(cr) Elderly and handicapped county aids, state funds</td>
<td>SEG A</td>
<td>3,780,900</td>
<td>3,958,600</td>
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<td>(cv) Elderly and handicapped aids, local funds</td>
<td>SEG-L C</td>
<td>248,000</td>
<td>253,800</td>
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<td>(cx) Elderly and handicapped aids, federal funds</td>
<td>SEG-F C</td>
<td>630,000</td>
<td>630,000</td>
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<tr>
<td>(dq) Scheduled air passenger service assistance aid, state funds</td>
<td>SEG C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(dr) County forest road aids, state funds</td>
<td>SEG A</td>
<td>114,800</td>
<td>114,800</td>
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<tr>
<td>(ex) Highway safety, local assistance, federal funds</td>
<td>SEG-F C</td>
<td>1,700,000</td>
<td>1,700,000</td>
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<tr>
<td>(fq) Connecting highway aids, state funds</td>
<td>SEG A</td>
<td>8,910,400</td>
<td>9,300,000</td>
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<td>(fr) Flood damage aids, state funds</td>
<td>SEG C</td>
<td>500,000</td>
<td>500,000</td>
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<td>(ft) Lift bridge aids, state funds</td>
<td>SEG A</td>
<td>1,453,700</td>
<td>1,000,000</td>
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<td>(gq) Expressway policing aids, state funds</td>
<td>SEG A</td>
<td>600,000</td>
<td>663,600</td>
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(1) PROGRAM TOTALS

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<th>SEGREGATED FUNDS</th>
<th>FEDERAL</th>
<th>OTHER</th>
<th>LOCAL</th>
<th>TOTAL-ALL SOURCES</th>
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<tr>
<td>252,960,300</td>
<td>4,430,000</td>
<td>264,289,500</td>
<td>253,800</td>
<td>268,973,300</td>
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(2) LOCAL TRANSPORTATION ASSISTANCE

|aq) Railroad service continuation, state funds | SEG A | -0- | -0- |
|av) Railroad service continuation, local funds | SEG-L C | -0- | -0- |
|ax) Railroad service continuation, federal funds | SEG-F C | -0- | -0- |
|bq) Railroad facilities acquisition and railroad rehabilitation, state funds | SEG C | 2,970,000 | 2,910,000 |
|bv) Railroad facilities acquisition and railroad rehabilitation, local funds | SEG-L C | -0- | -0- |
|bx) Railroad facilities acquisition and railroad rehabilitation, federal funds | SEG-F C | 600,000 | 600,000 |
|cq) Harbor assistance and ferry service assistance grants, state funds | SEG C | 600,000 | 500,000 |
|dq) Local airport development, state funds | SEG C | 3,760,700 | 4,046,700 |
|dv) Local airport development, local funds | SEG-L C | 3,046,100 | 3,046,100 |
|dx) Local airport development, federal funds | SEG-F C | 17,600,000 | 17,600,000 |
|eq) Highway and local bridge improvement assistance, state funds | SEG C | 9,752,800 | 10,691,700 |
|ev) Local bridge improvement assistance, local funds | SEG-L C | 6,480,700 | 6,715,400 |
|ex) Local bridge improvement assistance, federal funds | SEG-F C | 16,157,000 | 16,157,000 |
(fv) Local highway improvement assistance, local funds  SEG-L C  6,820,800  6,820,800
(fx) Local highway improvement assistance, federal funds  SEG-F C  22,646,400  22,646,400
(gq) Railroad crossing improvement and protection assistance, state funds  SEG  A  2,916,300  3,026,300
(gs) Railroad crossing repair assistance, state funds  SEG  A  250,000  250,000
(gv) Railroad crossing improvement, local funds  SEG-L C  -0-  -0-
(gx) Railroad crossing improvement, federal funds  SEG-F C  2,333,600  2,333,600
(iq) Transportation facilities economic assistance and development, state funds  SEG  C  3,000,000  3,000,000
(iv) Transportation facilities economic assistance and development, local funds  SEG-L C  3,000,000  3,000,000
(ix) Transportation facilities economic assistance & development, federal funds  SEG-F C  -0-  -0-

SEGREGATED FUNDS

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<td>(59,337,000)</td>
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<td>(24,424,700)</td>
<td>(19,582,300)</td>
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<td>LOCAL</td>
<td>(19,582,300)</td>
<td>(19,582,300)</td>
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</tbody>
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(3) State highway facilities

(bq) Major highway development, state funds  SEG  C  18,200,700  12,961,600
(bv) Major highway development, local funds  SEG-L C  -0-  -0-
(bx) Major highway development, federal funds  SEG-F C  15,727,300  21,720,400
(cq) Existing highway improvement, state funds  SEG  C  102,783,400  107,221,300
(cv) Existing highway improvement, local funds  SEG-L C  1,510,000  1,510,000
(cx) Existing highway improvement, federal funds  SEG-F C  58,162,000  59,692,900
(dq) Improvement of state bridges, state funds  SEG  C  16,597,700  16,588,700
(dv) Improvement of state bridges, local funds  SEG-L C  490,000  490,000
(dx) Improvement of state bridges, federal funds  SEG-F C  16,157,000  16,157,000
(eq) General and winter highway maintenance and repair, state funds  SEG  B  72,324,200  75,298,900
(ev) General and winter highway maintenance and repair, local funds  SEG-L C  250,000  250,000
(ex) General and winter highway maintenance and repair, federal funds  SEG-F C  -0-  -0-
(fq) Special highway maintenance, state funds  SEG  C  37,290,000  38,824,200
(fv) Special highway maintenance,
<table>
<thead>
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<th>Statute, Agency and Purpose</th>
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<th>Type</th>
<th>1987-88</th>
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<td>(fx) Special highway maintenance, federal funds</td>
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<td>6,339,500</td>
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<tr>
<td>(gq) Interstate construction and rehabilitation, state funds</td>
<td>SEG C</td>
<td>-0-</td>
<td>57,085,700</td>
<td>59,189,100</td>
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<tr>
<td>(gv) Interstate construction and rehabilitation, local funds</td>
<td>SEG-L C</td>
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<td>14,851,700</td>
<td>14,945,200</td>
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<td>(gx) Interstate construction and rehabilitation, federal funds</td>
<td>SEG-F C</td>
<td>-0-</td>
<td>300,000</td>
<td>300,000</td>
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<td>(h) Highway traffic operations, state funds</td>
<td>SEG A</td>
<td>-0-</td>
<td>11,240,000</td>
<td>11,531,200</td>
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<td>(hv) Highway traffic operations, local funds</td>
<td>SEG-L C</td>
<td>-0-</td>
<td>150,000</td>
<td>150,000</td>
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<tr>
<td>(hx) Highway traffic operations, federal funds</td>
<td>SEG-F C</td>
<td>-0-</td>
<td>1,332,600</td>
<td>1,332,600</td>
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<tr>
<td>(iq) General program operations, highways, state funds</td>
<td>SEG A</td>
<td>-0-</td>
<td>3,487,200</td>
<td>3,487,200</td>
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<td>(ir) Disadvantaged business mobilization assistance, state funds</td>
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<td>108,200</td>
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<td>(iv) General program operations, highways, local funds</td>
<td>SEG-L C</td>
<td>-0-</td>
<td>3,487,200</td>
<td>3,487,200</td>
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<tr>
<td>(ix) General program operations, highways, federal funds</td>
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<td>-0-</td>
<td>10,668,400</td>
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**Segregated Funds**

- **Federal**
  - Total-All Sources: 444,736,300
- **Other**
  - Total-All Sources: 444,736,300
- **Local**
  - Total-All Sources: 444,736,300

**Program Revenue**

- **Federal**
  - Total-All Sources: 444,736,300
- **Other**
  - Total-All Sources: 444,736,300

**Program Totals**

- **Federal**
  - Total-All Sources: 444,736,300
- **Other**
  - Total-All Sources: 444,736,300
- **Service**
  - Total-All Sources: 444,736,300
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<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
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<tr>
<td>LOCAL</td>
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<td>TOTAL-ALL SOURCES</td>
<td>45,326,800</td>
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<td>44,755,000</td>
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<tr>
<td>(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT</td>
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<tr>
<td>(ch) Veh. reg. &amp; driver lic., operating under the influence enforce., state</td>
<td>PR A</td>
<td>773,200</td>
<td>773,200</td>
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<tr>
<td>(c) Veh. reg., inspection &amp; maintenance &amp; driver licensing, state funds</td>
<td>SEG A</td>
<td>41,398,800</td>
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<tr>
<td>(cx) Veh. registration and driver licensing, federal funds</td>
<td>SEG-F C</td>
<td>278,700</td>
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<td>(d) Veh. inspection and traffic enforcement, state funds</td>
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<td>28,191,400</td>
<td>27,133,400</td>
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<td>963,400</td>
<td>963,400</td>
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<td>(h) Motor veh. emission insp. and maint. program, contractor costs, state funds</td>
<td>SEG A</td>
<td>8,230,000</td>
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<td>(k) Motor vehicle emission inspection and maintenance programs, federal funds</td>
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<td>(iv) Municipal and county registration fee, local funds</td>
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**PROGRAM REVENUE**

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**SEGREGATED FUNDS**

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<td>79,062,300</td>
<td>78,267,500</td>
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<td>OTHER</td>
<td>1,242,100</td>
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<td>77,820,200</td>
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<td>79,835,500</td>
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**DEBT SERVICES**

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**SEGREGATED FUNDS**

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<td>903,900</td>
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<td>TOTAL-ALL SOURCES</td>
<td>890,600</td>
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20.399 Wisconsin conservation corps board

### Corps Enrollee Support

<table>
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<th>Item</th>
<th>Type</th>
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<th>1988-89</th>
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<tbody>
<tr>
<td>Corps enrollee compensation and support; general program operations</td>
<td>GPR</td>
<td>2,346,900</td>
<td>2,346,900</td>
</tr>
<tr>
<td>Corps enrollee compensation and support; sponsor contribution</td>
<td>PR</td>
<td>62,800</td>
<td>62,800</td>
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<tr>
<td>Corps enrollee compensation and support; service funds</td>
<td>PR-S</td>
<td>125,700</td>
<td>125,700</td>
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<tr>
<td>Corps enrollee compensation and support; federal funds</td>
<td>PR-F</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Corps enrollee compensation and support; conservation fund</td>
<td>SEG</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Corps enrollee compensation and support; transportation fund</td>
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#### Program Totals

<table>
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<tr>
<th>Revenues</th>
<th>1987-88</th>
<th>1988-89</th>
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<tr>
<td>General Purpose Revenues</td>
<td>2,346,900</td>
<td>2,346,900</td>
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<tr>
<td>Program Revenue</td>
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<td>Federal</td>
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<tr>
<td>Other</td>
<td>62,800</td>
<td>62,800</td>
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<tr>
<td>Service</td>
<td>125,700</td>
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<tr>
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<td>250,000</td>
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<tr>
<td>Other</td>
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<td>250,000</td>
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#### Administration

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<th>1988-89</th>
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</thead>
<tbody>
<tr>
<td>Administrative support; general program operations</td>
<td>GPR</td>
<td>42,100</td>
<td>106,500</td>
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<tr>
<td>Administrative support; sponsor contribution</td>
<td>PR</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Conservation corps -- administrative support; service funds</td>
<td>PR-S</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Administrative support; federal funds</td>
<td>PR-F</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Administrative support; conservation fund</td>
<td>SEG</td>
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<td>272,900</td>
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#### Program Totals

<table>
<thead>
<tr>
<th>Revenues</th>
<th>1987-88</th>
<th>1988-89</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>42,100</td>
<td>106,500</td>
</tr>
<tr>
<td>Program Revenue</td>
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<tr>
<td>Federal</td>
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<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Service</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Segregated Funds</td>
<td>272,900</td>
<td>272,900</td>
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<tr>
<td>Other</td>
<td>272,900</td>
<td>272,900</td>
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<tr>
<td>Total-All Sources</td>
<td>315,000</td>
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#### Gifts and Related Support

<table>
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<tbody>
<tr>
<td>Gifts and related support</td>
<td>PR</td>
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#### Program Totals

<table>
<thead>
<tr>
<th>Revenues</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
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<tr>
<td>Program Revenue</td>
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<tr>
<td>Federal</td>
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<tr>
<td>Other</td>
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<tr>
<td>Service</td>
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<tr>
<td>Segregated Funds</td>
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<td>-</td>
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<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>315,000</td>
<td>379,400</td>
</tr>
</tbody>
</table>
Environmental Resources

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES 122,502,300 126,745,900
PROGRAM REVENUE 17,601,900 20,030,800
FEDERAL (11,687,300) (11,687,700)
OTHER (4,588,000) (7,016,500)
SERVICE (1,326,600) (1,326,600)
SEGREGATED FUNDS 1,033,319,100 1,067,187,200
FEDERAL (224,815,400) (234,352,700)
OTHER (775,817,400) (799,874,600)
SERVICE (10,732,500) (10,765,600)
LOCAL (21,953,800) (22,194,300)
TOTAL-ALL SOURCES 1,173,423,300 1,213,963,900

Human Relations and Resources

20.420 Criminal justice, council on

(1) Criminal justice

(a) General program operations GPR A 282,800 -0-

(g) Anti-drug enforcement program, aids and local assistance PR C 449,600 -0-

(h) Anti-drug enforcement program, state operations PR C 214,500 -0-

(k) Interagency and intra-agency assistance PR-S C 100,300 -0-

(m) Federal aid, planning and administration, state operations PR-F C 177,200 -0-

(o) Federal aid, criminal justice improvement projects, state operations PR-F C 292,000 -0-

(p) Federal aid, criminal justice improvement projects, local assistance PR-F C 984,400 -0-

(pa) Federal aid, criminal justice improvement projects, aid to organizations PR-F C 181,800 -0-

(pb) Federal aid, anti-drug enforcement program, aids and local assistance PR-F C 2,248,100 -0-

(pc) Federal aid, anti-drug enforcement program, state operations PR-F C 1,215,900 -0-

20.420 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES 282,800 -0-
### 20.425 Employment relations commission

1. **Promotion of peace in labor relations**
   - (a) General program operations
     - **Source**: GPR, **Type**: A
     - 1987-88: 2,007,200
     - 1988-89: 2,047,000
   - (g) Publications
     - **Type**: A
     - 1987-88: 28,300
     - 1988-89: 28,300
   - (h) Arbitration training
     - **Type**: C
     - 1987-88: 0
     - 1988-89: 0

#### Department Totals

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<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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<tr>
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<td>2,007,200</td>
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<tr>
<td>Other</td>
<td>0</td>
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<tr>
<td>Service</td>
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<tr>
<td>Total-All Sources</td>
<td>2,035,500</td>
<td>2,075,300</td>
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### 20.432 Board on aging and long-term care

1. **Identification of the needs of the aged and disabled**
   - (a) General program operations
     - **Source**: GPR, **Type**: A
     - 1987-88: 216,900
     - 1988-89: 309,500
   - (i) Gifts and grants
     - **Type**: C
     - 1987-88: 0
     - 1988-89: 0
   - (k) Contracts with state agencies
     - **Source**: PR-S, **Type**: A
     - 1987-88: 68,200
     - 1988-89: 68,200
   - (kb) Insurance and other information, counseling and assistance
     - **Source**: PR-S, **Type**: A
     - 1987-88: 66,000
     - 1988-89: 73,000
   - (m) Federal aid
     - **Source**: PR-F, **Type**: C
     - 1987-88: 0
     - 1988-89: 0

#### Department Totals

<table>
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<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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<tr>
<td>Program Revenue</td>
<td>216,900</td>
<td>309,500</td>
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<tr>
<td>Other</td>
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<td></td>
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<td>Service</td>
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<td>Total-All Sources</td>
<td>351,100</td>
<td>450,700</td>
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### 20.433 Child abuse and neglect prevention board

1. **Prevention of child abuse and neglect**
   - (g) General program operations
     - **Type**: PR, **Type**: A
     - 1987-88: 110,700
     - 1988-89: 111,200
   - (m) Federal aid
     - **Type**: PR-F, **Type**: C
     - 1987-88: 0
     - 1988-89: 0
   - (q) Children's trust fund
     - **Type**: SEG, **Type**: C
     - 1987-88: 0
     - 1988-89: 0

#### Department Totals

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<th>Source</th>
<th>Type</th>
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<th>1988-89</th>
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<td>Other</td>
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<tr>
<td>Segregated Funds</td>
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<td>Total-All Sources</td>
<td>667,300</td>
<td>667,800</td>
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### 20.434 Adolescent pregnancy prevention and pregnancy services board

1. **Adolescent pregnancy prevention and pregnancy services**
   - (a) General program operations
     - **Type**: GPR, **Type**: A
     - 1987-88: 76,400
     - 1988-89: 76,400
   - (b) Grants to organizations
     - **Type**: GPR, **Type**: A
     - 1987-88: 461,800
     - 1988-89: 461,800

#### Department Totals

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### 20.435 Health and social services, department of

1. **Health services planning, regulation and delivery**
   - (a) General program operations
     - **Type**: GPR, **Type**: A
     - 1987-88: 18,575,900
     - 1988-89: 19,057,700
   - (am) Acquired immunodeficiency syndrome services
     - **Type**: GPR, **Type**: A
     - 1987-88: 205,000
     - 1988-89: 255,000
   - (b) Medical assistance program

#### Department Totals

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<td>19,057,700</td>
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<td>Other</td>
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<tr>
<td>Service</td>
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<tr>
<td>Total-All Sources</td>
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<td>19,057,700</td>
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<td>Statute, Agency and Purpose</td>
<td>Source</td>
<td>Type</td>
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<tr>
<td>(bs) Health care for elderly</td>
<td>GPR</td>
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<tr>
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<tr>
<td>and children benefits</td>
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<tr>
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<tr>
<td>(ev) Pregnancy outreach</td>
<td>GPR</td>
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<tr>
<td>(f) Family planning</td>
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<tr>
<td>(hi) User fees; office of</td>
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(2) CARE AND TREATMENT FACILITIES

(a) General program operations

(aa) Institutional repair and maintenance

(ee) Principal repayment and interest

(ff) Lease rental payments

(gk) Utilities and heating

(gk) Institutional operations and charges

(i) Gifts and grants

(kk) Interagency and intra-agency programs

(ky) Interagency and intra-agency aids

(kz) Interagency and intra-agency local assistance

(m) Federal project operations

(3) CORRECTIONAL SERVICES

(a) General program operations

(aa) Institutional repair and maintenance

(ab) Intergovernmental corrections agreements

(am) Juvenile correctional services

(c) Reimbursement claims of counties containing state institutions

(d) Purchased services for offenders

(dd) Special living arrangements

(e) Principal repayment and interest

(ec) Self-amortizing prison industries principal, interest and rebates

(ef) Lease rental payments

(f) Utilities and heating

(g) Probationer and parolee loan fund

(gg) Supervision of criminal defendants

**TOTAL-ALL SOURCES** | 145,066,600 | 146,355,400 |
- 1587 -

**Statute, Agency and Purpose**

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**Program Totals**

| GENERAL PURPOSE REVENUES | 141,740,800 | 146,099,800 |
| PROGRAM REVENUE | 38,002,300 | 39,246,100 |
| FEDERAL | 437,900 | 460,800 |
| OTHER | 21,468,100 | 21,896,400 |
| SERVICE | 16,096,300 | 16,888,900 |
| TOTAL-ALL SOURCES | 179,743,100 | 185,345,900 |

(4) Community Services

<p>| (a) General program operations | GPR | A | 18,396,400 | 18,064,200 |
| (b) Community aids | GPR | A | 188,834,800 | 179,445,400 |
| (bd) Community options program | GPR | A | 28,098,700 | 30,404,900 |
| (bf) Alzheimer’s disease; training and information grants | GPR | A | 150,000 | 270,000 |
| (bg) Employment and training programs; administration | GPR | A | 818,900 | 457,700 |
| (bp) Guaranteed jobs program | GPR | B | -0- | -0- |
| (c) Independent living centers | GPR | A | 311,700 | 411,700 |
| (cb) Domestic abuse grants | GPR | A | 1,836,600 | 1,931,600 |
| (cc) Shelter for homeless individuals and families | GPR | A | 650,000 | 750,000 |
| (cd) Community youth and family aids | GPR | A | 50,515,500 | 63,691,600 |
| (cf) Foster parent insurance and liability | GPR | A | 87,900 | 87,900 |
| (cj) Reduction of paternity backlog | GPR | B | 90,000 | -0- |
| (cv) State supplement to community services block grant | GPR | A | -0- | -0- |
| (d) Income maintenance payments to individuals | GPR | S | 199,795,700 | 202,093,200 |
| (da) Reimbursements to local units of government | GPR | S | 192,900 | 192,900 |
| (dc) Emergency assistance program | GPR | A | 1,707,000 | 1,707,000 |
| (dd) State foster care and adoption services | GPR | A | 2,879,200 | 3,210,800 |
| (de) Income maintenance county administration | GPR | A | 20,931,400 | 21,027,900 |</p>
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### Vocational Rehabilitation Services

| (a) General program operations | GPR | 4,246,900 | 4,281,000 |
| (bm) Purchased services for clients | GPR | 4,061,800 | 4,061,800 |
| (c) Enterprises for the blind | GPR | 912,000 | 100,000 |
| (d) Telecommunication aid for the hearing impaired | GPR | 80,000 | 80,000 |
| (e) Principal repayment and interest | GPR | 26,000 | 22,300 |
| (gg) Contractual services | PR | -0- | -0- |
| (h) Supervised business enterprise program | PR | 189,000 | 190,900 |
| (hh) Interpreter services for hearing impaired | PR | 100,000 | 100,000 |
| (i) Gifts and grants | PR | 52,000 | 52,000 |
| (k) Interagency contractual services | PR-S | -0- | -0- |
| (kk) Interagency and intra-agency programs | PR-S | 32,500 | 32,500 |
| (ky) Interagency and intra-agency aids | PR-S | -0- | -0- |
| (kz) Interagency and intra-agency local assistance | PR-S | -0- | -0- |
| (m) Federal project operations | PR-F | 819,700 | 834,700 |
| (ma) Federal project aids | PR-F | 415,700 | 425,400 |
| (n) Federal program operations | PR-F | 14,462,700 | 14,736,500 |
| (na) Federal program aids | PR-F | 15,780,200 | 15,780,200 |
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### Program Totals

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<td>PR-S C</td>
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<td>(ky)</td>
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<td>PR-S C</td>
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<td>(m)</td>
<td>PR-F C</td>
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**General Administration**

- **Program Revenue: 1987**: 13,015,600
- **Program Revenue: 1988**: 12,666,500
- **General Purpose Revenues: 1987**: 14,061,400
- **General Purpose Revenues: 1988**: 14,061,500

**Federal**

- **1987**: -1,389,600
- **1988**: -1,275,100

**Other**

- **1987**: -12,200
- **1988**: -12,200

**Total**

- **1987**: 27,077,000
- **1988**: 26,728,000

**Program Totals**

- **General Purpose Revenues**: 13,015,600
- **Program Revenue**: 14,061,400
- **Federal**: -1,389,600
- **Other**: -12,200
- **Service**: -12,659,600
- **Total-All Sources**: 27,077,000

**Health and Educational Facilities Authority**

- **Construction of Health and Educational Facilities**
  - **General Program Operations**: 0
  - **Total-All Sources**: 0

**Community Development Finance Authority**

- **Community Development Assistance**
  - **General Program Operations**: 0
  - **Total-All Sources**: 0

**Industry, Labor and Human Relations, Department of**

- **Industries, Labor and Human Relations**
  - **General Program Operations**: 4,441,700
  - **Special Death Benefit**: 100,000
  - **Assistant for Dislocated Workers**: 500,000
  - **Job Center Pilot Projects**: 150,000
  - **Wisconsin Job Opportunity Business Subsidy Program**: 0
  - **Death and Disability Benefit Payments; Public**: 0
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<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
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<th>1988-89</th>
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<td>(gb) Local agreements</td>
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<tr>
<td>(gc) Unemployment administration</td>
<td>PR</td>
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<td>-0-</td>
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<td>(gd) Unemployment interest and penalty payments</td>
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<td>2,669,300</td>
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<td>C</td>
<td>2,556,600</td>
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<td>(h) Local energy resource system fees</td>
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<td>(ha) Worker’s compensation operations</td>
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<td>(hb) Worker’s compensation contracts</td>
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<td>44,300</td>
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<td>(j) Safety and building operations</td>
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<td>(k) Fees</td>
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<td>(kg) Administrative services for the work incentive demonstration program</td>
<td>PR-S</td>
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<td>7,339,300</td>
<td>7,113,200</td>
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<td>C</td>
<td>5,794,200</td>
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<td>(L) Fire dues distribution</td>
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<td>(La) Fire prevention and fire dues administration</td>
<td>PR</td>
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<td>390,400</td>
<td>404,800</td>
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<td>(m) Federal funds</td>
<td>PR-F</td>
<td>C</td>
<td>1,891,900</td>
<td>1,891,900</td>
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<td>(ma) Federal aid--program administration</td>
<td>PR-F</td>
<td>C</td>
<td>8,007,600</td>
<td>8,007,600</td>
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<td>(mb) Federal aid--employment and training local assistance</td>
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<td>C</td>
<td>21,914,500</td>
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<td>(mc) Federal aid--employment and training aids</td>
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<td>(n) Unemployment administration; federal moneys</td>
<td>PR-F</td>
<td>C</td>
<td>55,854,100</td>
<td>54,855,000</td>
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<tr>
<td>(na) Employment security buildings and equipment</td>
<td>PR-F</td>
<td>C</td>
<td>787,000</td>
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<td>(pz) Indirect cost reimbursements</td>
<td>PR-F</td>
<td>C</td>
<td>234,400</td>
<td>234,400</td>
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<tr>
<td>(q) Groundwater--standards; implementation</td>
<td>SEG</td>
<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<td>(s) Self-insured employers liability fund</td>
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<td>C</td>
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<td>-0-</td>
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<tr>
<td>(t) Work injury supplemental benefit fund</td>
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<td>C</td>
<td>2,500,000</td>
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<td>(u) Interest repayment</td>
<td>SEG</td>
<td>S</td>
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<td>-0-</td>
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<tr>
<td>(v) Petroleum storage environmental remedial action; awards</td>
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<td>A</td>
<td>-0-</td>
<td>7,393,400</td>
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<tr>
<td>(w) Petroleum storage environmental remedial action; administration</td>
<td>SEG</td>
<td>A</td>
<td>-0-</td>
<td>72,000</td>
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</table>

(1) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 5,191,700 | 7,131,600 |
| PROGRAM REVENUE          | 181,253,000 | 179,017,100 |
**20.455 Justice, department of**

(1) **LEGAL SERVICES**

(a) General program operations  
GPR A  
8,239,900

(b) Special counsel  
GPR S  
267,000

(cm) Special prosecutor cost reimbursement  
GPR A  
10,000

(d) Legal expenses  
GPR A  
745,800

(k) Environment litigation project  
PR-S C  
75,000

(m) Federal aid  
PR-F C  
412,100

---

(1) **PROGRAM TOTALS**

GENERAL PURPOSE REVENUES  
9,262,700

PROGRAM REVENUE  
487,100

FEDERAL  
412,100

SERVICE  
75,000

TOTAL-ALL SOURCES  
9,749,800

(2) **LAW ENFORCEMENT SERVICES**

(a) General program operations  
GPR A  
7,602,900

(b) Investigations and operations  
GPR A  
70,500

(c) Crime laboratory equipment  
GPR A  
0

(cm) Debt service  
GPR S  
316,500

(d) Aid to counties for law
<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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<td>enforcement</td>
<td>GPR</td>
<td>A</td>
<td>60,000</td>
<td>60,000</td>
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<td>152,900</td>
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<td>(h) Terminal charges</td>
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<td>1,654,800</td>
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<td>(i) Penalty assessment surcharge, receipts</td>
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<td>2,766,600</td>
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<td>1,751,900</td>
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<td>(jb) Crime laboratory equipment</td>
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<td>B</td>
<td>159,100</td>
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<td>(k) Interagency and intra-agency assistance</td>
<td>PR-S</td>
<td>C</td>
<td>770,400</td>
<td>744,400</td>
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<tr>
<td>(m) Federal aid, state operations</td>
<td>PR-F</td>
<td>C</td>
<td>44,300</td>
<td>44,300</td>
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<tr>
<td>(n) Federal aid, local assistance</td>
<td>PR-F</td>
<td>C</td>
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** General Purpose Revenues **

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
<td></td>
<td>8,123,500</td>
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<td></td>
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<tr>
<td>Other</td>
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<td>6,270,400</td>
<td>6,484,700</td>
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<tr>
<td>Service</td>
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<td>770,400</td>
<td>744,400</td>
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** Total-All Sources **

<table>
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<th>1988-89</th>
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<tr>
<td>15,168,800</td>
<td>15,543,400</td>
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** Administrative Services **

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<tbody>
<tr>
<td>General program operations</td>
<td>GPR</td>
<td>A</td>
<td>2,116,200</td>
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<tr>
<td>Gifts, grants and proceeds</td>
<td>PR</td>
<td>C</td>
<td>23,500</td>
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<tr>
<td>Federal aid</td>
<td>PR-F</td>
<td>C</td>
<td>44,300</td>
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** Total-All Sources **

<table>
<thead>
<tr>
<th>1987-88</th>
<th>1988-89</th>
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<tr>
<td>2,116,200</td>
<td>2,326,000</td>
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** Trust Lands and Investment Division **

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<td>General program operations</td>
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<td>336,500</td>
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<td>Federal aid, flood control</td>
<td>PR-F</td>
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** Total-All Sources **

<table>
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<tr>
<td>361,500</td>
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** Victims and Witnesses **

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<th>Type</th>
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<tr>
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<td>GPR</td>
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<td>417,000</td>
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<td>Awards for victims of crimes</td>
<td>GPR</td>
<td>A</td>
<td>930,000</td>
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<td>Reimbursement for victim and witness services</td>
<td>GPR</td>
<td>A</td>
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<td>Crime victim and witness assistance surcharge</td>
<td>PR</td>
<td>A</td>
<td>985,700</td>
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<tr>
<td>Crime victim compensation services</td>
<td>PR</td>
<td>A</td>
<td>29,200</td>
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<tr>
<td>Federal aid, victim compensation</td>
<td>PR-F</td>
<td>C</td>
<td>285,300</td>
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<tr>
<td>Federal aid, victim assistance</td>
<td>PR-F</td>
<td>C</td>
<td>800,000</td>
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** Total-All Sources **

<table>
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<th>1988-89</th>
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</thead>
<tbody>
<tr>
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- **WisAct 399**
### 20.455 Department Totals

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### 20.465 Military Affairs, Department of

#### (1) National Guard Operations

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<td>Repair and Maintenance</td>
<td>GPR A</td>
<td>186,700</td>
<td>186,700</td>
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<td>Public Emergencies</td>
<td>GPR S</td>
<td>50,000</td>
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<td>Principal Repayment and Interest</td>
<td>GPR S</td>
<td>427,600</td>
<td>415,100</td>
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<td>State Service Flags</td>
<td>GPR A</td>
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<td>Fuel and Utilities</td>
<td>GPR A</td>
<td>1,086,000</td>
<td>1,100,600</td>
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<td>Military Property</td>
<td>PR A</td>
<td>85,000</td>
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<td>Armory Store Operations</td>
<td>PR-S A</td>
<td>200,000</td>
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<td>Federal Aid</td>
<td>PR-F C</td>
<td>5,426,600</td>
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<td>Helicopter Medical Services and Transportation</td>
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#### (2) Guard Members' Benefits

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<td>Tuition Grants</td>
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### 20.475 Proximity Council

#### (1) Personnel Services

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<th>1988-89</th>
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<td>GPR E</td>
<td>56,100</td>
<td>56,100</td>
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<tr>
<td>Salaries and Expenses</td>
<td>GPR E</td>
<td>37,700</td>
<td>37,700</td>
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<td>Total-All Sources</td>
<td>93,800</td>
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**20.485 Veterans affairs, department of**

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<th>TYPE</th>
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<tr>
<td>(b) General fund supplement to institutional operations</td>
<td>GPR B</td>
<td>3,017,600</td>
<td>3,008,400</td>
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<td>(c) Fuel and utilities</td>
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<td>619,800</td>
<td>630,600</td>
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<td>(d) Cemetery maintenance and beautification</td>
<td>GPR A</td>
<td>24,900</td>
<td>24,900</td>
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<td>(e) Lease rental payments</td>
<td>GPR S</td>
<td>22,200</td>
<td>22,200</td>
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<td>(f) Principal repayment and interest</td>
<td>GPR S</td>
<td>430,800</td>
<td>411,600</td>
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<td>(fa) Geriatric program</td>
<td>GPR A</td>
<td>171,200</td>
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<td>(g) Home exchange</td>
<td>PR A</td>
<td>142,400</td>
<td>142,400</td>
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<td>(gk) Institutional operations</td>
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<td>(h) Gifts and bequests</td>
<td>PR C</td>
<td>141,900</td>
<td>141,900</td>
</tr>
<tr>
<td>(hm) Gifts and grants</td>
<td>PR C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(i) Prepaid care</td>
<td>PR A</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(j) Geriatric program receipts</td>
<td>PR C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(m) Federal aid; care at veterans home</td>
<td>PR-F C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(mj) Federal aid; geriatric unit</td>
<td>PR-F C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(mn) Federal projects</td>
<td>PR-F C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(u) Rentals; improvements; equipment; land acquisition</td>
<td>SEG A</td>
<td>-0-</td>
<td>-0-</td>
</tr>
</tbody>
</table>

| (1) PROGRAM TOTALS | | | |
| GENERAL PURPOSE REVENUES | 4,286,500 | 4,268,900 |
| PROGRAM REVENUE | 16,946,400 | 16,926,800 |
| FEDERAL | -0- | -0- |
| OTHER | (16,946,400) | (16,926,800) |
| SEGREGATED FUNDS | -0- | -0- |
| OTHER | -0- | -0- |
| TOTAL-ALL SOURCES | 21,232,900 | 21,195,700 |

| (2) LOANS AND AIDS TO VETERANS | | | |
| (db) General fund supplement to veterans trust fund | GPR A | 965,100 | 716,700 |
| (m) Federal aid projects | PR-F C | -0- | -0- |
| (q) Vietnam veteran educational grants | SEG A | 127,500 | 108,400 |
| (s) Veterans memorial grants | SEG C | 600,000 | -0- |
| (u) Administration of loans and aids to veterans | SEG A | 1,962,000 | 1,962,100 |
| (v) Memorial hall sales receipts | SEG C | 15,000 | 15,000 |
| (vm) Veterans aids and treatment | SEG A | 1,333,400 | 1,330,000 |
| (vn) Grants to veterans organizations | SEG A | 300,000 | 300,000 |
| (vw) Payments to veterans organizations for claims service | SEG A | 48,000 | 48,000 |
| (vx) County grants | SEG A | 84,000 | 84,000 |
| (w) Home for needy veterans | SEG C | 5,000 | 5,000 |
| (wd) Operation of memorial hall | SEG A | 66,500 | 66,500 |
| (y) Veterans loans and expense | SEG A | 5,010,100 | 5,523,500 |
| (z) Gifts | SEG C | -0- | -0- |

| (2) PROGRAM TOTALS | | | |
| GENERAL PURPOSE REVENUES | 965,100 | 716,700 |
| PROGRAM REVENUE | -0- | -0- |
| FEDERAL | -0- | -0- |
| SEGREGATED FUNDS | 9,541,500 | 9,442,500 |
| OTHER | (9,541,500) | (9,442,500) |
| TOTAL-ALL SOURCES | 10,506,600 | 10,159,200 |
### (3) Self-Amortizing Mortgage Loans for Veterans

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) Self insurance</td>
<td>GPR</td>
<td>S</td>
<td>-0-</td>
</tr>
<tr>
<td>(e) General program deficiency</td>
<td>GPR</td>
<td>S</td>
<td>-0-</td>
</tr>
<tr>
<td>(g) Foreclosure loss payments</td>
<td>SEG</td>
<td>C</td>
<td>800,000</td>
</tr>
<tr>
<td>(r) Funded reserves</td>
<td>SEG</td>
<td>C</td>
<td>50,000</td>
</tr>
<tr>
<td>(rm) Other reserves</td>
<td>SEG</td>
<td>C</td>
<td>14,371,000</td>
</tr>
<tr>
<td>(s) General program operations</td>
<td>SEG</td>
<td>A</td>
<td>1,868,400</td>
</tr>
<tr>
<td>(sm) County grants</td>
<td>SEG</td>
<td>A</td>
<td>84,000</td>
</tr>
<tr>
<td>(t) Debt service</td>
<td>SEG</td>
<td>C</td>
<td>129,816,700</td>
</tr>
<tr>
<td>(u) Revenue obligation supplement</td>
<td>SEG</td>
<td>C</td>
<td>-0-</td>
</tr>
<tr>
<td>(v) Revenue obligation repayment</td>
<td>SEG</td>
<td>C</td>
<td>-0-</td>
</tr>
</tbody>
</table>

#### (3) Program Totals

| GENERAL PURPOSE REVENUES | -0- | -0- |
| SEGREGATED FUNDS | 146,990,100 | 144,417,500 |
| OTHER | 146,990,100 | 144,417,500 |
| TOTAL-ALL SOURCES | 146,990,100 | 144,417,500 |

### 20.485 Wisconsin Housing and Economic Development Authority

#### (1) Facilitation of Construction of Housing

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Capital reserve fund deficiency</td>
<td>GPR</td>
<td>C</td>
<td>-0-</td>
</tr>
</tbody>
</table>

#### (1) Program Totals

| GENERAL PURPOSE REVENUES | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |

#### (2) Housing Rehabilitation Loan Program

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) General program operations</td>
<td>GPR</td>
<td>C</td>
<td>-0-</td>
</tr>
<tr>
<td>(q) Loan loss reserve fund</td>
<td>SEG</td>
<td>C</td>
<td>-0-</td>
</tr>
</tbody>
</table>

#### (2) Program Totals

| GENERAL PURPOSE REVENUES | -0- | -0- |
| SEGREGATED FUNDS | -0- | -0- |
| OTHER | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |

#### (3) Agricultural Production Loan Guarantee

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Agricultural production loan fund</td>
<td>GPR</td>
<td>C</td>
<td>-0-</td>
</tr>
<tr>
<td>(b) Agricultural production loan interest reduction</td>
<td>GPR</td>
<td>C</td>
<td>-0-</td>
</tr>
</tbody>
</table>

#### (3) Program Totals

| GENERAL PURPOSE REVENUES | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |

#### (4) Disadvantaged Business Mobilization Assistance

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>(g) Disadvantaged business mobilization loan guarantee</td>
<td>PR</td>
<td>C</td>
<td>-0-</td>
</tr>
</tbody>
</table>

#### (4) Program Totals

| PROGRAM REVENUE | -0- | -0- |
| OTHER | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |

### 20.490 Department Totals

| GENERAL PURPOSE REVENUES | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |
### Human Relations and Resources

**FUNCTIONAL AREA TOTALS**

<table>
<thead>
<tr>
<th>Source Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL PURPOSE REVENUES</strong></td>
<td>1,408,119,500</td>
<td>1,468,254,100</td>
</tr>
<tr>
<td><strong>PROGRAM REVENUE</strong></td>
<td>1,831,749,200</td>
<td>1,879,625,400</td>
</tr>
<tr>
<td><strong>FEDERAL</strong></td>
<td>(1,501,074,800)</td>
<td>(1,546,049,000)</td>
</tr>
<tr>
<td><strong>SERVICE</strong></td>
<td>(280,966,700)</td>
<td>(283,451,200)</td>
</tr>
<tr>
<td><strong>SEGREGATED FUNDS</strong></td>
<td>159,233,200</td>
<td>164,027,000</td>
</tr>
<tr>
<td><strong>FEDERAL</strong></td>
<td>(0)</td>
<td>(0)</td>
</tr>
<tr>
<td><strong>SERVICE</strong></td>
<td>(0)</td>
<td>(0)</td>
</tr>
<tr>
<td><strong>LOCAL</strong></td>
<td>(0)</td>
<td>(0)</td>
</tr>
<tr>
<td><strong>TOTAL-ALL SOURCES</strong></td>
<td>3,399,101,900</td>
<td>3,511,906,500</td>
</tr>
</tbody>
</table>

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**General Executive**

20.505 Administration, department of

11) **SUPERVISION AND MANAGEMENT**

(a) General program operations

(b) Midwest interstate low-level radioactive waste compact; loan from gen. fund

(d) Energy development and demonstration fund

(g) Midwest interstate low-level radioactive waste compact; membership & costs

(i) Services to nonstate governmental units

(im) Services to nonstate governmental units

(j) Gifts and donations

(jm) Acid deposition activities

(ka) Materials and services to state agencies

(kb) Fleet services

(kc) Building construction services

(kd) Printing services

(ke) State telecommunications system

(kg) Records, microfilm and forms services

(kh) Records storage and microfilm service

(ki) Risk management

(ma) Federal grants and contracts

(mb) Federal energy grants and contracts

(mc) Coastal zone management

(md) Oil overcharge restitution funds

(n) Federal aid; local assistance

(pz) Indirect cost reimbursements

(1) **PROGRAM TOTALS**

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL PURPOSE REVENUES</strong></td>
<td>12,197,300</td>
<td>12,023,900</td>
<td></td>
</tr>
</tbody>
</table>
### STATUTE, AGENCY AND PURPOSE

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROGRAM REVENUE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEDERAL</td>
<td></td>
<td>6,088,300</td>
<td>2,332,200</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
<td>1,336,200</td>
<td>1,324,500</td>
</tr>
<tr>
<td>SERVICE</td>
<td></td>
<td>42,603,900</td>
<td>40,598,000</td>
</tr>
<tr>
<td><strong>TOTAL-ALL SOURCES</strong></td>
<td></td>
<td>52,225,700</td>
<td>56,278,600</td>
</tr>
</tbody>
</table>

(2) EMERGENCY GOVERNMENT SERVICES

(a) General program operations  
(b) Disaster recovery aid  
(g) Program services  
(m) Federal aid, state operations  
(n) Federal aid, local assistance  
(o) Federal aid, individuals and organizations  
(q) Civil air patrol aids

(3) COMMITTEES AND INTERSTATE BODIES

(a) General program operations  
(b) Women's council operations  
(e) Mediation office operations  
(g) Gifts and grants  
(h) Program fees  
(m) Federal aid

(4) ATTACHED DIVISIONS, BOARDS AND COMMISSIONS

(a) Adjudication of tax appeals  
(b) Adjudication of equalization appeals  
(c) Claims board; general program operations  
(d) Claims awards  
(dm) Sentencing commission; general program operations  
(ea) Radioactive waste review board operations  
(eb) Waste facility siting board administrative expenses  
(f) Hearings and appeals operations  
(g) Gifts and grants  
(gm) Sentencing commission; gifts and grants  
(h) Program services  
(m) Federal aid  
(mm) Sentencing commission; federal aid

(4) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>GENERAL PURPOSE REVENUES</th>
<th>1,267,400</th>
<th>1,239,300</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROGRAM REVENUE</td>
<td>364,500</td>
<td>470,500</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>6,100</td>
<td>6,100</td>
</tr>
<tr>
<td>OTHER</td>
<td>370,600</td>
<td>476,600</td>
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</tbody>
</table>

-1598-
<table>
<thead>
<tr>
<th>FACILITIES MANAGEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ka) Facility operations and maintenance</td>
</tr>
<tr>
<td>(kb) Lease rental payments</td>
</tr>
<tr>
<td>(kc) Principal repayment, interest and rebates</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROGRAM TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROGRAM REVENUE</td>
</tr>
<tr>
<td>SERVICE</td>
</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OFFICE OF JUSTICE ASSISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) General program operations</td>
</tr>
<tr>
<td>(g) Anti-drug enforcement program, aids and local assistance</td>
</tr>
<tr>
<td>(h) Anti-drug enforcement program, state operations</td>
</tr>
<tr>
<td>(k) Interagency and intra-agency assistance</td>
</tr>
<tr>
<td>(m) Federal aid, planning and administration, state operations</td>
</tr>
<tr>
<td>(o) Federal aid, criminal justice improvement projects, state operations</td>
</tr>
<tr>
<td>(p) Federal aid, criminal justice improvement projects, local assistance</td>
</tr>
<tr>
<td>(pa) Federal aid, criminal justice improvement projects, aid to organizations</td>
</tr>
<tr>
<td>(pb) Federal aid, anti-drug enforcement program, aids and local assistance</td>
</tr>
<tr>
<td>(pc) Federal aid, anti-drug enforcement program, state operations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROGRAM TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
</tr>
<tr>
<td>PROGRAM REVENUE</td>
</tr>
<tr>
<td>FEDERAL</td>
</tr>
<tr>
<td>OTHER</td>
</tr>
<tr>
<td>SERVICE</td>
</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DEPARTMENT TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
</tr>
<tr>
<td>PROGRAM REVENUE</td>
</tr>
<tr>
<td>FEDERAL</td>
</tr>
<tr>
<td>OTHER</td>
</tr>
<tr>
<td>SERVICE</td>
</tr>
<tr>
<td>SEGREGATED FUNDS</td>
</tr>
<tr>
<td>OTHER</td>
</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
</tr>
</tbody>
</table>
### 20.510 Elections board

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.510</td>
<td>DEPARTMENT TOTALS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
<td>442,200</td>
<td>400,600</td>
<td></td>
</tr>
<tr>
<td>PROGRAM REVENUE</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>OTHER</td>
<td>(100,000)</td>
<td>(1,400,000)</td>
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</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
<td>542,200</td>
<td>1,800,600</td>
<td></td>
</tr>
</tbody>
</table>

#### (1) Administration of election and campaign laws

- **(a)** General program operations
  - GPR: Budget
  - B: New
  - 442,200: 400,600
- **(g)** Recount fees
  - PR: New
  - C: New
  - -0-: -0-
- **(q)** Wisconsin election campaign fund
  - SEG: New
  - C: New
  - 100,000: 1,400,000

### 20.512 Employment relations, department of

#### (1) Employment relations

- **(a)** General program operations
  - GPR: Budget
  - A: New
  - 4,359,200: 4,385,400
- **(b)** Day care services
  - GPR: Budget
  - A: New
  - 47,300: 23,200
- **(i)** Services to nonstate governmental units
  - PR: New
  - C: New
  - 96,900: 100,400
- **(j)** Gifts and donations
  - PR: New
  - C: New
  - -0-: -0-
- **(k)** Employee development and training services
  - PR-S: New
  - A: New
  - 722,900: 723,000
- **(ka)** Publications
  - PR-S: New
  - A: New
  - 90,000: 90,000
- **(m)** Federal grants and contracts
  - PR-F: New
  - C: New
  - -0-: -0-
- **(p2)** Indirect cost reimbursements
  - PR-F: New
  - C: New
  - -0-: -0-

#### (1) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>Source</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
<td>4,406,500</td>
<td>4,408,600</td>
</tr>
<tr>
<td>PROGRAM REVENUE</td>
<td>909,800</td>
<td>913,400</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>(96,900)</td>
<td>(100,400)</td>
</tr>
<tr>
<td>OTHER</td>
<td>812,900</td>
<td>813,000</td>
</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
<td>5,316,300</td>
<td>5,322,000</td>
</tr>
</tbody>
</table>

#### (2) Affirmative action council

- **(a)** General program operations
  - GPR: Budget
  - A: New
  - 8,700: 8,700
- **(j)** Gifts and donations
  - PR: New
  - C: New
  - -0-: -0-
- **(m)** Federal grants and contracts
  - PR-F: New
  - C: New
  - -0-: -0-

#### (2) PROGRAM TOTALS

<table>
<thead>
<tr>
<th>Source</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
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<td>GENERAL PURPOSE REVENUES</td>
<td>8,700</td>
<td>8,700</td>
</tr>
<tr>
<td>PROGRAM REVENUE</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>(96,900)</td>
<td>(100,400)</td>
</tr>
<tr>
<td>OTHER</td>
<td>812,900</td>
<td>813,000</td>
</tr>
<tr>
<td>TOTAL-ALL SOURCES</td>
<td>8,700</td>
<td>8,700</td>
</tr>
</tbody>
</table>

### 20.515 Employe trust funds, department of

#### (1) Employe benefit plans

- **(a)** Annuity supplements and payments
  - GPR: Began
  - S: New
  - 1,282,700: 1,189,300
- **(d)** Medicare account
  - GPR: Began
  - 10,000: 10,000
- **(c)** Contingencies
  - GPR: New
  - S: New
  - -0-: -0-
- **(t)** Automated operating system
  - SEG: New
  - C: New
  - -0-: -0-
- **(w)** Administration
  - SEG: New
  - A: New
  - 6,859,000: 6,898,700
20.515  DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES  1,228,700  1,298,700
SEGREGATED FUNDS  6,859,000  6,896,700
OTHER  ( 6,859,000) ( 6,896,700)
TOTAL-ALL SOURCES  8,141,700  8,197,400

20.521  Ethics board

(1) CODE OF ETHICS

(a) General program operations  GPR  A  138,700  152,700
(g) Gifts and grants  PR  C  -0-  -0-

20.521  DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES  138,700  152,700
PROGRAM REVENUE  -0-  -0-
OTHER  ( -0-)  ( -0-)
TOTAL-ALL SOURCES  138,700  152,700

20.525  Office of the governor

(1) EXECUTIVE ADMINISTRATION

(a) General program operations  GPR  S  1,473,300  1,450,500
(b) Contingent fund  GPR  S  21,700  21,700
(c) Membership in national associations  GPR  S  78,800  84,300
(d) Disability board  GPR  S  -0-  -0-
(i) Gifts and grants  PR  C  -0-  -0-
(m) Federal aid  PR-F  C  -0-  -0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES  1,573,800  1,556,500
PROGRAM REVENUE  -0-  -0-
FEDERAL  ( -0-)  ( -0-)
OTHER  ( -0-)  ( -0-)
TOTAL-ALL SOURCES  1,573,800  1,556,500

(2) EXECUTIVE RESIDENCE

(a) General program operations  GPR  S  132,600  132,600

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES  132,600  132,600
TOTAL-ALL SOURCES  132,600  132,600

20.536  Investment board

(1) INVESTMENT OF FUNDS

(k) General program operations  PR-S  A  3,139,800  3,638,500
(ka) General program operations; clean water fund  PR  C  -0-  -0-

20.536  DEPARTMENT TOTALS

PROGRAM REVENUE  3,139,800  3,638,500
OTHER  ( -0-)  ( -0-)
SERVICE  ( 3,139,800) ( 3,638,500)
TOTAL-ALL SOURCES  3,139,800  3,638,500

20.540  Office of the lieutenant governor

(1) EXECUTIVE COORDINATION

(a) General program operations  GPR  A  295,000  305,000
(g) Gifts, grants and proceeds  PR  C  -0-  -0-
(m) Federal aid  PR-F  C  -0-  -0-

20.540  DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES  295,000  305,000
PROGRAM REVENUE  -0-  -0-
<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
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<th>1987-88</th>
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### 20.546 Personnel board

**Personnel Regulation**

- **General program operations**
  - GPR A 4,000 4,000

### 20.547 Personnel commission

**Review of Personnel Decisions**

- **General program operations**
  - GPR A 496,800 499,800

### 20.550 Public defender board

**Legal Assistance**

- **Program administration**
  - GPR A 462,000 469,300
- **Appellate representation**
  - GPR A 1,803,000 1,826,500
- **Trial representation**
  - GPR A 13,673,500 14,156,300

### 20.556 Revenue, department of

**Collection of State Taxes**

- **General program operations**
  - GPR A 29,027,700 29,008,400
- **Administration of county sales and use taxes**
  - PR A 343,700 343,700
- **Debt collection**
  - PR A 100,000 100,000
- **Administration of liquor tax**
  - PR A 293,900 294,000
- **Collections from nonresidents**
  - PR S 350,000 350,000
- **Administration of endangered resources voluntary payments**
  - PR A 16,900 16,900
- **Delinquent tax collection fees**
  - PR C 262,600 293,000
- **Gifts and grants**
  - PR C -0- -0-
- **Federal funds; state operations**
  - PR-F C -0- -0-
- **Motor fuel tax administration**
  - SEG A 764,200 764,200

**Program Totals**

- **General purpose revenues**
  - 29,027,700 29,008,400
- **Program revenue**
  - 1,367,100 1,397,600
- **Federal**
  - -0- -0-
- **Other**
  - (1,367,100) (1,397,600)
- **Segregated funds**
  - 764,200 764,200
- **Other**
  - (764,200) (764,200)
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### 20.575 Secretary of state

(1) Managing and operating program responsibilities

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<th>795,200</th>
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#### 20.575 Department totals

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### 20.585 Treasurer, state

(1) Custodian of state funds

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<td>(j) Unclaimed property;</td>
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<td>(jm) Credit card use charges</td>
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#### 20.585 Department totals

<table>
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General Executive Functions

#### Functional area totals

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### Judicial

#### 20.625 Circuit courts

**Court operations**

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<tr>
<td>Court interpreter fees</td>
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<tr>
<td>Multicounty prosecution,</td>
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<td>county reimbursement</td>
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<tr>
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(1) **Program Totals**

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<tr>
<th>General Purpose Revenues</th>
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<tbody>
<tr>
<td>Circuit courts</td>
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#### 20.645 Judicial council

**Advisory services to the courts and legislature**

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(1) **Department Totals**

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#### 20.660 Court of appeals

**Appellate proceedings**

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#### 20.665 Judicial commission

**Judicial conduct**

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#### 20.680 Supreme court

**Supreme court proceedings**

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(1) **Program Totals**

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<td>(h) Materials and services</td>
<td>PR</td>
<td>A</td>
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<td>17,500</td>
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<td>(i) Municipal judge training</td>
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<td>(k) Data processing services</td>
<td>PR-S</td>
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<td>(m) Federal aid</td>
<td>PR-F</td>
<td>C</td>
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<td>-0-</td>
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<tr>
<td>(qm) Mediation fund</td>
<td>SEG</td>
<td>C</td>
<td>570,700</td>
<td>570,700</td>
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</table>

(2) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 3,041,900 | 3,375,300 |
| PROGRAM REVENUE          | 103,100   | 104,100   |
| FEDERAL                  | -0-       | -0-       |
| OTHER                     | 71,900    | 72,900    |
| SERVICE                   | 31,200    | 31,200    |
| SEGREGATED FUNDS          | 570,700   | 570,700   |
| TOTAL-ALL SOURCES         | 3,718,700 | 4,070,100 |

(3) Professional competence and responsibility

<table>
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<th>Type</th>
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<tr>
<td>(g) Board of attorneys</td>
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<td>209,400</td>
<td>209,400</td>
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<td>(h) Board of attorneys</td>
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<td>professional responsibility</td>
<td>PR</td>
<td>C</td>
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<td>676,800</td>
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</table>

(3) PROGRAM TOTALS

| PROGRAM REVENUE          | 886,200  | 886,200  |
| OTHER                    | 886,200  | 886,200  |
| TOTAL-ALL SOURCES        | 886,200  | 886,200  |

(4) Law library

<table>
<thead>
<tr>
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<tr>
<td>(g) Library collections and services</td>
<td>PR</td>
<td>A</td>
<td>35,600</td>
<td>35,600</td>
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<tr>
<td>(h) Gifts and grants</td>
<td>PR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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</table>

(4) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 553,700  | 552,100  |
| PROGRAM REVENUE          | 35,600   | 35,600   |
| OTHER                    | 35,600   | 35,600   |
| TOTAL-ALL SOURCES        | 589,300  | 587,700  |

20.680 Department Totals

| GENERAL PURPOSE REVENUES | 5,688,000 | 6,055,000 |
| PROGRAM REVENUE          | 1,024,900 | 1,025,900 |
| FEDERAL                  | -0-       | -0-       |
| OTHER                    | 993,700   | 994,700   |
| SERVICE                   | 31,200    | 31,200    |
| SEGREGATED FUNDS          | 570,700   | 570,700   |
| TOTAL-ALL SOURCES        | 7,283,600 | 7,651,600 |

Judicial Functional Area Totals

| GENERAL PURPOSE REVENUES | 35,275,100 | 37,574,700 |
| PROGRAM REVENUE          | 1,024,900  | 1,025,900  |
| FEDERAL                  | -0-        | -0-        |
| OTHER                    | 993,700    | 994,700    |
| SERVICE                   | 31,200     | 31,200     |
| SEGREGATED FUNDS          | 570,700    | 570,700    |
### Legislative - 20.765

#### (1) Enactment of State Laws

- **General program operations--assembly**
  - **GPR**
  - **S**: 10,929,500
  - **10,956,100**

- **General program operations--senate**
  - **GPR**
  - **S**: 7,443,700
  - **7,380,300**

- **Contingent expenses**
  - **GPR**
  - **B**: 12,500
  - **12,500**

- **Legislative documents**
  - **GPR**
  - **S**: 2,962,000
  - **3,906,400**

#### (1) Program Totals

- **General Purpose Revenues**: 21,347,700
- **22,255,300**
- **Total-All Sources**: 21,347,700
- **22,255,300**

#### (2) Special Study Groups

- **Retirement committees**
  - **GPR**
  - **A**: 120,700
  - **120,400**

- **Retirement actuarial studies**
  - **GPR**
  - **B**: 19,100
  - **19,500**

- **Commission on uniform state laws**
  - **GPR**
  - **B**: 500
  - **1,700**

#### (2) Program Totals

- **General Purpose Revenues**: 145,800
- **145,900**
- **Total-All Sources**: 145,800
- **145,900**

#### (3) Legislative Service Agencies

- **Revisor of statutes bureau**
  - **GPR**
  - **B**: 388,000
  - **388,000**

- **Legislative reference bureau**
  - **GPR**
  - **B**: 1,733,300
  - **1,733,300**

- **Legislative audit bureau**
  - **GPR**
  - **B**: 2,284,500
  - **2,284,500**

- **Legislative fiscal bureau**
  - **GPR**
  - **B**: 1,549,200
  - **1,591,200**

- **Legislative council**
  - **GPR**
  - **B**: 145,300
  - **153,500**

- **Council contingent expenses**
  - **GPR**
  - **B**: 500
  - **1,700**

- **Legislative computer and data processing system**
  - **GPR**
  - **B**: -0-
  - **186,300**

- **Joint committee on legislative organization**
  - **GPR**
  - **B**: -0-
  - **-0-**

- **Membership in national associations**
  - **GPR**
  - **S**: 145,300
  - **153,500**

- **Gifts and grants to service agencies**
  - **PR**
  - **C**: -0-
  - **-0-**

- **Audit bureau service charges**
  - **PR**
  - **S A**: 429,300
  - **450,500**

- **Federal aid**
  - **PR**
  - **F C**: -0-
  - **-0-**

#### (3) Program Totals

- **General Purpose Revenues**: 7,435,600
- **7,680,300**
- **Program Revenue**: 429,300
- **450,500**

- **Federal**
  - **-0-**
  - **-0-**

- **Other**
  - **-0-**
  - **-0-**

- **Service**
  - **429,300**
  - **450,500**

- **Total-All Sources**: 7,864,900
- **8,130,800**

---

### 20.765 Department Totals

- **General Purpose Revenues**: 28,929,100
- **30,081,500**
- **Program Revenue**: 429,300
- **450,500**

- **Federal**
  - **-0-**
  - **-0-**

- **Other**
  - **-0-**
  - **-0-**

- **Service**
  - **429,300**
  - **450,500**

- **Total-All Sources**: 29,358,400
- **30,532,000**

---

**Legislative**
### General Appropriations

#### 20.835 Shared revenue and tax relief

1. **Shared revenue account and minimum payments**
   - (d) Shared revenue account
     - GPR  S  779,389,300  791,360,000
   - (e) Corrections of shared revenue payments
     - GPR  S  -0-  -0-

2. **Tax relief**
   - (b) Claim of right credit
     - GPR  S  -0-  -0-
   - (bm) Omitted personal property
     - GPR  S  -0-  -0-
   - (c) Homestead tax credit
     - GPR  S  103,300,000  126,300,000
   - (cm) Farm property tax credit
     - GPR  S  37,500,000  49,245,000
   - (ep) Cigarette tax refunds
     - GPR  S  3,100,000  3,200,000
   - (eq) Sales tax refunds
     - GPR  S  -0-  -0- 

3. **State property tax credits**
   - (a) General government tax credit
     - GPR  S  146,696,100  145,680,000
   - (b) School levy tax credit
     - GPR  S  172,545,700  173,625,000
   - (d) Corrections of state property tax credit payments
     - GPR  S  -0-  -0- 

4. **County taxes**
   - (g) County taxes
     - PR  C  -0-  -0-

5. **Payments in lieu of taxes**
   - (a) Payments for municipal services
     - GPR  A  10,900,000  12,150,000

### Source Type

<table>
<thead>
<tr>
<th>Source Type</th>
<th>1987-88</th>
<th>1988-89</th>
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</thead>
<tbody>
<tr>
<td>TOTAL-ALL SOURCES</td>
<td>29,358,400</td>
<td>30,532,000</td>
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</table>

### Functional Area Totals

- **General Purpose Revenues**
  - 28,929,100 (1987-88)  30,081,500 (1988-89)
- **Program Revenue**
- **Segregated Funds**
- **Total-All Sources**
  - 29,358,400 (1987-88)  30,532,000 (1988-89)
### Miscellaneous appropriations

1. **Cash Management Expenses; Interest and Principal Repayment**
   - (a) Obligation on operating notes: GPR $8,400,000, 11,300,000
   - (b) Operating note expenses: GPR $125,000, 125,000
   - (c) Interest payments to program revenue accounts: GPR $-0-, -0-
   - (d) Interest payments to segregated funds: GPR $-0-, -0-
   - (e) Interest on prorated local government payments: GPR $-0-, -0-
   - (q) Redemption of operating notes: SEG $-0-, -0-
   - (r) Interest payments to general fund: SEG $-0-, -0-

#### (1) Program Totals

<table>
<thead>
<tr>
<th>Category</th>
<th>1987-88</th>
<th>1988-89</th>
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<td>General Purpose Revenues</td>
<td>8,525,000</td>
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<td>Segregated Funds</td>
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<tr>
<td>Other</td>
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<tr>
<td>Total-All Sources</td>
<td>8,525,000</td>
<td>11,425,000</td>
</tr>
</tbody>
</table>

#### (4) Tax and Assistance Payments

- (a) Interest on overpayment of taxes: GPR $300,000, 300,000
- (b) Election campaign payments: GPR $396,700, 400,000
- (c) Minnesota income tax reciprocity: GPR $18,421,000, 19,500,000
- (ca) Minnesota income tax reciprocity bench mark: GPR $-0-, -0-
- (f) County assessment aid: GPR $590,000, 595,000
- (fa) General fund loan to the investment and local impact fund board: GPR $-0-, -0-
- (fc) Badger state games assistance: GPR $35,000, 35,000
- (q) Terminal tax distribution: SEG $1,035,000, 1,056,000
- (s) Transfer to conservation fund; motorboat formula: SEG $3,991,400, 3,786,700

#### (4) Program Totals

<table>
<thead>
<tr>
<th>Category</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
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<td>20,795,000</td>
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<tr>
<td>Segregated Funds</td>
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<td>4,842,700</td>
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<tr>
<td>Other</td>
<td>(5,026,400)</td>
<td>(4,842,700)</td>
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<tr>
<td>Total-All Sources</td>
<td>24,769,100</td>
<td>25,637,700</td>
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</table>

#### (5) State Housing Authority Reserve Fund

- (a) Enhancement of credit of authority debt: GPR $-0-, -0-

#### (5) Program Totals

<table>
<thead>
<tr>
<th>Category</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
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<td>General Purpose Revenues</td>
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<td>-0-</td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>-0-</td>
<td>-0-</td>
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</tbody>
</table>

#### (6) Miscellaneous Receipts

- (g) Gifts and grants: PR $-0-, -0-
- (h) Vehicle and aircraft receipts: PR $-0-, -0-
- (i) Miscellaneous program revenue: PR $-0-, -0-
- (j) Custody accounts: PR $-0-, -0-
- (m) Federal aid: PR-F $-0-, -0-
- (pz) Indirect cost reimbursements: PR-F $-0-, -0-

#### (6) Program Totals

<table>
<thead>
<tr>
<th>Category</th>
<th>1987-88</th>
<th>1988-89</th>
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<tbody>
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<td>-0-</td>
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<tr>
<td>Federal</td>
<td>(0-)</td>
<td>(0-)</td>
</tr>
<tr>
<td>Other</td>
<td>(0-)</td>
<td>(0-)</td>
</tr>
<tr>
<td>Total-All Sources</td>
<td>-0-</td>
<td>-0-</td>
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</table>

#### (7) Debt Collections

- (j) Delinquent support payments: PR $-0-, -0-
### 20.865 Program supplements

#### (i) EMPLOYEE COMPENSATION AND SUPPORT

<table>
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<th>Description</th>
<th>Source</th>
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<th>1988-89</th>
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<tbody>
<tr>
<td>(a) Judgments and legal expenses</td>
<td>GPR</td>
<td>S</td>
<td>50,000</td>
<td>50,000</td>
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<tr>
<td>(c) Compensation and related adjustments</td>
<td>GPR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(ci) University system faculty and academic pay adjustments</td>
<td>GPR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(cq) Specified pay adjustments</td>
<td>GPR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(d) Employer fringe benefit costs</td>
<td>GPR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(dm) Risk management--worker's compensation</td>
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<td>S</td>
<td>6,722,400</td>
<td>7,412,500</td>
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<td>(f) Risk management--state property</td>
<td>GPR</td>
<td>S</td>
<td>2,610,400</td>
<td>2,755,900</td>
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<td>(fm) Risk management--liability</td>
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<td>S</td>
<td>2,687,400</td>
<td>2,916,900</td>
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<tr>
<td>(fn) Physically handicapped supplements</td>
<td>GPR</td>
<td>A</td>
<td>6,900</td>
<td>6,900</td>
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<tr>
<td>(g) Judgments and legal expenses; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(i) Compensation and related adjustments; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(ic) University system employee pay adjustments; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(iq) Specified pay adjustments</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<td>(j) Employer fringe benefit costs; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(k) Risk management--worker's compensation; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(kg) Risk management--state property; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(kr) Risk management--liability; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(ln) Physically handicapped supplements; program revenues</td>
<td>PR</td>
<td>S</td>
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<td>-0-</td>
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<tr>
<td>(q) Judgments and legal expenses; program revenues</td>
<td>PR</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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</tbody>
</table>
(s) Compensation and related adjustments; segregated revenues
(ss) University system employee pay adjustments; segregated revenues
(sq) Specified pay adjustments
(t) Employer fringe benefit costs; segregated revenues
(u) Risk management--worker's compensation; segregated revenues
(ug) Risk management--state property; segregated revenues
(ur) Risk management--liability; segregated revenues
(vn) Physically handicapped supplements; segregated revenues

\[
\begin{array}{lcc}
\text{STATUTE, AGENCY AND PURPOSE} & \text{SOURCE} & \text{TYPE} & 1987-88 & 1988-89 \\
\text{seggregated revenues} & \text{SEG} & \text{S} & -0- & -0- \\
(s) & & & -0- & -0- \\
(ss) & & & -0- & -0- \\
(sq) & & & -0- & -0- \\
(t) & & & -0- & -0- \\
(u) & & & -0- & -0- \\
(ug) & & & -0- & -0- \\
(ur) & & & -0- & -0- \\
(vn) & & & -0- & -0- \\
\end{array}
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\[
\begin{array}{l}
(1) \text{P R O G R A M T \ O T A L S}
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\[
\begin{array}{c}
\text{GENERAL PURPOSE REVENUES} \\
12,077,100 & 13,142,200 \\
\text{PROGRAM REVENUE} & -0- & -0- \\
\text{SEGREGATED FUNDS} & -0- & -0- \\
\text{OTHER} & -0- & -0- \\
\text{TOTAL-ALL SOURCES} & 12,077,100 & 13,142,200
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\[
\begin{array}{l}
(2) \text{C O N T R A C T U A L S E R V I C E S}
\end{array}
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\[
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(a) & \text{Space management supplements GPR A} & 599,900 & 840,200 \\
(ag) & \text{State-owned office rent supplement GPR A} & 461,300 & 461,300 \\
(d) & \text{State deposit fund GPR S} & -0- & -0- \\
(e) & \text{Maintenance of capital and executive residence GPR A} & 2,891,300 & 2,891,300 \\
(eb) & \text{Executive residence furnishings replacement GPR C} & 25,000 & 25,000 \\
(em) & \text{Groundwater survey and analysis GPR A} & 231,200 & 231,200 \\
(g) & \text{Space management supplements; program revenues PR S} & -0- & -0- \\
(gg) & \text{State-owned office rent supplement; program revenues PR S} & -0- & -0- \\
(j) & \text{State deposit fund; program revenues PR S} & -0- & -0- \\
(q) & \text{Space management supplements; segregated revenues SEG S} & -0- & -0- \\
(qg) & \text{State-owned office rent supplement; segregated revenues SEG S} & -0- & -0- \\
(t) & \text{State deposit fund; segregated revenues SEG S} & -0- & -0- \\
\end{array}
\]

\[
\begin{array}{l}
(2) \text{P R O G R A M T \ O T A L S}
\end{array}
\]

\[
\begin{array}{c}
\text{GENERAL PURPOSE REVENUES} \\
4,208,700 & 4,449,000 \\
\text{PROGRAM REVENUE} & -0- & -0- \\
\text{SEGREGATED FUNDS} & -0- & -0- \\
\text{OTHER} & -0- & -0- \\
\text{TOTAL-ALL SOURCES} & 4,208,700 & 4,449,000
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<th>1988-89</th>
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<tr>
<td>(3) Taxes, Assessments and Special Charges</td>
<td>GPR S</td>
<td>-0-</td>
<td>450,000</td>
<td>300,000</td>
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<tr>
<td>(a) Property taxes</td>
<td>GPR A</td>
<td>450,000</td>
<td>300,000</td>
<td></td>
</tr>
<tr>
<td>(b) Assessments</td>
<td>PR S</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>(g) Property taxes; program revenues</td>
<td>PR S</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>(h) Assessments; program revenues</td>
<td>PR S</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>(i) Payments for municipal services; program revenues</td>
<td>PR S</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
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<tr>
<td>(q) Property taxes; segregated revenues</td>
<td>SEG S</td>
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<tr>
<td>(r) Assessments; segregated revenues</td>
<td>SEG S</td>
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<td>-0-</td>
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<tr>
<td>(s) Payments for municipal services; segregated revenues</td>
<td>SEG S</td>
<td>-0-</td>
<td>-0-</td>
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| (4) Joint Committee on Finance Supplemental Appropriations | GPR B | 560,200 | 810,200 |
| General purpose revenue funds | PR S | -0- | -0- |
| Program revenue funds | SEG S | -0- | -0- |

| (5) Supplementation of Program Revenue and Program Rev.-Service Appropriations | PR S | -0- | -0- |
| Supplementation of program revenue and program rev.-service appropriations | PR S | -0- | -0- |

| (8) 20.865 Department Totals | GPR S | -0- | -0- |
| General Purpose Revenues | 17,296,000 | 18,701,400 |
| Program Revenue | -0- | -0- |
| Segregated Funds | -0- | -0- |

| (20.866 Public Debt) | SEG S | 328,677,200 | 335,789,000 |
| Principal repayment and interest | SEG S | -328,677,200 | -335,789,000 |
| Allocated from agency appropriations | -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 1,048,100 1,047,700

General Purpose Revenues 1,048,100 1,047,700
Total-All Sources 1,048,100 1,047,700

2) Building Trust Fund
(b) Asbestos removal
   GPR A 250,000 350,000
(c) Hazardous materials removal
   GPR A 675,000 675,000
(d) Minimum health and safety maintenance
   GPR A 925,000 925,000
(f) Facilities maintenance and improvement
   GPR C 250,000 700,000
(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-

General Purpose Revenues 2,100,000 2,650,000
Total-All Sources 2,100,000 2,650,000

3) State Building Program
(a) Principal repayment and interest
   GPR S 565,100 5,297,000
(b) Principal repayment and interest
   GPR S 470,900 454,400
(c) Lease rental payments
   GPR S -0- -0-
(d) Interest rebates on obligation proceeds; general fund
   GPR S -0- -0-
(g) Principal repayment, interest and rebates; program revenues
   PR-S S -0- -0-
(h) Principal repayment, interest and rebates
   PR-S S -0- -0-
(i) Principal repayment, interest and rebates
   PR-S S 2,508,600 2,357,400
(k) Interest rebates on obligation proceeds; program revenues
   PR-S C -0- -0-
(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
<table>
<thead>
<tr>
<th>Source Type</th>
<th>1987-88</th>
<th>1988-89</th>
</tr>
</thead>
<tbody>
<tr>
<td>obligation proceeds; veterans trust fund</td>
<td>SEG</td>
<td>S</td>
</tr>
<tr>
<td>(w) Bonding services</td>
<td>SEG</td>
<td>S</td>
</tr>
</tbody>
</table>

**Program Totals**

| GENERAL PURPOSE REVENUES | 1,036,000 | 5,751,400 |
| PROGRAM REVENUE | 2,508,600 | 2,357,400 |
| SERVICE | (2,508,600) | (2,357,400) |
| SEGREGATED FUNDS | 611,200 | 611,200 |
| OTHER | (611,200) | (611,200) |
| TOTAL-ALL SOURCES | 4,155,800 | 8,720,000 |

**Capital Improvement Fund Interest Earnings**

| Funding in lieu of borrowing | SEG | C | -0- | -0- |
| Interest on veterans obligations | SEG | C | -0- | -0- |

**Program Totals**

| SEGREGATED FUNDS | -0- | -0- |
| OTHER | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |

**Department Totals**

| GENERAL PURPOSE REVENUES | 4,184,100 | 9,449,100 |
| PROGRAM REVENUE | 2,508,600 | 2,357,400 |
| SERVICE | (2,508,600) | (2,357,400) |
| SEGREGATED FUNDS | 611,200 | 611,200 |
| OTHER | (611,200) | (611,200) |
| TOTAL-ALL SOURCES | 7,303,900 | 12,417,700 |

**Budget Stabilization Fund**

| TRANSFERS TO FUND | GPR | A | -0- | -0- |
| TRANSFERS FROM FUND | SEG | A | -0- | -0- |

**Program Totals**

| SEGREGATED FUNDS | -0- | -0- |
| OTHER | -0- | -0- |
| TOTAL-ALL SOURCES | -0- | -0- |

**Department Totals**

| GENERAL PURPOSE REVENUES | 1,348,915,500 | 1,404,799,300 |
| PROGRAM REVENUE | 40,099,000 | 37,414,900 |
| FEDERAL | -0- | -0- |
| OTHER | -0- | -0- |
| SERVICE | (40,099,000) | (37,414,900) |
| SEGREGATED FUNDS | 5,637,600 | 5,453,900 |
| FEDERAL | -0- | -0- |
| OTHER | (5,637,600) | (5,453,900) |
| SERVICE | -0- | -0- |
| LOCAL | -0- | -0- |
| TOTAL-ALL SOURCES | 1,303,178,900 | 1,361,930,500 |
SECTION 34. 20.115 (1) (gb) of the statutes, as created by 1987 Wisconsin Act 27, section 133, is amended to read:

20.115 (1) (gb) Food regulation. The amounts in the schedule for the regulation of food under chs. 93 and 97 to 99. All moneys received under ss. 93.09, 93.11, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.26, 97.27, 97.28, 97.29, 97.30, 97.34, 97.40, 97.41, 98.145, 98.146, 99.02, 99.20 and 99.30 for the regulation of food shall be credited to this appropriation, but any balance at the close of a biennium exceeding 20% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 35. 20.115 (1) (gb) of the statutes, as affected by 1987 Wisconsin Act 27, section 133, and 1987 Wisconsin Act .... (this act), is amended to read:

20.115 (1) (gb) Food regulation. The amounts in the schedule for the regulation of food under chs. 93 and 97 to 99. All moneys received under ss. 93.09, 93.11, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.26, 97.27, 97.28, 97.29, 97.30, 97.34, 97.40, 97.41, 98.145, 98.146, and 99.02, 99.20 and 99.30 for the regulation of food shall be credited to this appropriation, but any balance at the close of a biennium exceeding 20% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 36. 20.115 (5) (j) of the statutes is amended to read:

20.115 (5) (j) (title) State fair principal repayment, interest and rebates. A sum sufficient from revenues earned under par. (h) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing state fair park facilities and 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 state fair park facilities.

SECTION 37. 20.115 (7) (m) of the statutes is created to read:

20.115 (7) (m) Federal funds. All federal moneys received as authorized by the governor under s. 16.54 for programs under chs. 91 and 92.

SECTION 38. 20.115 (8) (j) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

20.115 (8) (j) Stray voltage program. The amounts in the schedule for the administration of s. 93.41 by the department of agriculture, trade and consumer protection. All moneys received under s. ss. 93.41 (1) and 196.857 (1) (b) shall be credited to this appropriation. This paragraph does not apply after August 31, 1991.

SECTION 38d. 20.143 (1) (bm) of the statutes is amended to read:

20.143 (1) (bm) Aid to Forward Wisconsin, Inc. The amounts in the schedule for aids to Forward Wisconsin, Inc., to be used for advertising promotion, marketing and promotional activities within the United States for economic development in any of this state and for salary, travel and other expenses directly incurred by Forward Wisconsin, Inc., in its economic development promotion activities, subject to s. 16.501.

SECTION 38g. 20.143 (1) (c) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

20.143 (1) (c) Wisconsin development fund, grants and loans. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625 and 560.63, except grants and loans in amounts greater than $250,000.

SECTION 38r. 20.143 (1) (d) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

20.143 (1) (d) Wisconsin development fund: major grants and loans. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625 and 560.63 in amounts greater than $250,000 and, for grants and loans under s. 560.66, for loans under 1987 Wisconsin Act .... (this act), section 3016 (4m).
SECTION 41r. 20.235 (1) (gg) of the statutes is created to read:
20.235 (1) (gg) Nursing student loan repayments. All moneys received from the repayment of loans made under s. 39.39, to be used for loans under s. 39.39.

SECTION 42. 20.235 (2) (bd) of the statutes is created to read:
20.235 (2) (bd) Purchase of defective student loans. A sum sufficient for the repurchase of student loans made under s. 39.32 that have been sold by the higher educational aids board or the building commission and subsequently found to be defective.

SECTION 43. 20.245 (2) (j) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:
20.245 (2) (j) (title) Self-amortizing facilities; principal repayment, interest and rebates. A sum sufficient from the revenues received under par. (g) 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 facilities of the historical society related to the circus world museum at Baraboo and 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 such facilities.

SECTION 44. 20.255 (1) (fm) of the statutes is renumbered 20.255 (2) (fm).

SECTION 45. 20.255 (1) (kw) of the statutes is created to read:
20.255 (1) (kw) Fleet operations. The amounts in the schedule to pay the costs associated with the operation, maintenance and replacement of state-owned motor vehicles. All moneys received by the department of public instruction from the department of public instruction for the use of state-owned motor vehicles shall be credited to this appropriation.

SECTION 45g. 20.255 (2) (ac) of the statutes is amended to read:
20.255 (2) (ac) General equalization aids. The amounts in the schedule for the payment of educational aids provided in subchs. II and VI of ch. 121, less the amounts received as applied receipts under par. (q).

SECTION 45r. 20.255 (2) (ec) of the statutes is created to read:
20.255 (2) (ec) Aid to Milwaukee public schools. The amounts in the schedule for 5-year-old kindergarten programs under s. 119.71, early childhood education programs under s. 119.72 and the mentor program under s. 119.74.

SECTION 45t. 20.255 (2) (f) of the statutes is created to read:
20.255 (2) (f) Pupil minimum competency tests. The amounts in the schedule to reimburse school districts for the cost of printing and scoring the pupil minimum competency tests under s. 118.30 (3) (e).

SECTION 45v. 20.255 (2) (q) of the statutes is created to read:
20.255 (2) (q) General equalization aids; lottery proceeds. From the lottery fund, all moneys received under s. 25.75 (3) (e) to be credited to the appropriation under par. (ac) for the payment of educational aids provided in subchs. II and VI of ch. 121.

SECTION 47. 20.285 (1) (gb) of the statutes is amended to read:
20.285 (1) (gb) (title) Principal repayment, interest and rebates. From the revenues credited under par. (h), 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 self-amortizing university facilities and 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 such facilities.

SECTION 48g. 20.292 (1) (gm) (title) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:
20.292 (1) (gm) (title) Fire schools; state operations.

SECTION 48L. 20.292 (1) (gr) of the statutes is created to read:
20.292 (1) (gr) Fire schools; local assistance. The amounts in the schedule for district fire fighter training programs under s. 38.12 (9). All moneys transferred from s. 20.445 (1) (L) to this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.445 (1) (L).

SECTION 48p. 20.292 (1) (q) of the statutes is created to read:
20.292 (1) (q) Ambulance attendant and service provider training; aid. From the transportation fund, the amounts in the schedule for ambulance attendant and service provider training aid under s. 38.28 (7).

SECTION 48s. 20.292 (1) (r) of the statutes is created to read:
20.292 (1) (r) Ambulance attendant and service provider training; state operations. From the transportation fund, the amounts in the schedule for technical assistance and administrative support for ambulance
attendant and service provider training under s. 38.28 (7).

SECTION 49. 20.370 (1) (bq) of the statutes is repealed.

SECTION 50. 20.370 (1) (dq) of the statutes is amended to read:

20.370 (1) (dq) (title) Water resources — Fox river management. As a continuing appropriation, from the transportation fund. Biennially the amounts in the schedule for the management and operation of the Fox river locks and facilities and for expenses of the Fox river management commission under s. 30.93.

SECTION 52. 20.370 (1) (kc) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.370 (1) (kc) Resource acquisition and development — principal repayment and interest. 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 the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr) and, in financing land acquisition activities under s. 20.866 (2) (ts) and (tt) and in financing ice age trail development under s. 20.866 (2) (tw), but not including payments made under sub. (4) (jb).

SECTION 52dm. 20.370 (2) (dw) of the statutes is created to read:

20.370 (2) (dw) Solid waste management — environmental repair; petroleum spills; administration. From the petroleum storage environmental cleanup fund, the amounts in the schedule for the administration of s. 101.143.

SECTION 52g. 20.370 (2) (eh) of the statutes is amended to read:

20.370 (2) (eh) Compensation for well contamination; municipal water supply grants — grant repayment. All moneys received under ss. 144.027 (19) (a), (b), (d) and (f) and 144.028 (1) for the purpose of paying compensation under ss. 144.027 and 144.028.

SECTION 52j. 20.370 (2) (hq) of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 52k. 20.370 (4) (bh) of the statutes is amended to read:

20.370 (4) (bh) Environmental aids — point source; pollution abatement grants; general fund. As a continuing appropriation from the general fund, the amounts in the schedule for financial assistance under the point source water pollution abatement grant program for facility planning costs and other eligible costs under s. 144.24 which cannot be funded from bond revenues. Payments may be made from this appropriation for expenditures and for payments of encumbrances authorized for facility planning costs and other eligible costs under s. 144.24 which cannot be funded from bond revenues regardless of when the encumbrances were incurred. No moneys may be encumbered under this paragraph after June 30, 1989.

SECTION 53. 20.370 (4) (cq) of the statutes is created to read:

20.370 (4) (cq) Environmental aids — point source; pollution abatement grants; general fund. As a continuing appropriation from the general fund, the amounts in the schedule for financial assistance under the point source water pollution abatement grant program for facility planning costs and other eligible costs under s. 144.24 which cannot be funded from bond revenues. Payments may be made from this appropriation for expenditures and for payments of encumbrances authorized for facility planning costs and other eligible costs under s. 144.24 which cannot be funded from bond revenues regardless of when the encumbrances were incurred. No moneys may be encumbered under this paragraph after June 30, 1989.
20.370 (4) (cq) Environmental aids — clean water fund revenue obligation funding. As a continuing appropriation, all proceeds from revenue obligations issued under s. 144.241 (5) and deposited in the fund created under s. 18.57 (1), providing for reserves and for expenses of issuance and management of the revenue obligations, and the remainder to be transferred to the clean water fund for the purposes specified in s. 25.43 (3). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 53t. 20.370 (4) (cr) of the statutes is created to read:

20.370 (4) (cr) Environmental aids — clean water fund repayment of revenue obligations. From the clean water fund, a sum sufficient to repay the fund created under s. 18.57 (1) the amount needed to retire revenue obligations issued under s. 144.241 (5).

SECTION 53v. 20.370 (4) (cs) of the statutes is created to read:

20.370 (4) (cs) Environmental aids — clean water fund financial assistance. From the clean water fund, a sum sufficient for the purposes, other than administration, of ss. 25.43 and 144.241.

SECTION 53w. 20.370 (4) (crt) of the statutes is created to read:

20.370 (4) (crt) Environmental aids — local groundwater management. The amounts in the schedule to fund grants to units of local government for local groundwater management projects under s. 100.28. No money may be expended from this appropriation after June 30, 1988.

SECTION 54bg. 20.370 (4) (fq) of the statutes is amended to read:

20.370 (4) (fq) Enforcement aids — boating enforcement. From the moneys received under s. 30.52 (3), an amount not to exceed $300,000 annually the amounts in the schedule for the payment of state aids under s. 30.79, after first deducting the amounts appropriated under subs. (3) (ar) and (8) (dr).

SECTION 54bn. 20.370 (4) (fr) of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 54bo. 20.370 (4) (iv) of the statutes is created to read:

20.370 (4) (iv) Aids administration — clean water fund program; state funds. From the clean water fund, the amounts in the schedule for administration of s. 144.241.

SECTION 54bp. 20.370 (4) (ix) of the statutes is created to read:

20.370 (4) (ix) Aids administration — clean water fund program; federal funds. From the federal revolving loan fund account in the clean water fund, the amounts in the schedule for administration of s. 144.241.

SECTION 54br. 20.370 (4) (iob) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

Vetoed in Part
20.370 (8) (mk) General program operations — service funds. All moneys received from other state agencies or organizational units to provide support services or related materials to those agencies or units.

SECTION 54d. 20.395 (3) (bq) of the statutes is amended to read:

20.395 (3) (bq) Major highway development, state funds. As a continuing appropriation, the amounts in the schedule for major development of state trunk and connecting highways and for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 54e. 20.395 (3) (bq) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (bq) Major highway development, state funds. As a continuing appropriation, the amounts in the schedule for major development of state trunk and connecting highways.

SECTION 54f. 20.395 (3) (cq) of the statutes is amended to read:

20.395 (3) (cq) Existing highway improvement, state funds. As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, and for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8) and for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 54fb. 20.395 (3) (cq) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (cq) Existing highway improvement, state funds. As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, and for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8).

SECTION 54fg. 20.395 (3) (cv) of the statutes is amended to read:

20.395 (3) (cv) Existing highway improvement, local funds. All moneys received from any local unit of government or other source for the information sign program under s. 86.195 and for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 54fgg. 20.395 (3) (cv) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (cv) Existing highway improvement, local funds. All moneys received from any local unit of government or other source for the information sign program under s. 86.195 and for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, for such purposes.

SECTION 54fr. 20.395 (3) (cx) of the statutes is amended to read:

20.395 (3) (cx) Existing highway improvement, federal funds. All moneys received from the federal government for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 54frg. 20.395 (3) (cx) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (cx) Existing highway improvement, federal funds. All moneys received from the federal government for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, for such purposes.

SECTION 54f. 20.395 (3) (dq) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.395 (3) (dq) Improvement of state bridges, state funds. As a continuing appropriation, the amounts in the schedule for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for neces-
as a continuing appropriation, the amounts in the schedule for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 54m. 20.395 (3) (dq) of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed and recreated to read:

20.395 (3) (dq) Improvement of state bridges, state funds. As a continuing appropriation, the amounts in the schedule for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 54mg. 20.395 (3) (dv) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.395 (3) (dv) Improvement of state bridges, local funds. All moneys received from any local unit of government or other source for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements, and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 54mgg. 20.395 (3) (dv) of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed and recreated to read:

20.395 (3) (dv) Improvement of state bridges, local funds. All moneys received from any local unit of government or other source for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 54rgg. 20.395 (3) (fv) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (fv) Special highway maintenance, federal funds. All moneys received from the federal government for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 54rm. 20.395 (3) (fx) of the statutes is amended to read:

20.395 (3) (fx) Special highway maintenance, local funds. All moneys received from any local unit of government or other source for special maintenance activities under s. 84.07 on state trunk highways, roadside improvements under s. 84.04 and bridges under s. 84.10, for such purposes.
on state trunk highways, roadside improvements under s. 84.04 and bridges under s. 84.10 and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 54r. 20.395 (3) (fx) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (fx) Special highway maintenance, federal funds. All moneys received from the federal government for special highway maintenance under s. 84.07 on state trunk highways, roadside improvements under s. 84.04 and bridges under s. 84.10, for such purposes.

SECTION 54t. 20.395 (3) (hq) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.395 (3) (hq) Highway traffic operations, state funds. The amounts in the schedule for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349 and for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 54u. 20.395 (3) (hq) of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed and recreated to read:

20.395 (3) (hq) Highway traffic operations, state funds. The amounts in the schedule for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349 and for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 54v. 20.395 (3) (hq) of the statutes, as affected by 1987 Wisconsin Act 27 and .... (this act), is repealed and recreated to read:

20.395 (3) (hq) Highway traffic operations, state funds. The amounts in the schedule for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349 and for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 54vg. 20.395 (3) (hv) of the statutes is amended to read:

20.395 (3) (hv) Highway traffic operations, local funds. All moneys received from any local unit of government or other sources for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349 and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 54vgg. 20.395 (3) (hv) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (hv) Highway traffic operations, local funds. All moneys received from any local unit of government or other sources for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349, for such purposes.

SECTION 54vm. 20.395 (3) (hx) of the statutes is amended to read:

20.395 (3) (hx) Highway traffic operations, federal funds. All moneys received from the federal government for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349 and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 54vt. 20.395 (3) (hx) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

20.395 (3) (hx) Highway traffic operations, federal funds. All moneys received from the federal government for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349, for such purposes.

SECTION 55. 20.395 (3) (ir) of the statutes is created to read:

20.395 (3) (ir) Disadvantaged business mobilization assistance, state funds. As a continuing appropriation, the amounts in the schedule for the disadvantaged business mobilization assistance program under s. 85.25.

SECTION 56. 20.435 (1) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (1) (a) General program operations. The amounts included in the schedule for general program operations, including health services regulation, administration and field services. Of the amounts appropriated under this paragraph, if the department has first expended all federal moneys available for provision, at alternate testing sites, of anonymous counseling services and laboratory testing services for the presence of an antibody to the virus that causes acquired immunodeficiency syndrome, the department may, in state fiscal year 1988-89, expend up to $164,800 for the provision of these services.

SECTION 56m. 20.435 (1) (cc) of the statutes is created to read:

20.435 (1) (cc) Cancer control. The amounts in the schedule for cancer control grants under s. 146.027.

SECTION 57. 20.435 (1) (cm) of the statutes is created to read:

20.435 (1) (cm) Immunization. The amounts in the schedule for the provision of vaccine to immunize children under s. 140.05 (16) (a).

SECTION 58e. 20.435 (1) (ed) of the statutes is created to read:

20.435 (1) (ed) Radon aids. The amounts in the schedule for the provision of state aid for local radon services under s. 140.53 (4).

SECTION 58m. 20.435 (1) (ev) of the statutes is created to read:

20.435 (1) (ev) Pregnancy outreach. The amounts in the schedule for outreach to low-income pregnant women under s. 46.65.

SECTION 57d. 20.435 (1) (h) of the statutes is created to read:
20.435 (1) (hg) Assessments; office of health care information. All moneys received from payments of assessments under s. 153.60 to fund the activities of the office of health care information and the board on health care information under ch. 153. 

SECTION 59f. 20.435 (1) (hi) of the statutes is created to read:

20.435 (1) (hi) User fees; office of health care information. All moneys received from user fees imposed under s. 153.65 for the purpose of financing the costs of producing special data compilations or special reports under s. 153.65. 

SECTION 59g. 20.435 (1) (hj) of the statutes is created to read:

20.435 (1) (hj) Gifts and grants; office of health care information. All moneys received as gifts, grants, bequests or devise to carry out the purposes for which made. 

SECTION 59hf. 20.435 (1) (km) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (1) (km) Internal services. The amounts in the schedule for clerical licensing operations and other similar services as are required, except under s. 146.25 (1) (lm) and (3). All moneys received from services rendered by the internal services unit, except under s. 146.25 (1) (b) and (1m) (b), shall be credited to this appropriation. 

SECTION 59hh. 20.435 (1) (kx) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (1) (kx) Interagency and intra-agency programs. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kg) or (km), except fees under s. 146.25 (1) (b) and (1m) (b), for the administration of programs or projects for which received. 

SECTION 59hj. 20.435 (1) (ky) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (1) (ky) Interagency and intra-agency aids. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kg) or (km), except fees under s. 146.25 (1) (b) and (1m) (b), for aids to individuals and organizations. 

SECTION 59hj. 20.435 (1) (kz) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (1) (kz) Interagency and intra-agency local assistance. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kg) or (km), except fees under s. 146.25 (1), (1m) and (3), for local assistance. 

SECTION 59L. 20.435 (1) (mr) of the statutes is created to read:

20.435 (1) (mr) Federal funds; office of health care information. All moneys received from the federal government, as authorized by the governor under s. 16.54, for the purposes of the office of health care information and the board on health care information under ch. 153. 

SECTION 60. 20.435 (3) (ec) of the statutes is amended to read:

20.435 (3) (ec) (title) Prison industries principal, interest and rebates. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of equipment used in prison industries as authorized under s. 20.866 (2) (wa) if the moneys credited under par. (km) and appropriated under par. (ko) are insufficient, and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under par. (ko) is insufficient to make full payment of those amounts. 

SECTION 61. 20.435 (3) (ko) of the statutes is amended to read:

20.435 (3) (ko) (title) Prison industries principal repayment, interest and rebates. A sum sufficient from the moneys credited under par. (km) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of equipment used in prison industries as authorized under s. 20.866 (2) (wa) if the moneys credited under par. (km) and appropriated under par. (ko) are insufficient, and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities. 

SECTION 62. 20.435 (4) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (4) (b) Community aids. The amounts in the schedule for the provision or purchase of mental health services under ss. 51.42 and 51.437, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4) and for shelter care under ss. 48.22 and 48.58, for reimbursement for the provision or purchase of social services under ss. 46.215 (1) and (2) and 46.22 (1), including foster care under ss. 49.19 (10), child care under s. 46.98 (2) (a) 1 and services under ss. 46.57, 46.87 and 46.985. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Distributions to private nonprofit child care providers under s. 46.98 (2) (a) 2, to private nonprofit organizations under s. 46.57 (2) and to county aging units and private nonprofit organizations under s. 46.87 (3) (c) 4 and (4) 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
paraphrase: Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 49.52 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26 or 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 49.52 (2) (b) and 51.423 (15) and all funds allocated under ss. 46.57, 46.87 (3) (c) 4 and (4), 46.98 (2) (a) 2, 49.52 (1) (d) and 51.423 (2) and not spent or encumbered by counties, governing bodies of federally recognized American Indian tribes or nonprofit organizations 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. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between calendar years funds it transfers from the appropriation under sub. (1) (b) for the purposes specified under ss. 46.266 and 49.45 (6g).

SECTION 62m. 20.435 (4) (bd) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (4) (bd) Community options program. The amounts in the schedule for assessments, case planning, services and county administration under s. 46.27. 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 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 63k. 20.435 (8) (k) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (8) (k) Administrative and support services. The amounts in the schedule for administrative and support services and products, except services under s. 146.25 (1), (1m) and (3). All moneys received as payment for administrative and support services and products, except fees under s. 146.25 (1) (b) and (1m) (b), shall be credited to this appropriation.

SECTION 63m. 20.435 (8) (kx) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (8) (kx) Interagency and intra-agency programs. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), except fees under s. 146.25 (1) (b) and (1m) (b), for the administration of programs or projects for which received.

SECTION 63n. 20.435 (8) (ky) of the statutes, as affected by 1987 Wisconsin Act ..., (Assembly Bill 247), is amended to read:

20.435 (8) (ky) Interagency and intra-agency aids. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), except fees under s. 146.25 (1) (b) and (1m) (b), for aids to individuals and organizations.

SECTION 65. 20.435 (8) (ma) of the statutes is created to read:

20.435 (8) (ma) Federal project aids. See sub. (9) (ma).

SECTION 66. 20.442 of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 66c. 20.445 (1) (e) of the statutes is created to read:

20.445 (1) (e) Wisconsin job opportunity business subsidy program. The amounts in the schedule for the Wisconsin job opportunity business subsidy program under s. 101.35. This paragraph does not apply after June 30, 1991.

SECTION 66g. 20.445 (1) (L) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.445 (1) (L) Fire dues distribution. All moneys received under ss. 101.573 (1) and 601.93, less the amounts transferred to par. (La) and s. 20.292 (1) (gm) and (gr), for distribution under s. 101.573. The amount transferred to par. (La) shall be the amount in the schedule under par. (La). The amount transferred to s. 20.292 (1) (gm) shall be the amount in the schedule under s. 20.292 (1) (gm). The amount transferred to s. 20.292 (1) (gr) shall be the amount in the schedule under s. 20.292 (1) (gr).

SECTION 66i. 20.445 (1) (v) of the statutes is created to read:

20.445 (1) (v) Petroleum storage environmental remedial action; awards. From the petroleum storage environmental cleanup fund, the amounts in the schedule to pay awards under s. 101.143.

SECTION 66k. 20.445 (1) (w) of the statutes is created to read:

20.445 (1) (w) Petroleum storage environmental remedial action; administration. From the petroleum storage environmental cleanup fund, the amounts in the schedule for the administration of s. 101.143.

SECTION 66m. 20.455 (1) (cm) of the statutes is created to read:

20.455 (1) (cm) Special prosecutor cost reimbursement. The amounts in the schedule for payments to counties for costs incurred under s. 165.95.
SECTION 67r. 20.485 (2) (s) of the statutes is created to read:

20.485 (2) (s) Veterans memorial grants. From the transportation fund, as a continuing appropriation, the amounts in the schedule for the veterans memorial grant program under s. 45.04.

SECTION 67t. 20.490 (4) of the statutes is created to read:

20.490 (4) Disadvantaged business mobilization assistance. (g) Disadvantaged business mobilization loan guarantee. All moneys received as grants under s. 85.25 (3) for the purpose of guaranteeing mobilization loans to disadvantaged businesses as provided under s. 85.25.

SECTION 68. 20.505 (5) (kc) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

20.505 (5) (kc) Principal repayment, interest and rebates. All moneys transferred from par. (ka), to be transferred to the appropriation under s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities housing state agencies and 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 such facilities.

SECTION 68c. 20.512 (1) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.512 (1) (b) Day care services. The amounts in the schedule to fund a pilot day care facility operated under s. 230.048 for children of state employes. No funds may be encumbered under this paragraph for the pilot day care facility in the city of Madison after June 30, 1988 1989.

SECTION 68g. 20.515 (1) (b) of the statutes is created to read:

20.515 (1) (b) Reimbursements for law enforcement. The amounts in the schedule for general program operations under subch. VII of ch. 40.

SECTION 68m. 20.515 (1) (c) of the statutes is amended to read:

20.515 (1) (c) Administration. From moneys credited to the public employee trust fund administer...
documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3) and 35.78 (1) or the rules of the senate and assembly, except as provided in sub. (3) (em).

SECTION 72r. 20.765 (3) (em) of the statutes is created to read:

20.765 (3) (em) Legislative computer and data processing system. Biennially, the amounts in the schedule for the joint committee on legislative organization to provide staff support for operation of the legislative computer and data processing system funded under sub. (1) (d).

SECTION 73. 20.835 (2) (bm) of the statutes is repealed.

SECTION 75. 20.866 (1) (u) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.866 (1) (u) Principal repayment and interest. A sum sufficient from moneys appropriated under ss. 20.115 (5) (j), 20.225 (1) (c), 20.245 (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (c), 20.255 (1) (d), 20.285 (1) (d), (db) and (gb), 20.370 (1) (kc), (4) (ib), (jc) and (jd) and (q) and (8) (Lb) and (Ls), 20.395 (6) (aq) and (ar), 20.435 (2) (ee), (3) (e), (ec) and (ko) and (5) (e), 20.455 (2) (cm), 20.465 (1) (d), 20.485 (1) (f) and (3) (t), 20.505 (5) (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (g), (h) and (i) and (q) for the payment of principal and interest on public debt acquired in accordance with ch. 18.

SECTION 75m. 20.866 (2) (t) of the statutes, as affected by 1987 Wisconsin Act 27, 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. The state may contract public debt in an amount not to exceed $122,066,600 $122,066,600 for this purpose.

SECTION 75n. 20.866 (2) (tc) of the statutes is created to read:

20.866 (2) (tc) Natural resources; clean water fund. From the capital improvement fund, a sum sufficient to be transferred to the clean water fund for the purposes of s. 144.241. The state may contract public debt in an amount not to exceed $1,000 for this purpose. Notwithstanding ss. 18.04 (6) (b) and (d) and 18.08 (1) (a), all moneys resulting from the contracting of public debt under this paragraph, including moneys which represent premium and accrued interest on bonds or notes issued, shall be transferred to the clean water fund immediately after the moneys are credited to the capital improvement fund.

SECTION 75p. 20.866 (2) (tn) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.866 (2) (tn) Natural resources; pollution abatement and sewage collection facilities. From the capital improvement fund, a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 144.24 including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and for payment of capital improvement encumbrances authorized under s. 144.24 regardless of when encumbrances were incurred before July 1, 1990, except for reimbursements made under s. 144.24 (9m) (a). The state may contract public debt in an amount not to exceed $890,511,400 $890,511,400 for this purpose.

SECTION 75m. 20.866 (2) (tn) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.866 (2) (tn) Natural resources; pollution abatement and sewage collection facilities. From the capital improvement fund, a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 144.24 including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and for payment of capital improvement encumbrances authorized under s. 144.24 regardless of when encumbrances were incurred before July 1, 1990, except for reimbursements made under s. 144.24 (9m) (a). The state may contract public debt in an amount not to exceed $890,511,400 $890,511,400 for this purpose.

SECTION 78. 20.866 (2) (ts) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.866 (2) (ts) Natural resources; land acquisition. From the capital improvement fund, a sum sufficient for the department of natural resources for outdoor recreation land acquisition activities and for acquiring, constructing, developing, enlarging and improving state recreation facilities and state forest lands. The state may contract public debt in an amount not to exceed $36,403,600 $35,903,600 for this purpose.

SECTION 78m. 20.866 (2) (tw) of the statutes is created to read:

20.866 (2) (tw) Natural resources; ice age trail. From the capital improvement fund, as a part of the outdoor recreation land acquisition program, a sum sufficient for the department of natural resources for the development of the ice age trail under s. 23.17. The state may contract public debt in an amount not to exceed $500,000 for this purpose. Moneys from this appropriation may be expended in each fiscal year only in an amount to match funds received under s. 20.370 (1) (gg) from gifts, grants or bequests or an amount equal to the fair market value of the land donated for the acquisition or development of the ice age trail at the ratio of 1 to 2.

SECTION 79. 20.867 (3) (d) of the statutes is created to read:

20.867 (3) (d) Interest rebates on obligation proceeds; general fund. A sum sufficient to make the payments determined by the building commission under
s. 13.488 (1) (m) on the proceeds of obligations paid into the general fund.

SECTION 80. 20.867 (3) (g) of the statutes is amended to read:

20.867 (3) (g) (title) Principal repayment, interest and rebates; program revenues. A sum sufficient from program revenues and segregated funds to pay all principal and interest costs on self-amortizing borrowing issued under s. 20.866 (2) which is are not initially allocable to the respective programs and to make any payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of such borrowing.

SECTION 81. 20.867 (3) (h) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.867 (3) (h) (title) Principal repayment, interest and rebates. A sum sufficient to guarantee full payment of principal and interest costs for self-amortizing facilities enumerated under ss. 20.115 (5) (j), 20.245 (2) (j), 20.285 (1) (gb) and 20.370 (8) (ls) if moneys available in those appropriations are insufficient to make full payment, and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.115 (5) (j), 20.245 (2) (i) or 20.285 (1) (gb) is insufficient to make full payment of those amounts. All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from other program revenue appropriations and corresponding appropriations from program receipts in segregated funds, to ensure recovery of the amounts advanced.

SECTION 82. 20.867 (3) (i) of the statutes is amended to read:

20.867 (3) (i) (title) Principal repayment, interest and rebates. A sum sufficient to pay principal and interest on public debt contracted under s. 20.866 (2) (ym) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations contracted under s. 20.866 (2) (ym) for programs financed from program revenue or program revenue-service appropriations. All payments under this paragraph shall be repaid to the general fund from the revenues of departments and state agencies for which capital equipment is financed under s. 20.866 (2) (ym).

SECTION 83. 20.867 (3) (k) of the statutes is created to read:

20.867 (3) (k) Interest rebates on obligation proceeds; program revenues. All moneys transferred from the appropriations under ss. 20.115 (5) (j), 20.245 (2) (j), 20.285 (1) (gb), 20.435 (3) (ko), 20.505 (5) (kc) and 20.867 (3) (g) and (i) to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations specified in those paragraphs.

SECTION 84. 20.867 (3) (q) of the statutes is created to read:

20.867 (3) (q) Principal repayment and interest; segregated revenues. From the appropriate segregated funds, a sum sufficient to pay all principal and interest costs on self-amortizing borrowing issued under s. 20.866 (2) which are not initially allocable to the respective programs.

SECTION 85. 20.867 (3) (r) of the statutes is created to read:

20.867 (3) (r) Interest rebates on obligation proceeds; conservation fund. A sum sufficient to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations paid into the conservation fund.

SECTION 86. 20.867 (3) (s) of the statutes is created to read:

20.867 (3) (s) Interest rebates on obligation proceeds; transportation fund. A sum sufficient to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations paid into the transportation fund.

SECTION 87. 20.867 (3) (t) of the statutes is created to read:

20.867 (3) (t) Interest rebates on obligation proceeds; veterans trust fund. A sum sufficient to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations paid into the veterans trust fund.

SECTION 88. 20.903 (2) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.255 (1) (kw), 20.395 (4) (er) and (es), 20.505 (1) (im), (ka), (kb), (kd) and (kg) and 20.855 (8) (k), (ka), (kb) and (kc) in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.255 (1) (kw), 20.395 (4) (er) and (es), 20.505 (1) (im), (ka), (kb), (kd) and (kg) and 20.855 (8) (k), (ka), (kb) and (kc). The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account. For the purposes of this subsection only, the secretary shall consider as accrued accounts receivable on each June 30, the federal aid funds allotted and $8,000,000 of the revenues from imposts which the department of transportation has obligated under s. 84.01 (20).
SECTION 88. 20.912 (3m) of the statutes is created to read:

20.912 (3m) Confidentiality of canceled checks, share drafts and other drafts. Information appearing in the register of canceled checks, share drafts and other drafts about a check, share draft or other draft canceled under sub. (1) is not available for inspection or copying under s. 19.35 (1) until 6 years after the date of issue or until the check, share draft or other draft is reissued under sub. (3), whichever is earlier.

SECTION 89. 20.913 (1) (b) of the statutes is amended to read:

20.913 (1) (b) Excess tax payments. Taxes collected in excess of lawful taxation, when claims therefor have been established as provided in ss. 71.10 (10) and (11), 71.11 (19), 71.12 (2), 72.24, 74.73, 76.13 (3), 76.38, 76.39, 78.19, 78.20, 78.75, 139.096, 139.12, 139.25 (1), 139.36, 139.39 (4) and 168.12 (2), (3) and (4).

SECTION 89m. 20.921 (1) (a) 5 of the statutes is created to read:

20.921 (1) (a) 5. Payment into an employe-funded reimbursement account maintained by an employe-funded reimbursement account provider under subch. VIII of ch. 40.

SECTION 90. 20.923 (4) (e) 5m of the statutes is repealed.

SECTION 91. 20.923 (4) (f) of the statutes is repealed.

SECTION 92. 20.923 (6) (bm) of the statutes is created to read:

20.923 (6) (bm) Investment board: all positions except blue collar and clerical positions.

SECTION 93. 20.923 (9) of the statutes is amended to read:

20.923 (9) Executive assistants. Salaries for executive assistants appointed under ss. 15.05 (3), 15.06 (4m) and 25.16 (3) shall be set by the appointing authority. The position of administrative assistant to the lieutenant governor shall be treated as an executive assistant for pay purposes under this subsection.

SECTION 93d. 23.17 (2) of the statutes, as created by 1987 Wisconsin Act 98, is amended to read:

23.17 (2) Designation. The ice age national scenic trail, as provided for in 16 USC 1244 (a) (10), plus the lands adjacent to each side of that trail designated by the department, is designated a state scenic trail, to be known as the “Ice Age Trail”.

SECTION 93m. 23.18 of the statutes is created to read:

23.18 Milwaukee river revitalization council. The Milwaukee river revitalization council shall do all of the following:

1. Advise the department of natural resources, the governor and the legislature on matters relating to the environmental, recreational and economic revitalization of the Milwaukee river basin.

2. Assist the department of natural resources to:
   a. Develop, provide and disseminate information on the environmental, recreational, economic and developmental interests of the Milwaukee river basin.
   b. Assist local governmental agencies during the planning and implementation of specific programs and activities.
   c. Develop proposals to maximize the use of available local, state, federal and private resources to further the revitalization of the Milwaukee river basin.
(d) Develop a Milwaukee river riverway plan that allows and encourages multiple recreational entrepreneurial and cultural activities to take place near the Milwaukee river.

(e) Establish a mechanism that allows the plan under par. (d) to be implemented in an aggressive and deliberate fashion.

SECTION 93np. 23.28 (1) of the statutes is amended to read:

23.28 (1) DESIGNATION. Prior to July 1, 1987, the The department, with the advice of the council, may designate any natural area with a high or critical level of importance on state-owned land under the department's management or control as a state natural area. The department, with the advice of the council, may designate any natural area with a high or critical level of importance on land under the management or control of another state agency, a federal, county, city, village, town or other public agency or a nonprofit organization as a state natural area. The department, with the advice of the council, may designate a natural area with a high or critical level of importance on land other than state-owned land but under the department's management or control as a state natural area. The department, with the advice of the council, may designate a natural area with a high or critical level of importance on land under the management or control of another state agency, a federal, county, city, village, town or other public agency or a nonprofit organization as a state natural area if that area is protected by a voluntary, written stewardship agreement between the owner or manager and the department.

SECTION 93p. 23.293 of the statutes is created to read:

23.293 State ice age trail area dedication. (1) DEFINITIONS. In this section:

(a) "Dedicated ice age trail area" means land accepted and recorded for dedication under the ice age trail program under this section.

(b) "Dedication" means all of the following:

1. The transfer of land or a permanent interest in land to this state to be held in trust for the people of this state by the department in a manner which ensures the stewardship of the area.

2. The binding unilateral declaration by the state that land under the ownership of the state is to be held in trust for the people of this state by the department in a manner which ensures the stewardship of the area.

(c) "State ice age trail area" means the trail designated under s. 23.17 (2).

(d) "Stewardship" means the continuing obligation to provide the necessary maintenance, management, protection, husbandry and support.

(2) MAP. The department shall develop a map which designates the state ice age trail areas.

(3) STEWARDSHIP. The department is responsible for the stewardship of state ice age trail area lands.

(4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept contributions and gifts for the ice age trail program. The department may convert gifts of land which it determines are not appropriate for the ice age trail program into cash. The department may convert other noncash contributions and gifts into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (1) (gg). The value of all contributions and gifts shall be matched by an amount equal to 50% of that value released from the appropriation under s. 20.866 (2) (tw) to be used for land acquisition and development activities under s. 23.17.

(5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall determine the value of land accepted for dedication under the ice age trail program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation shall be based on the fair market value of the land before the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the dedication shall be based on the difference between the purchase price and the fair market value. An amount equal to 50% of the value of land accepted for dedication under the ice age trail program shall be released from the appropriation under s. 20.866 (2) (tw) to be used for ice age trail acquisition activities under s. 23.17. This subsection does not apply to dedications of land under the ownership of the state.

(6) LAND DEDICATIONS; ELIGIBILITY AND ACCEPTANCE. The department shall accept land except as provided by sub. (7), (8), (9), (10) or (12), within the state ice age trail area for dedication unless the long-term stewardship of the dedicated land cannot reasonably be assured.

(7) LAND DEDICATIONS; TRANSFER OF INTEREST. The department may not accept land for dedication under the ice age trail program unless all interest in the land or a partial interest in the land is transferred to the state to be held in trust for the people of this state by the department. This subsection does not apply to land under the ownership of the state.

(8) LAND DEDICATIONS; STATE LAND. Land under the ownership of the state and under the control or management of the department may be accepted for dedication under the ice age trail program. Land under the ownership of the state but under the management or control of another agency may be accepted for dedication under the ice age trail program if the appropriate agency transfers sufficient permanent and irrevocable authority over the management and control of that land to the department.

(9) LAND DEDICATIONS; PERMANENT AND IRREVOCABLE. Except as permitted under this subsection, the department may not accept land for dedication under the ice age trail program unless the land dedication is permanent and irrevocable. The department may not accept land for dedication under the ice age trail pro-
gram if the dedication or any provision in the articles of dedication include any reversionary right or any provision which extinguishes the dedication at a certain time or upon the development of certain conditions, except that the department may authorize a reversion or extinction if the land is withdrawn from the ice age trail program as provided under subs. (16) and (17). The department may not accept land for dedication under the ice age trail program if the articles of dedication allow for amendment or revision except as provided under subs. (14) and (15).

(10) LAND DEDICATIONS; PUBLIC TRUST. The department may not accept land for dedication under the ice age trail program unless the land dedication provides that the interest in land which is transferred to or held by the state is to be held in trust for the people of this state by the department.

(11) LAND DEDICATIONS; STEWARDSHIP. The department may enter into contracts or agreements with other agencies or persons to act as its agent and to ensure that stewardship is provided for a dedicated ice age trail area or to assume stewardship responsibility for a dedicated ice age trail area. In no case may the department abrogate its ultimate stewardship responsibility or its obligation as a trustee of the land.

(12) LAND DEDICATION; PARTIAL INTEREST; LAND OF OTHER STATE AGENCIES; NOTICE PRIOR TO SALE OR TRANSFER. The department may not accept land for dedication under the ice age trail program if the land dedication involves the transfer of a partial interest in the land to the state unless adequate provisions for notice are provided. Land under the ownership of the state but under the management and control of another state agency may not be accepted for dedication under the ice age trail program unless adequate provisions for notice are provided. At a minimum, adequate provisions for notice shall require 30 days' notice to the department before any sale, transfer or conveyance of the land or an interest in the land.

(13) ARTICLES OF DEDICATION; FORM. Articles of dedication are not in proper form unless they are prepared as a conservation easement under s. 700.40 or in another form acceptable to the department. Articles of dedication are not in proper form unless they run with the land and are binding on all subsequent purchasers or any other successor to an interest in the land. Articles of dedication are not in proper form unless the articles qualify as an instrument which is valid and meets the requirements for recording under s. 706.04.

(14) ARTICLES OF DEDICATION; AMENDMENT; JUSTIFICATION. The articles of dedication may not be amended or revised unless the amendment or revision serves a valid public purpose, no prudent alternative exists and the amendment or revision would not significantly injure or damage the ice age trail.

(15) ARTICLES OF DEDICATION; AMENDMENT; PROCEDURE. The articles of dedication may not be amended or revised until and unless:

(a) Agreement. The department and any other party with a property interest in the dedicated ice age trail area agree to the proposed amendment or revision.

(b) Findings. The department issues written findings justifying the proposed amendment or revision.

(c) Notice and hearing. A public hearing is conducted in the county where the dedicated ice age trail area is located following publication of a class I notice, under ch. 985, which announces the hearing and summarizes the department's findings.

(d) Standing committee approval. The appropriate standing committee in each house of the legislature, as determined by each presiding officer, approves the proposed amendment or revision.

(e) Approval by governor. The governor approves the proposed amendment or revision.

(f) Recording. The amendment or revision is recorded in the office of the register of deeds.

(16) WITHDRAWAL; JUSTIFICATION. The department may not withdraw a state ice age trail area from the state ice age trail areas system unless:

(a) Extinction of value. The value which enabled the area to be considered a dedicated ice age trail area no longer exists or was destroyed or damaged to such an extent that the area has no importance or has a low level of importance as determined by the department.

(b) Superseding public purpose. The withdrawal serves a superseding and imperative public purpose and no prudent alternative exists.

(17) WITHDRAWAL; PROCEDURE. The department may not withdraw a dedicated ice age trail area from the state ice age trail areas system until and unless:

(a) Findings. The department issues written findings justifying the proposed withdrawal under sub. (16) (a) or (b).

(b) Notice and hearing. A public hearing is conducted in the county where the dedicated ice age trail area is located following publication of a class I notice, under ch. 985, which announces the hearing and summarizes the department's findings.

(c) Standing committee approval. The appropriate standing committee in each house of the legislature, as determined by each presiding officer, approves the proposed withdrawal.
(d) Approval by governor. The governor approves the proposed withdrawal.

(e) Recording. The withdrawal is recorded with the register of deeds.

(18) Department authority. The department shall administer this section and shall encourage and facilitate the voluntary dedication of lands under the ice age trail program. The department may promulgate rules and establish procedures to aid in the administration and enforcement of this section. The department may provide legal advice and may prepare model articles of dedication to facilitate the dedication of lands under the ice age trail program.

(19) Enforcement. The department and its agents, the department of justice and peace officers, as defined under s. 939.22 (22), have jurisdiction on dedicated ice age trail areas.

(20) Injunctive relief; recovery of costs. The department, or the department of justice on its own initiative or at the request of the department, may initiate an action seeking injunctive relief against any person violating the articles of dedication of a dedicated ice age trail area.

SECTION 93q. 23.33 (1) (am) of the statutes is created to read:

23.33 (1) (am) “Alcohol beverages” has the meaning specified under s. 125.02 (l).

SECTION 93qd. 23.33 (1) (dm) of the statutes is created to read:

23.33 (1) (dm) “Approved public treatment facility” has the meaning specified under s. 51.45 (2) (c).

SECTION 93qf. 23.33 (1) (f) of the statutes is repealed.

SECTION 93qh. 23.33 (1) (i) of the statutes is repealed and recreated to read:

23.33 (1) (i) “Intoxicant” means any alcohol beverage, controlled substance or other drug or any combination thereof.

SECTION 93qi. 23.33 (1) (ic), (ig), (ir) and (iw) of the statutes are created to read:

23.33 (1) (ic) “Intoxicated operation of an all-terrain vehicle law” means sub. (4c) or a local ordinance in conformity therewith or, if the operation of an all-terrain vehicle is involved, s. 940.09 or 940.25.

23.33 (1) (ig) “Law enforcement officer” has the meaning specified under s. 165.85 (2) (c) and includes a person appointed as a conservation warden by the department under s. 23.10 (1).

23.33 (1) (ir) “Operation of an all-terrain vehicle” means controlling the speed or direction of an all-terrain vehicle.

23.33 (1) (iw) “Operator” means a person who is engaged in the operation of an all-terrain vehicle, who is responsible for the operation of an all-terrain vehicle or who is supervising the operation of an all-terrain vehicle.

SECTION 93qL. 23.33 (1) (je), (jm) and (js) of the statutes are created to read:

23.33 (1) (je) “Purpose of authorized analysis” means for the purpose of determining or obtaining evidence of the presence, quantity or concentration of any intoxicant in a person’s blood, breath or urine.

23.33 (1) (jm) “Refusal law” means sub. (4p) (e) or a local ordinance in conformity therewith.

23.33 (1) (js) “Test facility” means a test facility or agency prepared to administer tests under s. 343.305 (1).

SECTION 93q. 23.33 (3) (b) of the statutes is repealed.

SECTION 93qw. 23.33 (4c) to (4z) of the statutes are created to read:

23.33 (4c) Intoxicated operation of an all-terrain vehicle. (a) Operation. 1. ‘Operating while under the influence of an intoxicant.’ No person may engage in the operation of an all-terrain vehicle while under the influence of an intoxicant to a degree which renders him or her incapable of safe all-terrain vehicle operation.

2. ‘Operating with alcohol concentrations at or above specified levels.’ No person may engage in the operation of an all-terrain vehicle while the person has a blood alcohol concentration of 0.1% or more by weight of alcohol in his or her blood. No person may engage in the operation of an all-terrain vehicle while the person has 0.1 grams or more of alcohol in 210 liters of his or her breath.

3. ‘Operating with alcohol concentrations at specified levels; below age 19.’ If a person has not attained the age of 19, the person may not engage in the operation of an all-terrain vehicle while he or she has a blood alcohol concentration of more than 0.0% but not more than 0.1% by weight of alcohol in his or her blood or more than 0.0 grams but not more than 0.1 grams of alcohol in 210 liters of his or her breath.

4. ‘Related charges.’ A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of subd. 1 or 2 or both for acts arising out of the same incident or occurrence. If the person is charged with violating both subds. 1 and 2, the offenses shall be joined. If the person is found guilty of both subds. 1 and 2 for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under sub. (13) (b) 2 and 3. Subdivisions 1 and 2 each require proof of a fact for conviction which the other does not require.

(b) Causing injury. 1. ‘Causing injury while under the influence of an intoxicant.’ No person while under the influence of an intoxicant to a degree which renders him or her incapable of safe all-terrain vehicle operation may cause injury to another person by the operation of an all-terrain vehicle.

2. ‘Causing injury with alcohol concentrations at or above specified levels.’ No person who has a blood alcohol concentration of 0.1% or more by weight of alcohol in his or her blood may cause injury to another person by the operation of an all-terrain vehi-
cle. No person who has 0.1 grams or more of alcohol in 210 liters of his or her breath may cause injury to another person by the operation of an all-terrain vehicle.

3. ‘Related charges.’ A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of subd. 1 or 2 or both for acts arising out of the same incident or occurrence. If the person is charged with violating both subds. 1 and 2 in the complaint, the crimes shall be joined under s. 971.12. If the person is found guilty of both subds. 1 and 2 for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under sub. (13) (b) 2 and 3. Subdivisions 1 and 2 each require proof of a fact for conviction which the other does not require.

4. ‘Defenses.’ In an action under subd. 1, the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if the defendant was not under the influence of an intoxicant. In an action under subd. 2, the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if the defendant did not have a blood alcohol concentration of 0.1% or more by weight of alcohol in his or her blood. In an action under subd. 2, the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if he or she did not have 0.1 grams or more of alcohol in 210 liters of his or her breath.

(4g) Preliminary Breath Screening Test. (a) Requirement. A person shall provide a sample of his or her breath for a preliminary breath screening test if a law enforcement officer has probable cause to believe that the person is violating or has violated the intoxicated operation of an all-terrain vehicle law and if, prior to an arrest, the law enforcement officer requested the person to provide this sample.

(b) Use of test results. A law enforcement officer may use the results of a preliminary breath screening test for the purpose of deciding whether or not to arrest a person for a violation of the intoxicated operation of an all-terrain vehicle law or for the purpose of deciding whether or not to request a chemical test under sub. (4p). Following the preliminary breath screening test, chemical tests may be required of the person under sub. (4p).

(c) Admissibility. The result of a preliminary breath screening test is not admissible in any action or proceeding except to show probable cause for an arrest, if the arrest is challenged, or to show that a chemical test was properly required of a person under sub. (4p).

(d) Refusal. There is no penalty for a violation of par. (a). Subsection (13) (a) and the general penalty provision under s. 939.61 do not apply to that violation.

(4j) Applicability of the Intoxicated Operation of an All-Terrain Vehicle Law. In addition to being applicable upon highways, the intoxicated operation of an all-terrain vehicle law is applicable upon all premises held out to the public for use of their all-terrain vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for the use thereof.

(4l) Implied Consent. Any person who engages in the operation of an all-terrain vehicle upon the public highways of this state, or in those areas enumerated in sub. (4j), is deemed to have given consent to provide one or more samples of his or her breath, blood or urine for the purpose of authorized analysis as required under sub. (4p). Any person who engages in the operation of an all-terrain vehicle within this state is deemed to have given consent to submit to one or more chemical tests of his or her breath, blood or urine for the purpose of authorized analysis as required under sub. (4p).

(4p) Chemical Tests. (a) Requirement. 1. ‘Samples; submission to tests.’ A person shall provide one or more samples of his or her breath, blood or urine for the purpose of authorized analysis if he or she is arrested for a violation of the intoxicated operation of an all-terrain vehicle law and if he or she is requested to provide the sample by a law enforcement officer. A person shall submit to one or more chemical tests of his or her breath, blood or urine for the purpose of authorized analysis if he or she is arrested for a violation of the intoxicated operation of an all-terrain vehicle law and if he or she is requested to submit to the test by a law enforcement officer.

2. ‘Information.’ A law enforcement officer requesting a person to provide a sample or to submit to a chemical test under subd. 1 shall inform the person of all of the following at the time of the request and prior to obtaining the sample or administering the test:

   a. That he or she is deemed to have consented to tests under sub. (4l).

   b. That a refusal to provide a sample or to submit to a chemical test constitutes a violation under par. (e) and is subject to the same penalties and procedures as a violation of sub. (4c) (a) 1.

   c. That in addition to the designated chemical test under par. (b) 2, he or she may have an additional chemical test under par. (c) 1.

3. ‘Unconscious person.’ A person who is unconscious or otherwise not capable of withdrawing consent is presumed not to have withdrawn consent under this paragraph, and if a law enforcement officer has probable cause to believe that the person violated the intoxicated operation of an all-terrain vehicle law, one or more chemical tests may be administered to the person without a request under subd. 1 and without providing information under subd. 2.

(b) Chemical tests. 1. ‘Test facility.’ Upon the request of a law enforcement officer, a test facility shall administer a chemical test of breath, blood or urine for the purpose of authorized analysis. A test
facility shall be prepared to administer 2 of the 3 chemical tests of breath, blood or urine for the purpose of authorized analysis. The department may enter into agreements for the cooperative use of test facilities.

2. ‘Designated chemical test.’ A test facility shall designate one chemical test of breath, blood or urine which it is prepared to administer first for the purpose of authorized analysis.

3. ‘Additional chemical test.’ A test facility shall specify one chemical test of breath, blood or urine, other than the test designated under subd. 2, which it is prepared to administer for the purpose of authorized analysis as an additional chemical test.

4. ‘Validity; procedure.’ A chemical test of blood or urine conducted for the purpose of authorized analysis is valid as provided under s. 343.305 (10). The duties and responsibilities of the laboratory of hygiene, department of health and social services and department of transportation under s. 343.305 (10) apply to a chemical test of blood or urine conducted for the purpose of authorized analysis under this subsection. Blood may be withdrawn from a person arrested for a violation of the intoxicated operation of an all-terrain vehicle law only by a physician, registered nurse, medical technologist, physician’s assistant or person acting under the direction of a physician and the person who withdraws the blood, the employer of that person and any hospital where blood is withdrawn have immunity from civil or criminal liability as provided under s. 895.53.

5. ‘Report.’ A test facility which administers a chemical test of breath, blood or urine for the purpose of authorized analysis under this subsection shall prepare a written report which shall include the findings of the chemical test, the identification of the law enforcement officer or the person who requested a chemical test and the identification of the person who provided the sample or submitted to the chemical test. The test facility shall transmit a copy of the report to the law enforcement officer and the person who provided the sample or submitted to the chemical test.

(c) Additional and optional chemical tests. 1. ‘Additional chemical test.’ If a person is arrested for a violation of the intoxicated operation of an all-terrain vehicle law or is the operator of an all-terrain vehicle involved in an accident resulting in great bodily harm to or the death of someone and if the person is requested to provide a sample or to submit to a test under par. (a) 1, the person may request the test facility to administer the additional chemical test specified under par. (b) 3 or, at his or her own expense, reasonable opportunity to have any qualified person administer a chemical test of his or her breath, blood or urine for the purpose of authorized analysis.

2. ‘Optional test.’ If a person is arrested for a violation of the intoxicated operation of an all-terrain vehicle law and if the person is not requested to provide a sample or to submit to a test under par. (a) 1, the person may request the test facility to administer a chemical test of his or her breath or, at his or her own expense, reasonable opportunity to have any qualified person administer a chemical test of his or her breath, blood or urine for the purpose of authorized analysis.

If a test facility is unable to perform a chemical test of breath, the person may request the test facility to administer the designated chemical test under par. (b) 2 or the additional chemical test under par. (b) 3.

3. ‘Compliance with request.’ A test facility shall comply with a request under this paragraph to administer any chemical test it is able to perform.

4. ‘Inability to obtain chemical test.’ The failure or inability of a person to obtain a chemical test at his or her own expense does not preclude the admission of evidence of the results of a chemical test required and administered under pars. (a) and (b).

(d) Admissibility; effect of test results; other evidence. The results of a chemical test required or administered under par. (a), (b) or (c) are admissible in any civil or criminal action or proceeding arising out of the acts committed by a person alleged to have violated the intoxicated operation of an all-terrain vehicle law on the issue of whether the person was under the influence of an intoxicant or the issue of whether the person had alcohol concentrations at or above specified levels. Results of these chemical tests shall be given the effect required under s. 885.235. This subsection does not limit the right of a law enforcement officer to obtain evidence by any other lawful means.

(e) Refusal. No person may refuse a lawful request to provide one or more samples of his or her breath, blood or urine or to submit to one or more chemical tests under par. (a). A person shall not be deemed to refuse to provide a sample or to submit to a chemical test if it is shown by a preponderance of the evidence that the refusal was due to a physical inability to provide the sample or to submit to the test due to a physical disability or disease unrelated to the use of an intoxicant. Issues in any action concerning violation of par. (a) or this paragraph are limited to:

1. Whether the law enforcement officer had probable cause to believe the person was violating or had violated the intoxicated operation of an all-terrain vehicle law.

2. Whether the person was lawfully placed under arrest for violating the intoxicated operation of an all-terrain vehicle law.

3. Whether the law enforcement officer requested the person to provide a sample or to submit to a chemical test and provided the information required under par. (a) 2 or whether the request and information was unnecessary under par. (a) 3.

4. Whether the person refused to provide a sample or to submit to a chemical test.

(4t) Report arrest to department. If a law enforcement officer arrests a person for a violation of
the intoxicated operation of an all-terrain vehicle law or the refusal law, the law enforcement officer shall notify the department of the arrest as soon as practicable.

**4(x) Officer's action after arrest for operating an all-terrain vehicle while under influence of intoxicant.** A person arrested for a violation of sub. (4c) (a) 1 or 2 or a local ordinance in conformity therewith or sub. (4c) (b) 1 or 2 may not be released until 12 hours have elapsed from the time of his or her arrest or unless a chemical test administered under sub. (4p) (a) 1 shows that there is 0.05% or less by weight of alcohol in the person's blood or 0.05 grams or less of alcohol in 210 liters of the person's breath, but the person may be released to his or her attorney, spouse, relative or other responsible adult at any time after arrest.

**4(z) Public education program.** (a) The department shall promulgate rules to provide for a public education program to:

1. Inform all-terrain vehicle operators of the prohibitions and penalties included in the intoxicated operation of an all-terrain vehicle law.

2. Provide for the development of signs briefly explaining the intoxicated operation of an all-terrain vehicle law.

(b) The department shall develop and issue an educational pamphlet on the intoxicated operation of an all-terrain vehicle law to be distributed, beginning in 1989, to persons issued all-terrain vehicle registration certificates.

**SECTION 93qr. 23.33 (5) (d) of the statutes is amended to read:**

23.33 (5) (d) Safety certification program established. The department shall establish or supervise the establishment of programs of instruction on all-terrain vehicle laws, including the intoxicated operation of an all-terrain vehicle law, regulations, safety and related subjects. The department may charge or authorize an instruction fee.

**SECTION 93qt. 23.33 (9) (b) of the statutes is amended to read:**

23.33 (9) (b) Trails and projects. The department shall utilize at least 50% of the moneys received from all-terrain vehicle registrations for the purposes specified under s. 20.370 (1) (ms) and (4) (by) including all-terrain vehicle projects and related costs, including land and easement acquisitions, liability insurance, route and trail development and maintenance, all-terrain vehicle facilities such as toilets, parking areas, riding areas, shelters and improvements and for all-terrain vehicle project aids to towns, villages, cities, counties and federal agencies. Aid may be provided under this paragraph to towns, villages, cities and counties for up to 100% of the cost of placing signs developed under sub. (4z) (a) 2 which briefly explain the intoxicated operation of an all-terrain vehicle law along all-terrain vehicle trails. Aid may be provided for snowmobile routes and trails and off-the-road motorcycle trails and facilities if these routes, trails and facilities are open for use by all-terrain vehicles.

**SECTION 93qv. 23.33 (13) of the statutes is renumbered 23.33 (13) (a) and amended to read:**

23.33 (13) (a) (title) Generally. Any Except as provided in pars. (b) to (e), any person who violates this section shall forfeit not more than $250.

**SECTION 93qx. 23.33 (13) (b) to (e) of the statutes are created to read:**

23.33 (13) (b) Penalties related to prohibited operation of an all-terrain vehicle; intoxicants; refusal. 1. Except as provided under subds. 2 and 3, a person who violates sub. (4c) (a) 1 or 2 or (4p) (e) shall forfeit not less than $150 nor more than $300.

2. Except as provided under subd. 3, a person who violates sub. (4c) (a) 1 or 2 or (4p) (e) and who, within 5 years prior to the arrest for the current violation, was convicted previously under the intoxicated operation of an all-terrain vehicle law or the refusal law shall be fined not less than $300 nor more than $1,000 and shall be imprisoned not less than 5 days nor more than 6 months.

3. A person who violates sub. (4c) (a) 1 or 2 or (4p) (e) and who, within 5 years prior to the arrest for the current violation, was convicted 2 or more times previously under the intoxicated operation of an all-terrain vehicle law or refusal law shall be fined not less than $600 nor more than $2,000 and shall be imprisoned not less than 30 days nor more than one year in the county jail.

4. A person who violates sub. (4c) (a) 3 or (4p) (e) and who has not attained the age of 19 shall forfeit not more than $50.

(c) Penalties related to causing injury; intoxicants. A person who violates sub. (4c) (b) shall be fined not less than $300 nor more than $2,000 and may be imprisoned not less than 30 days nor more than one year in the county jail.

(cm) Sentence of detention. The legislature intends that courts use the sentencing option under s. 973.03 (4) whenever appropriate for persons subject to par. (b) 2 or 3 or (c). The use of this option can result in significant cost savings for the state and local governments.

(dm) Reporting convictions to the department. Whenever a person is convicted of a violation of the intoxicated operation of an all-terrain vehicle law, the clerk of the court in which the conviction occurred, or the justice, judge or magistrate of a court not having a clerk, shall forward to the department the record of such conviction. The record of conviction forwarded to the department shall state whether the offender was involved in an accident at the time of the offense.
(e) Alcohol or controlled substances; assessment. In addition to any other penalty or order, a person who violates sub. (4c) (a) or (b) or (4p) (e) or who violates s. 940.09 or 940.25 if the violation involves the operation of an all-terrain vehicle, shall be ordered by the court to submit to and comply with an assessment by an approved public treatment facility for an examination of the person’s use of alcohol or controlled substances. The assessment order shall comply with s. 343.30 (1q) (c) 1. a to c. Intentional failure to comply with an assessment ordered under this paragraph constitutes contempt of court, punishable under ch. 785.

SECTION 93rc. 23.54 (3) (i) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

23.54 (3) (i) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and 814.635 ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 93rd. 23.54 (3) (j) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

23.54 (3) (j) Notice that if the defendant makes a deposit and signs the stipulation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and 814.635 ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 93re. 23.66 (2) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

23.66 (2) The person receiving the deposit and stipulation of no contest shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus...
costs, including any applicable fees prescribed in ss. 814.63 (1) and 814.635 ch. 814, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in s. 23.66.

SECTION 93ri. 23.75 (3) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus any applicable fees prescribed in ss. 814.63 (1) and 814.635 ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. If the court accepts the plea of no contest, the defendant may move within 90 days after the date set for appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no contest, the court or judge may order a written complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant’s deposit returned.

SECTION 93rj. 23.75 (3) (c) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus any applicable fees prescribed in ss. 814.63 (1) and 814.635 ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects thereof. If the defendant is relieved from the stipulation of no contest, the court may order a citation or complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law.

SECTION 95. 25.156 (2) of the statutes is amended to read:

25.156 (2) The members of the investment board shall employ an executive director, who shall serve outside the classified service, at the pleasure of the members of the board. Such executive director shall be qualified by training and prior experience to manage, administer and direct the investment of funds. The investment board shall fix the compensation of the executive director, and may award bonus compensation as authorized under sub. (6).

SECTION 96. 25.156 (6) of the statutes is created to read:

25.156 (6) The investment board may provide a plan of bonus compensation for the executive director and other employees of the board who are appointed in the unclassified service, whereby the employees may qualify for an annual bonus for meritorious performance. No such bonuses awarded by the board for any fiscal year may exceed a total of 10% of the total annualized salaries of all unclassified employees of the board at the beginning of the fiscal year. No bonus awarded by the board to any individual employee for any fiscal year may exceed a total of 25% of the annual salary of the employee at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall consider the performance of funds similar to those for which it has managing authority and market indices for the same period. The board shall provide for a portion of the bonus compensation awarded under this subsection to be distributed to employees over a 3-year period conditioned upon continuation of employment to the time of distribution.

SECTION 97. 25.16 (2) and (3) of the statutes are amended to read:

25.16 (2) The executive director shall appoint the employees necessary to perform the duties carry out the functions of the investment board under, except that the investment board shall participate in the selection of investment directors. The executive director shall appoint all employees outside the classified service, except that the executive director shall appoint investment directors in the unclassified service. The members of the board shall participate in the selection of such directors. Such investment directors shall serve a probationary period of not less than 6 months nor more than 2 years as determined by the members of the board. Neither the executive director, any investment director nor any other employee of the board shall have any financial interest, either directly or indirectly, in any firm engaged in the sale or marketing of real estate or investments of any kind, nor shall any of them render investment advice to others for remuneration.
(3) The executive director may appoint an executive assistant who shall serve at the pleasure of the executive director outside the classified service. The executive assistant shall perform the duties prescribed by the executive director.

SECTION 98. 25.16 (7) of the statutes is created to read:

25.16 (7) The executive director shall fix the compensation of all employees appointed by the executive director, subject to restrictions set forth in the compensation plan under s. 230.12 or any applicable collective bargaining agreement in the case of employees in the classified service, but the investment board may provide for bonus compensation to employees in the unclassified service as authorized under s. 25.156 (6).

SECTION 98d. 25.17 (1) (aw) of the statutes is created to read:

25.17 (1) (aw) Clean water fund (s. 25.43);

SECTION 98m. 25.18 (1) (n) of the statutes is created to read:

25.18 (1) (n) Purchase or acquire, commit on a standby basis to purchase or acquire, sell, discount, assign, negotiate, or otherwise dispose of, or pledge, hypothecate or otherwise create a security interest in, loans as the investment board may determine, or portions or portfolios of participations in loans, made or purchased under s. 144.241, if the disposition provides a financial benefit to and does not contradict or weaken the purposes of the clean water fund. The disposition may be at the price and under the terms the investment board determines to be reasonable and may be at public or private sale.

SECTION 100. 25.40 (2) of the statutes, as affected by 1987 Wisconsin Act 27, section 559, is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.235 (2) (r), 20.285 (1) (x), 20.292 (1) (q), (r), (u) and (v), 20.370 (1) (daw), (daw), (dr) and (mr), (2) (cq) and (daw) and (4) (bt), and (bz), 20.399 (1) (r), 20.465 (1) (q), 20.505 (2) (q), 20.566 (1) (u) and (2) (q) and 20.855 (4) (q) and (s) or authorized by s. 25.17 shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 101. 25.40 (2) of the statutes, as affected by 1987 Wisconsin Act 27, section 559g, and 1987 Wisconsin Act .... (this act), is repealed and recreated to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.235 (2) (r), 20.285 (1) (x), 20.292 (1) (q), (r), (u) and (v), 20.370 (1) (dr) and (mr), (2) (cq) and (4) (bt) and (bz), 20.399 (1) (r), 20.465 (1) (q), 20.505 (2) (q), 20.566 (1) (u) and (2) (q) and 20.855 (4) (q) and (s) or authorized by s. 25.17 shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 101m. 25.43 of the statutes is created to read:

25.43 Clean water fund. (1) There is established a separate nonlapsible trust fund designated as the clean water fund, to consist of:

(a) All capitalization grants provided by the federal government under 33 USC 1381 to 1387.

(b) All state funds appropriated or transferred to the clean water fund to meet the requirements for state deposits under 33 USC 1382.

(c) All other appropriations and transfers of state funds to the clean water fund.

(d) All gifts, grants and bequests to the clean water fund.

(e) All repayments of principal and payment of interest on loans made from the clean water fund and on obligations acquired by the investment board under s. 144.241 (19).

(f) All moneys received by the clean water fund from the proceeds of the sale of general or revenue obligation bonds under s. 20.866 (2) (tc) or 144.241 (5).

(g) All moneys received from the sale of loans made under s. 25.18 (1) (n).

(2) (a) There is established in the clean water fund a federal revolving loan fund account consisting of the capitalization grants under sub. (1) (a) and (b) and all repayments under sub. (1) (e) of capitalization grants under sub. (1) (a) and (b).

(b) There is established in the clean water fund a state revolving loan fund account consisting of all moneys in the fund not included in accounts under par. (a) or (c).

(c) The investment board may establish and change accounts in the clean water fund other than those under pars. (a) and (b). The investment board shall consult the department of natural resources before establishing or changing an account that is needed to administer the program under s. 144.241.

(3) The clean water fund may be used only for the purposes authorized under ss. 20.370 (4) (cr), (cs), (iv), (ix) and (jq) and 144.241.

SECTION 101r. 25.47 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

25.47 Petroleum storage environmental cleanup fund. There is established a separate nonlapsible trust fund designated as the petroleum storage environmental cleanup fund, to consist of the fees imposed under s. 168.12 (1m) and the net recoveries under s. 101.143 (2) (c).

SECTION 102. 25.17 (4) of the statutes is amended to read:

25.17 (4). The proceeds from the proceeds imposed under s. 144.241 (5).
SECTION 102s. 25.75 (3) (c) of the statutes, as created by 1987 Wisconsin Act 119, is repealed and recreated to read:

25.75 (3) (c) Property tax relief. The sum of all of the following amounts shall be deposited in the appropriation under s. 20.255 (2) (q):

1. In the fiscal year beginning July 1, 1988, and each fiscal year thereafter, the first $50,000,000 of lottery proceeds received in the fiscal year.
2. In the fiscal year beginning July 1, 1988, and each fiscal year thereafter, after deducting the amount under subd. 1, one-half of the remaining lottery proceeds received in the fiscal year.
3. a. In the fiscal year beginning July 1, 1988, one-sixth of the lottery proceeds remaining after deducting the first $50,000,000 received in fiscal year 1987-88.
   b. In the fiscal year beginning July 1, 1989, an amount equal to the amount under subd. 3. a, plus one-sixth of the lottery proceeds remaining after deducting the first $50,000,000 received in fiscal year 1988-89.
3. c. In the fiscal year beginning July 1, 1990, and each fiscal year thereafter, an amount equal to the 3-year average of one-half of the lottery proceeds remaining after deducting the first $50,000,000 received in each of the 3 immediately prior fiscal years.
4. In the fiscal year beginning July 1, 1988, and each fiscal year thereafter, earnings attributable to the lottery proceeds distributed to the lottery fund under s. 25.14 (3).

SECTION 103. 27.01 (9) of the statutes, as affected by 1987 Wisconsin Act 27, is repealed and recreated to read:

27.01 (9) Waiver of fees; special fees. The department may waive the fees under subs. (7) and (8) or may charge admission fees in addition to or instead of those fees. Fees or fee waivers may vary, based upon any of the following:

(a) Certain classes of persons or groups.
(b) Certain areas.
(c) Certain types of visitation or times of the year.
(d) Admission to special scheduled events or programs.
(e) Admission based on a per person basis.

SECTION 104. 28.035 (3) (a) of the statutes is amended to read:

28.035 (3) (a) The written lease entered into between the Wisconsin state department of the American Legion and the department of natural resources dated June 15, 1944, which leases Camp American Legion for a period of 10 years commencing June 1, 1944, shall continue in full force for an additional 10 years, and may be renewed for additional 10-year periods thereafter, notwithstanding the expiration of the term expressed therein, so long as the Wisconsin state department of the American Legion or any of the American Legion posts organized under s. 188.08 maintains on such property structures which were constructed prior to May 31, 1956, at the expense of the Wisconsin state department of the American Legion or any such post, for the purpose of the rehabilitation, restoration or recreation of veterans and their dependents of the Spanish-American war, the Philippine insurrection, the Mexican border service, World Wars I and II, the Korean conflict, the Vietnam era and Grenada or Lebanon or a Middle East crisis under s. 45.34.

SECTION 104a. 29.092 (7) (n) of the statutes is repealed.

SECTION 104b. 29.092 (7) (i) of the statutes is repealed.

SECTION 104c. 29.093 (7) (i) Commercial clam sheller license. A resident or nonresident commercial clam sheller license is valid from January 1 or the date of issuance, whichever is later, until December 31.

SECTION 104d. 29.103 (4) (e) of the statutes is repealed.

SECTION 104e. 29.245 (3) (b) of the statutes is amended to read:

29.245 (3) (b) Exceptions. This subsection does not apply to:
1. To a peace officer on official business.
2. To an employee of the department on official business.
3. To a person authorized by the department to conduct a game census.

SECTION 104f. 29.38 (3) (a) (intro.) and 3 of the statutes is amended to read:

29.38 (3) (a) No person may engage in commercial clam shelling unless the person is a resident and at least one of the following applies:
3. The person is a resident who has not attained the age of 16 years, and the value of the clams taken, killed, collected or removed by that person does not exceed $1,000 per year. The department may, by rule, require persons under this subdivision to obtain a commercial clam shelling permit, at no charge, with Vetoed Vetoed Vetoed Vetoed Vetoed
the requirements for the permit to be determined by the department by rule.

SECTION 104j. 29.38 (3) (b) of the statutes is amended to read:

29.38 (3) (b) No person may engage in clam helping unless the person is a resident and a natural person and has been issued a clam helper license by the department.

SECTION 104n. 29.595 (title) of the statutes is repealed.

SECTION 104nc. 29.595 (1) of the statutes is renumbered 29.595 and amended to read:

29.595 (title) Bear causing damage. Upon complaint in writing by an owner or lessee of land to the department that deer or bear are causing damage thereon, the department shall inquire into the matter; and if upon investigation, or otherwise, it shall appear appears to the department that the facts stated in each such complaint are true, the department by its agents may capture or destroy such deer or bear, and dispose of the same as provided in s. 29.06.

SECTION 105. 29.599 (4) (a) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

29.599 (4) (a) Costs reimbursed. Except as provided under par. (c), the department shall pay each participating county or municipality up to 100% of the county's or municipality's actual costs that are directly attributable to providing additional law enforcement services during the spearfishing season. The department shall make state aid payments from the appropriation under s. 20.370 (4) (ga) by June 30 July 31 of the calendar year in which the county or municipality files an application under sub. (2) (c).

SECTION 105aaa. 29.642 (title) of the statutes is amended to read:

29.642 (title) Incorrect information.

SECTION 105aab. 29.642 (1) (intro.) of the statutes is repealed and recreated to read:

29.642 (1) (intro.) Any person who provides incorrect information and thereby obtains an approval issued under this chapter to which the person is not entitled:

SECTION 105aac. 30.275 (2) of the statutes is amended to read:

30.275 (2) Designation. The Illinois Fox river and its watershed is and the Fox river, extending from Lake Winnebago to Green Bay, and its watershed are designated a scenic urban waterway and shall receive special management as provided under this section.

SECTION 105aadd. 30.61 (6) (a) of the statutes is amended to read:

30.61 (6) (a) Mufflers. The engine of every motorboat propelled by an internal combustion engine and used on the waters of this state shall be equipped and maintained with a muffler which is so constructed and kept in constant operation that it prevents excessive or unusual noise at all times while the engine is in operation, underwater exhaust system or other noise suppression device.

SECTION 105aadd. 30.62 (2) (a) of the statutes is amended to read:

30.62 (2) (a) No person may operate a motorboat powered by an engine manufactured on or after Janu-
ary 1, 1975, and before January 1, 1978, on the waters of
the state in such a manner as to exceed a noise level of 86 measured on an “A” weighted decibel scale
measured at a distance of not less than 25 meters from
the motorboat that it will comply with the noise level
requirements under par. (b).

SECTION 105aadh. 30.62 (2) (c) 2 and 3 of the
statutes are repealed.

SECTION 105aadm. 30.62 (2) (d) of the statutes is
amended to read:

30.62 (2) (d) (title) Maximum noise level for manu-
facture. 1. No person may sell or manufacture and
offer for sale or resale any motorboat with an engine manufac-
tured on or after January 1, 1975, and before January 1,
1978; for use on the waters of the state if the motor-
boat was so modified that it cannot be oper-
ated in such a manner as to exceed a noise level of 86
measured on an “A” weighted decibel scale measured
at a distance of not less than 25 meters from the
motorboat that it will comply with the noise level
requirements under par. (b).

2. Testing The department may promulgate rules
establishing testing procedures to determine noise
levels shall comply with the exterior sound level mea-
surement procedure for pleasure motorboats pub-
lished by the society of automotive engineers for the
enforcement of this section.

3. The department shall promulgate rules concern-
ing the manner of certification and test procedures
and may revise these rules as necessary to adjust to
advances in technology.

SECTION 105aadp. 30.62 (2) (g) of the statutes is
renumbered 30.62 (2) (g) and amended to read:

30.62 (2) (g) (title) Exemption for specific uses.
(intro.) This subsection does not apply to any of the
following:

1. A motorboat while competing in a race con-
ducted under a permit from a town, village or city or
from an authorized agency of the federal govern-
ment, nor does it apply to a boat:

2. A motorboat designed and intended solely for
racing, while the boat is operated incidentally to the
testing or tuning up of the boat motorboat and engine
for the race in an area designated by and operated
under a permit specified under subd. 1.

SECTION 105aadf. 30.62 (2) (h) of the statutes is
amended to read:

30.62 (2) (h) (b) Exemption by rule. The department
may promulgate by rule exemptions from compliance
with this subsection for certain activities for certain
types of boats such as air boats, motorboats for specific
uses and for specific areas of operation.

SECTION 105aadg. 30.62 (3) (a) 8 of the statutes is
amended to read:

30.772 (3) (a) 8. The operation of a commercial or nonrecrea-
tional fishing boat, ferry or other vessel engaged in
interstate or international commerce, other than a
tugboat.

3. A motorboat while operated more than 150 feet
from the shoreline on a body of water at least 300,000
acres in size.

SECTION 105aadh. 30.62 (2) (f) of the statutes is
amended to read:

30.62 (2) (f) (8) A motorboat designed and intended
solely for racing, while the boat is operated incidently to the
race in an area designated by and operated
under a permit specified by subd. 1.

SECTION 105AADI. 30.62 (3) (a) 5 of the statutes is
amended to read:

30.772 (3) (a) 5. The placement or use of moorings
up to 200 feet from the ordinary high-water mark,
subject to all of the requirements of this section and s.
30.773, if applicable.

SECTION 105aadp. 30.772 (3) (am) of the statutes is
amended to read:

30.772 (3) (am) If the governing body of a munici-
plity adopts an ordinance under par. (a) 5, any boat
moored or anchored to a mooring placed within 200
feet of the ordinary high-water mark, or within a
designated mooring area, unless the local regulations
require the boat to be so lighted.

SECTION 105aadq. 30.772 (3) (c) of the statutes is
amended to read:

30.772 (3) (c) A municipality shall submit local regu-
lations proposed under this subsection to the depart-
ment at least 30 days before the municipality votes to
adopt the regulations. The department shall advise
the municipality in writing of its approval or disap-
proval of each such regulation. No regulation disap-
proved by the department may be adopted by the
municipality. Permits issued for moorings more than
150 feet from the ordinary high-water mark, or more
than 200 feet from the ordinary high-water mark if
par. (a) 5 applies, shall be submitted to the department
for approval unless the permit is for a mooring within a designated mooring area.

SECTION 105aai. 30.772 (3) (d) (intro.) of the statutes is amended to read:

30.772 (3) (d) (intro.) The governing body of a municipality may, by ordinance, require a permit authorizing the placement and use of a mooring within an authorized mooring area moorings, subject to all of the following:

SECTION 105aaj. 30.772 (4) of the statutes is amended to read:

30.772 (4) DEPARTMENT PERMITS. The department may issue a permit authorizing the placement or use of a mooring beyond 150 feet from the ordinary high-water mark if the municipality does not have an established permit procedure, or more than 200 feet from the ordinary high-water mark if sub. (3) (a) 5 applies. The department may place conditions or restrictions on any permit issued under this subsection.

SECTION 105ab. 30.142 of the statutes is amended to read:

30.142 (2) LAUNCHING CART. The department shall, before October 1, 1991, outline the Fox River bank and channel at the present launching cart. The cart may be located on the Fox River bank or channel at the present launching cart. The cart may be located on the Fox River bank or channel, or anywhere in the Fox River system. The department may place a cart on the Fox River bank or channel at the present launching cart. The cart may be located on the Fox River bank or channel, or anywhere in the Fox River system.

SECTION 105ac. 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 vested with the power of eminent domain which acquires property for public purposes under a condemnor and the condemnation of a person to be displaced person by the acquisition of real property for the purpose of obtaining assistance under ss. 32.19 to 32.27; or

b. Any person, other than a person who is an occupant of the property at the time it is acquired, who occupies the property on a rental basis for a short term or a period subject to termination when the property is needed for the purpose of obtaining assistance under ss. 32.19 to 32.27; or

SECTION 105add. 32.19 (2) (e) of the statutes is amended to read:

32.19 (2) (e) 1. "Displaced person" means, except as provided under subd. 2, any person who moves from real property or who moves his or her personal property from real property:

a. As a direct result of a written notice of intent to acquire or the acquisition of the real property, in whole or in part or subsequent to the issuance of a jurisdictional offer under this subchapter, for public purposes; or

b. As a result of rehabilitation, demolition or other displacing activity, as determined by the department of industry, labor and human relations, if the person is a tenant-occupant of a dwelling, business or farm operation and the displacement is permanent.

2. "Displaced person" does not include:

a. Any person determined to be unlawfully occupying the property or to have occupied the property solely for the purpose of obtaining assistance under ss. 32.19 to 32.27; or

b. Any person, other than a person who is an occupant of the property at the time it is acquired, who occupies the property on a rental basis for a short term or a period subject to termination when the property is needed for the program or project for which it is being acquired.

SECTION 105ad. 32.19 (2) (e) of the statutes is amended to read:

32.19 (2) (e) 1. "Displaced person" means, except as provided under subd. 2, any person who moves from real property or who moves his or her personal property from real property:

a. As a direct result of a written notice of intent to acquire or the acquisition of the real property, in whole or in part or subsequent to the issuance of a jurisdictional offer under this subchapter, for public purposes; or

b. As a result of rehabilitation, demolition or other displacing activity, as determined by the department of industry, labor and human relations, if the person is a tenant-occupant of a dwelling, business or farm operation and the displacement is permanent.

2. "Displaced person" does not include:

a. Any person determined to be unlawfully occupying the property or to have occupied the property solely for the purpose of obtaining assistance under ss. 32.19 to 32.27; or

b. Any person, other than a person who is an occupant of the property at the time it is acquired, who occupies the property on a rental basis for a short term or a period subject to termination when the property is needed for the program or project for which it is being acquired.

SECTION 105adr. 32.19 (3) (intro.) of the statutes is amended to read:

32.19 (3) RELLOCATION PAYMENTS. (intro.) Any condemnor which proceeds with the acquisition of real and personal property for purposes of any project for
which the power of condemnation may be exercised, or undertakes a program or project that causes a person to be a displaced person, shall make fair and reasonable relocation payments to displaced persons, business concerns and farm operations under this section. Payments shall be made as follows:

SECTION 105ae. 32.19 (3) (a) of the statutes is amended to read:

32.19 (3) (a) Moving expenses; actual. The condemnor shall compensate a displaced person for the actual and reasonable expenses in moving himself, his the displaced person and his or her family, his business or his farm operation, including personal property; actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that have been required to relocate such property; and actual reasonable expenses in searching for a replacement business or farm operation; and actual reasonable expenses necessary to reestablish a business or farm operation, not to exceed $10,000, unless compensation for such expenses is included in the payment provided under sub. (d).

SECTION 105af. 32.19 (3) (b) 1 of the statutes is amended to read:

32.19 (3) (b) 1. ‘Dwellings.’ Any displaced person who moves from a dwelling and who elects to accept the payments authorized by this paragraph in lieu of the payments authorized by par. (a) may receive a moving expense and dislocation allowance, determined according to a schedule established by the condemnor, not to exceed $300 and dislocation allowance of $200 department of industry, labor and human relations.

SECTION 105ag. 32.19 (3) (b) 2. (intro.) of the statutes is renumbered 32.19 (3) (b) 2 and amended to read:

32.19 (3) (b) 2. ‘Business and farm operations.’ Any displaced person who moves or discontinues his or her business or farm operation, is eligible under criteria established by the department of industry, labor and human relations by rule and who elects to accept payment authorized under this paragraph in lieu of the payment authorized under par. (a), may receive a moving expense and dislocation allowance, determined according to a schedule established by the department of industry, labor and human relations by rule, not to exceed $300 and dislocation allowance of $200 department of industry, labor and human relations.

SECTION 105ah. 32.19 (3) (b) 2. a and b of the statutes are repealed.

SECTION 105ai. 32.19 (3) (c) of the statutes is amended to read:

32.19 (3) (c) Optional payment for businesses. Any displaced person who moves his or her business, and elects to accept the payment authorized in par. (a), may, if otherwise qualified under par. (b) 2, elect to receive the payment authorized under par. (b) 2, minus whatever payment he the displaced person received under par. (a), if he the displaced person discontinues his the business within 2 years of the date of receipt of payment under par. (a), provided that he has suffered a substantial loss of existing patronage.

SECTION 105aj. 32.19 (4) (a) 2. of the statutes is renumbered 32.19 (4) (a) 2 and amended to read:

32.19 (4) (a) 2. The amount of increased interest expenses and other debt service costs incurred by the owner to finance the purchase of another property substantially similar to the property taken provided that: a) if at the time of the taking the land acquired was subject to a bona fide mortgage or was held under a vendee's interest in a bona fide land contract, and b) such mortgage or land contract had been executed in good faith not less than 180 days prior to the initiation of the attempt to purchase negotiations for the acquisition of such property. The computation of the increased interest costs shall be based upon and limited to determined according to rules promulgated by the department of industry, labor and human relations.

SECTION 105ak. 32.19 (4) (a) 2. a to d of the statutes are repealed.

SECTION 105al. 32.19 (4) (ag) of the statutes is amended to read:

32.19 (4) (ag) Limitation. Payment under par. (a) shall be made only to a displaced person who purchases and occupies a decent, safe and sanitary replacement dwelling not later than one year after the date on which the person moves from the dwelling acquired for the project, or the date on which the person receives payment from the condemnor, whichever is later, except that the condemnor may extend the period for good cause. If the period is extended, payment under par. (a) shall be based on the costs of relocating the displaced person to a comparable replacement dwelling within one year of the date on which the person moves from the dwelling acquired for the project.

SECTION 105am. 32.19 (4) (b) (intro.) of the statutes is amended to read:

32.19 (4) (b) Tenants and certain others. (intro.) In addition to amounts otherwise authorized by this subsection, the condemnor shall make a payment to any individual or family displaced from any dwelling
which was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of the attempt to purchase negotiations for the acquisition of such property or, if displacement is not a direct result of acquisition, such other event as determined by the department of industry, labor and human relations by rule. For purposes of this paragraph, a nonprofit corporation organized under ch. 181 may, if otherwise eligible, be considered a displaced tenant. Subject to the limitations under par. (bm), such payment shall be either:

SECTION 105an. 32.19 (4) (b) 2. (intro.) and a of the statutes are consolidated, renumbered 32.19 (4) (b) 2 and amended to read:

32.19 (4) (b) 2. If the person elects to purchase a comparable dwelling: a. The amount determined under subd. 1 is $4,000 or more; or.

SECTION 105ao. 32.19 (4) (b) 2. b of the statutes is repealed.

SECTION 105aom. 32.19 (4) (bm) 1 of the statutes is amended to read:

32.19 (4) (bm) 1. Payment under par. (b) shall be made only to a displaced person who rents, leases or purchases a decent, safe and sanitary replacement dwelling and occupies that dwelling not later than one year after the date on which the person moves from the displacement dwelling acquired for the project, except that the condemnor may extend the period for good cause.

SECTION 105apo. 32.19 (4) (bm) 2 of the statutes is repealed and recreated to read:

32.19 (4) (bm) 2. If a displaced person occupied the dwelling acquired for at least 90 days but not more than 180 days prior to the initiation of negotiations for the acquisition of the property, the payment under par. (b) may not exceed the amount the displaced person would receive if the displaced person was eligible for a payment under par. (a).

SECTION 105aq. 32.19 (4m) (a) 2 of the statutes is amended to read:

32.19 (4m) (a) 2. The amount, if any, which will compensate such owner displaced person for any increased interest cost and other debt service costs which such person is required to pay for financing the acquisition of any replacement property, if the property acquired was encumbered by a bona fide mortgage or land contract which was a valid lien on the property for at least one year prior to the initiation of negotiations for its acquisition. The amount under this subdivision shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement property which is equal to the unpaid balance of the mortgage on the acquired property, reduced to discounted present value. The discount rate shall be the prevailing interest rate paid on demand deposit savings accounts in commercial banks in the general area where the replacement property is located determined according to rules promulgated by the department of industry, labor and human relations.

SECTION 105ar. 32.19 (4m) (b) (intro.) and 1 of the statutes are amended to read:

32.19 (4m) (b) Tenant-occupied business or farm operation. (intro.) In addition to amounts otherwise authorized by this subchapter, the condemnor shall make a payment to any tenant displaced person who has owned and occupied the business operation, or owned the farm operation, for not less than one year prior to initiation of negotiations for the acquisition of the real property on which the business or farm operation lies or, if displacement is not a direct result of acquisition, such other event as determined by the department of industry, labor and human relations, and who actually rents or purchases a comparable replacement business or farm operation for the displaced business or farm operation within 2 years after the date the person vacates the acquired property. At the option of the tenant displaced person, such payment shall be either:

1. The amount, not to exceed $30,000, which is necessary to lease or rent a comparable replacement business or farm operation for a period of 4 years. The payment shall be computed by determining the average monthly rent paid for the property from which the person was displaced for the 12 months prior to the initiation of negotiations or, if displacement is not a direct result of acquisition, such other event as determined by the department of industry, labor and human relations and the monthly rent of a comparable replacement business or farm operation, and multiplying the difference by 48; or

SECTION 105as. 32.19 (4m) (b) 2 of the statutes is repealed and recreated to read:

32.19 (4m) (b) 2. If the tenant displaced person elects to purchase a comparable replacement business or farm operation, the amount determined under subd. 1 plus expenses under par. (a) 3.

SECTION 105at. 32.20 of the statutes is amended to read:

32.20 Procedure for collection of itemized items of compensation. Claims for damages itemized in ss. 32.19 and 32.195 shall be filed with the department of transportation or other public body, board, commission or utility, which is condemnor carrying on the project through which condemnor's or claimant's claims arise. All such claims must be filed after the damages upon which they are based have fully materialized but in no event not later than 2 years after the condemnor takes physical possession of the entire property acquired or such other event as determined by the department of industry, labor and human relations by rule. If such claim is not allowed within 90 days after the filing thereof, the claimant shall have
has a right of action against the condemnor, or in case no condemnation is involved against the department of transportation or public body, board, commission or utility, which is carrying on the project through which the claim arises. Such action shall be commenced in a court of record in the county wherein the damages occurred. In causes of action, involving any state commission, board or other agency, excluding counties, the sum recovered by the claimant shall be paid out of any funds appropriated to such condemning agency. Any judgment shall be appealable by either party and any amount recovered by the body against which the claim was filed, arising from costs, counterclaims, punitive damages or otherwise may be used as an offset to any amount owed by it to the claimant, or may be collected in the same manner and form as any other judgment.

SECTION 105au. 32.25 (1) of the statutes, as affected by 1987 Wisconsin Act 5, is amended to read:

32.25 (1) Notwithstanding any other provision of law, except as provided under s. 85.09 (4m), no condemnor may proceed with any property acquisition activities on any project activity which may involve acquisition of property and the displacement of persons, business concerns or farm operations until the condemnor has filed in writing a relocation payment plan and relocation assistance service plan and has had both plans approved in writing by the department of industry, labor and human relations.

SECTION 105av. 32.25 (2) (i) of the statutes is created to read:

32.25 (2) (i) Assure that a person shall not be required to move from a dwelling unless the person has had a reasonable opportunity to relocate to a comparable dwelling.

SECTION 105aw. 32.26 (2) of the statutes is renumbered 32.26 (2) (a) and amended to read:

32.26 (2) (a) The department of industry, labor and human relations may promulgate such rules as are necessary to carry out its functions in regard to local standards for decent, safe and sanitary dwelling accommodations to implement and administer ss. 32.19 to 32.27.

SECTION 105ax. 32.26 (2) (b) of the statutes is created to read:

32.26 (2) (b) The department of industry, labor and human relations and the department of transportation shall establish interdepartmental liaison procedures for the purpose of cooperating and exchanging information to assist the department of industry, labor and human relations in promulgating rules under par. (a).

SECTION 105ay. Chapter 37 of the statutes is amended to read:

Chapter 37
PUBLIC INLAND LAKE WATERWAYS PROTECTION
AND REHABILITATION IMPROVEMENT
AND INLAND LAKE REHABILITATION DEPARTMENT

SECTION 105az. 32.30 of the statutes is amended to read:

32.30 Declaration of intent. The legislature hereby declares that the acquisition by the department of real property which is necessary for the development of public parks, recreation areas, state parks, state forests, state trails, state wildlife areas, state game range areas, state hunting areas, state fish hatcheries, state animal feeding and propagation areas, state wildlife propagation areas, state fish propagation areas, state water and soil conservation areas, state natural areas, and State Natural Areas, as hereinafter defined, is in the public interest and the public welfare and that such acquisition is necessary for the protection, improvement, and development of the public parks, recreation areas, state parks, state forests, state trails, state wildlife areas, state game range areas, state hunting areas, state fish hatcheries, state animal feeding and propagation areas, state water and soil conservation areas, state natural areas, and State Natural Areas, as hereinafter defined, and that such acquisition is necessary for the protection, improvement, and development of the public parks, recreation areas, state parks, state forests, state trails, state wildlife areas, state game range areas, state hunting areas, state fish hatcheries, state animal feeding and propagation areas, state water and soil conservation areas, state natural areas, and State Natural Areas, as hereinafter defined.
3.0 (m) "Waterway management unit" means a municipally, county, town, sanitary district, or district organized under this chapter, a nonprofit organization, or any local governmental body or agency.

SECTION 105h. 13.01 (12) of the statutes is created to read:

13.01 (12) Waterway management unit means a municipally, county, town, sanitary district, or district organized under this chapter, a nonprofit organization, or any local governmental body or agency.

SECTION 105m. 13.01 (13) of the statutes is created to read:

13.01 (13) Waterways means public inland lakes, free flowing rivers and outflowing waters as defined in s. 29.01 (11).

SECTION 105n. 13.01 (12) of the statutes is created to read:

13.01 (12) Waterway management unit means municipally, county, town, sanitary district, or district organized under this chapter, a nonprofit organization, or any local governmental body or agency.

SECTION 105o. 13.01 (13) of the statutes is created to read:

13.01 (13) Waterways means public inland lakes, free flowing rivers and outflowing waters as defined in s. 29.01 (11).
The commission may approve financial assistance under s. 32.12 for a feasibility study only upon the request of the affected waterways management unit. A feasibility study shall be of sufficient detail to allow the affected waterways management unit to decide if an activity should be supported.

The commission shall consider all of the following factors in assessing need for feasibility studies:

(a) Estimated cost of the feasibility study.
(b) Available funds.
(c) Expression of support by the affected waterways management unit.
(d) Activities previously completed in the area.
(e) A decision by a waterways management unit to support an activity feasibility study shall be made by a resolution expressing support for a more detailed analysis into the environmental, economic and engineering feasibility of an activity. Support of an activity feasibility study does not commit the affected waterways management unit to cost-sharing in the conduct of a proposed activity or the management of operation of an activity.

§ 32.15 Financial assistance. (1) Authorization. The department shall develop and administer, with the approval of the commission, a program of financial assistance for eligible activities undertaken by waterways management units.

(a) Eligibility. (a) Only an activity found to be feasible by the commission and supported by the affected waterways management unit and approved by the commission is eligible for financial assistance under this subchapter. The department shall have financial assistance under this subchapter for every activity completed under par. (b) 1. or 2. that is approved by the commission. The department shall provide financial assistance for an activity completed under par. (b) 1. or 2. only as approved by the commission.

(b) The following categories of activities are eligible for financial assistance under this subchapter:

1. Activities that provide public access to or between waterways or that physically enhance places of public access.

2. Development of waterways to the extent necessary to accommodate recreational boating traffic.

3. Construction or maintenance of facilities that are used for the recreation or improvement of fish, wildlife or other natural resources.

4. The acquisition of conservation easements to protect the watershed of a waterway and any work in the watershed which will protect or enhance the opportunities for public enjoyment of the waterway.

5. Demonstration activities designed as innovative techniques to waterways protection, improvement or recreational development.
Vetoed in Part

SECTION 105ymg. 34.01 (2) of the statutes is
renumbered 34.01 (2) (intro.) and amended to read:

34.01 (2) (intro.) “Loss” means any of the following:

(a) Any loss of public moneys, which have been
deposited in a designated public depository in accordance
with this chapter, resulting from the failure of
any public depository to repay to any public depositor
the full amount of its deposit because the commis-
sioner of credit unions, administrator of federal credit
unions, commissioner of banking, comptroller of cur-
rency, federal home loan bank board or commissioner
of savings and loan has taken possession of the public
depository or because the depository is prevented from
paying out old deposits because of rules of the
commissioner of credit unions,
administrator of federal credit unions, commissioner of banking, comptroller of the currency, federal home loan bank board or commissioner of savings and loan.

SECTION 105yr. 34.01 (2) (b) of the statutes is created to read:

34.01 (2) (b) With respect to public moneys deposited in the local government pooled-investment fund, in addition to a loss as described in par. (a), the public depositor’s proportionate share of any loss of principal invested or reinvested by the investment board under s. 25.50 (6) occurring from the activities of the board shall be borne in part by the investment board and in part by the public depositor.

SECTION 105yr. 35.84 (figure) line 56 of the statutes is created to read:

35.84 (figure) 56. Each library of a law school accredited by the American Bar Association not otherwise provided for in this section.

Column A Statutes, Hard Covers; s. 35.18 2

Column B Statutes, Soft Covers; s. 35.18 8

Column D Bound Session Laws; s. 35.15 10

Column E Blue Books; s. 35.24 (1) 1

Column F Administrative Code and Register; s. 35.93; s. 227.025 1

Column J Opinions of Attorney General; s. 35.28; s. 165.015 (1) 1

Column K Supreme Court Reports; s. 35.28; s. 751.11 1

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SECTION 105yr. 35.84 (figure) 56. Each library of a law school accredited by the American Bar Association not otherwise provided for in this section.

SECTION 106. 36.25 (24) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

36.25 (24) EMPLOYE-OWNED BUSINESSES PROGRAM. Through the university of Wisconsin small business development center, in cooperation with the department of development under s. 560.07 (2m), the board of vocational, technical and adult education, and the university of Wisconsin-extension and the community development finance authority under s. 233.04 (2) (e), the board shall create, as needed, educational programs to provide training in the management of employee-owned businesses and shall provide technical assistance to employee-owned businesses in matters affecting their management and business operations, including assistance with governmental relations and assistance in obtaining management, technical and financial assistance.

SECTION 106m. 36.25 (26) of the statutes is created to read:

36.25 (26) DAY CARE CENTERS. A center may establish a day care center and may use funds received from the appropriation under s. 20.285 (1) (a) to operate it.

SECTION 107. 36.27 (2) (cm) of the statutes is amended to read:

36.27 (2) (cm) Any person continuously employed full time by an employer located in this state, who was relocated to this state for business expansion purposes by his or her current employer or who moved to this state for business expansion purposes and accepted his or her current employment before applying for admission to an institution or center and before moving, and the spouse and dependents of any such person, are entitled to the exemption under par. (a) if the student demonstrates an intent to establish and maintain a permanent home in Wisconsin according to the criteria under par. (e). In this paragraph, “dependents” has the meaning given in 26 USC 152 (a).

SECTION 107m. 36.27 (4) of the statutes is created to read:

36.27 (4) TUITION AWARD PROGRAM. Beginning in the 1988-89 academic year, the board may exempt from nonresident tuition, but not from incidental or other fees, up to 200 students enrolled at the university of Wisconsin-Parkside as juniors or seniors in programs identified by that institution as having surplus capacity.

SECTION 107r. 38.12 (9) of the statutes is created to read:

38.12 (9) FIRE FIGHTER TRAINING PROGRAMS. The district board shall make available to members of volunteer and paid fire departments maintained by cities, villages and towns located in the district a fire fighter training program approved by the board and funded under s. 20.292 (1) (gr). No district board may charge a fee for training provided under this subsection.

SECTION 108. 38.125 (1) of the statutes is renumbered 38.125.

SECTION 109. 38.125 (2) of the statutes is repealed.
the districts in 1989 and in each year thereafter, except that the limitation is not applicable to be paid for the purpose of providing programs and interests that would be lost if not provided by the district or county. The board shall keep an account of the amounts paid to the districts and report such amounts to the department of revenue upon receipt of the certified statements from the districts. The board may, in its discretion, disperse, or return to the districts, any sums of money unappropriated when the laws of the state or county are not voided by the districts. The amounts paid to the districts shall be used by the districts in accordance with the laws of the state or county and shall conform to the laws of the state or county in the full value of all taxable property in each district as verified by the department of revenue. Any excess of the amount paid to the districts over the amount paid to the districts in the preceding year shall be returned to the districts. The board shall notify the districts whether the sum of all taxable property in each district as verified by the department of revenue is less than the amount paid to the districts in the preceding year. When the laws of the state or county are not voided by the districts, the amounts paid to the districts shall be paid in the manner of each city, village, and town to the districts in the manner provided by the laws of the state or county.

SECTION 109m. 38.27 (1) (e) of the statutes is created to read:
38.27 (1) (e) Educational programs that would not otherwise be established or maintained because of limitations in district fiscal capacity.

SECTION 109n. 38.27 (2) (b) of the statutes is amended to read:
38.27 (2) (b) The board shall review the applications submitted under par. (a) according to procedures and criteria established by the board. Prior to awarding a grant for the purpose of sub. (1) (e), the board shall consider the principle of comparable budgetary support for similar programs and ensure that the program being considered for a grant is efficient and cost-effective. The board shall notify the district board whether the district board's application has been approved and, if approved, of the amount and the conditions of the grant to be awarded.

SECTION 109p. 38.27 (2) (c) of the statutes is amended to read:
38.27 (2) (c) Amounts awarded under par. (b) shall be paid from the appropriation under s. 20.292 (1) (dc) and may be paid to the district board in installments. Amounts awarded for the purposes of sub. (1) (a) to (d) shall range from 25% to 75% of the total project cost. The board shall require the district board to provide the remaining percentage share of total project cost.

SECTION 109q. 38.27 (2) (d) of the statutes is amended to read:
38.27 (2) (d) Amounts awarded for the purpose of sub. (1) (e) may be awarded on a continuing basis, pending the availability of funds. Amounts awarded to support the establishment of new programs under sub. (1) (a) and (b) may be awarded for a period of up to 3 years, pending the availability of funds. With multiple-year awards, the board shall in each year award a decreasing percentage of each year's total project cost.

SECTION 109r. 38.27 (2) (e) of the statutes is created to read:
38.27 (2) (e) Funds received under this section for the purpose of sub. (1) (a), (b), (c) or (d) may not be used to supplant funds otherwise available for such purposes.

SECTION 109s. 38.27 (2) (e) of the statutes is created to read:
38.27 (2) (e) Funds received under this section for the purpose of sub. (1) (a), (b), (c) or (d) may not be used to supplant funds otherwise available for such purposes.

SECTION 109u. 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 vocational, technical and adult education 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 s. 38.14 (3), all receipts under sub. (7), all receipts from grants awarded under s. 38.27, all fees collected under s. 38.24 and driver education and chauffeur training aids.

SECTION 109v. 38.28 (7) of the statutes is created to read:
38.28 (7) From the appropriation under s. 20.292 (1) (q), the board shall annually pay to each district an amount equal to the fee established under s. 38.24 (1) (b) for the number of credits necessary for the training required under s. 146.50 (9) and (10), multiplied by the sum of the number of ambulance attendants and ambulance service providers participating in the training required under s. 146.50 (9) and the number of ambulance attendants participating in the training required under s. 146.50 (10) that are enrolled in the district. If the amount in the appropriation under s. 20.292 (1) (q) in any fiscal year is insufficient to fully fund the payments to districts under this subsection, the payments shall be prorated.

SECTION 110. 39.11 (18) of the statutes is created to read:
39.11 (18) Use the funds appropriated under s. 20.225 (1) (d) to contract with Milwaukee area technical college for television facilities access or programs of statewide interest produced by the technical college, or both.
SECTION 113m. 39.39 of the statutes is created to read:

39.39 Nursing student stipend loans. (1) (a) In the 1988-89 fiscal year, the board shall establish a stipend loan program for resident students, including registered nurses, who are:

1. Enrolled in the 2nd year in a program leading to an associate degree in nursing in a vocational, technical and adult education school.

2. Enrolled as juniors in a program leading to a bachelor's degree in nursing in this state.

3. Enrolled as 3rd year students in a program leading to a diploma in nursing in this state.

(2) The board shall:

(a) Make stipend loans from the appropriations under s. 20.235 (1) (cg) and (gg).

(b) Promulgate rules to administer this section, including rules establishing loan amounts and the criteria and procedures for loan forgiveness and for selecting loan recipients. Loan recipients shall be selected on the basis of financial need, as determined by the board, using the needs analysis methodology used under s. 39.435.

(3) The board shall: (a) Within 30 days of the start of the fiscal year, make the loan funds from the appropriations under s. 20.235 (1) (cg) and (gg) available for the boards' use.

(b) Promulgate rules to administer this section, including rules establishing loan amounts and the criteria and procedures for loan forgiveness and for selecting loan recipients. Loan recipients shall be selected on the basis of financial need, as determined by the board, using the needs analysis methodology used under s. 39.435.

SECTION 114. 40.02 (17) of the statutes is amended to read:

40.02 (17) (c) An executive participating employe holding a position designated under s. 19.42 (10) (k) or 20.923 (4), (8) or (9) may not receive creditable service for service in that position on and after the first day of the 4th month commencing after the executive participating employe attains the age of 62 years.

Vetoed in Part

SECTION 114g. 40.02 (26g) of the statutes is created to read:

40.02 (26g) "Employe-funded reimbursement account plan" means a plan in accordance with section 125 of the internal revenue code, as defined in s. 71.02, under which an employe may direct an employer to place part of the employe's gross compensation in an account to pay for certain future expenses of the employe under section 125 of the internal revenue code.

SECTION 114h. 40.02 (26r) of the statutes is created to read:

40.02 (26r) "Employe-funded reimbursement account plan" means a plan in accordance with section 125 of the internal revenue code, as defined in s. 71.02, under which an employe may direct an employer to place part of the employe's gross compensation in an account to pay for certain future expenses of the employe under section 125 of the internal revenue code.
40.02 (26r) "Employe-funded reimbursement account plan provider" means a person who provides administrative services related to employe-funded reimbursement account plans.

SECTION 115. 40.02 (30) of the statutes, as affected by 1987 Wisconsin Acts .... (Assembly Bill 619) and .... (Assembly Bill 795), is repealed and recreated to read:

40.02 (30) "Executive participating employe" means a participating employe in a position designated under s. 19.42 (10) (k) or 20.923 (4), (8) or (9) during the time of employment. All service credited prior to the effective date of this subsection .... [revisor inserts date], as executive service as defined under s. 40.02 (31), 1985 stats., shall continue to be treated as executive service as defined under s. 40.02 (31), 1985 stats., but no other service rendered prior to the effective date of this subsection .... [revisor inserts date], may be changed to executive service as defined under s. 40.02 (31), 1985 stats.

SECTION 116. 40.02 (31) of the statutes is amended to read:

40.02 (31) "Executive service" means creditable service in a position designated under s. 19.42 (10) (k) or 20.923 (4), (8) or (9) as an executive participating employe which accrues on or after the participating employe qualifies as an executive participating employe and, for a participating employe who qualifies as an executive participating employe prior to February 16, 1978, all creditable service in a position designated under s. 19.42 (10) (k) or 20.923 (4), (8) or (9) prior to the date on which the executive participating employe qualified and all creditable service accruing prior to July 1, 1973, for a position in a position the duties of which are substantially included in a position designated under s. 19.42 (10) (k) or 20.923 (4), (8) or (9).

SECTION 116m. 40.02 (48) (a) of the statutes is amended to read:

40.02 (48) (a) "Protective occupation participant" is deemed to include any participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and who is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, member of the state patrol, state motor vehicle inspector (if hired prior to January 1, 1968), police officer, fire fighter, sheriff, undersheriff, deputy sheriff, county traffic police officer, state forest ranger, fire watchman employed by the Wisconsin veterans home, state correctional-psychiatric officer, excise tax investigator employed by the department of revenue, person employed under s. 61.66 (1), or a special criminal investigation agent employed by the department of justice.

SECTION 117. 40.02 (54) (e) of the statutes is amended to read:

40.02 (54) (e) The community development finance authority created under ch. 233, 1985 stats., before the effective date of this paragraph .... [revisor inserts date].

SECTION 117m. Subchapter VIII of chapter 40 of the statutes is created to read:

CHAPTER 40
SUBCHAPTER VIII
EMPLOYE-FUNDED REIMBURSEMENT ACCOUNTS
40.85 Employe-funded reimbursement account plan.

(1) The board shall select and contract with employe-funded reimbursement account plan providers to be used by state agencies.

(2) The board shall do all of the following:
(a) Determine the requirements for and the qualifications of the employe-funded reimbursement account plan providers.
(b) Approve the terms and conditions of the proposed contracts for administrative and related services.
(c) Determine the procedure for the selection of the employee-funded reimbursement account plan providers in accordance with s. 16.705.

(d) Approve the terms and conditions of model agreements which shall be used by each state employe to establish an employee-funded reimbursement account.

(e) Require as a condition of the contractual agreements entered into under this section that approved employee-funded reimbursement account plan providers may provide service to state agencies only as approved by the board.

40.86 Covered expenses. An employee-funded reimbursement account plan may provide reimbursement to an employe, to the extent permitted under section 125 of the internal revenue code, as defined in s. 71.02, for only the following expenses actually incurred and paid by an employe:

(1) Dependent care assistance for a person who is dependent on the employe.

(2) The employe’s share of premiums for any group insurance benefit plan provided by the department under subchs. IV and VI.

(3) Medical expenses which are not covered under a health insurance contract.

40.87 Treatment of compensation. Any part of gross compensation that an employer places in a reimbursement account under an employee-funded reimbursement account plan established under this subchapter which would have been treated as current earnings or wages if paid immediately to the employe shall be treated as current earnings or wages for purposes of any retirement, deferred compensation plan or group insurance benefit plan provided by the department.

SECTION 118d. 43.15 (1) (a) of the statutes is amended to read:

43.15 (1) (a) Contain at least one public library established under s. 43.52 in a city which, at the time of the system’s establishment, has a population of more than 30,000. Any contractual arrangement existing on December 17, 1971, among a number of units of government whose territory consists of at least 3,500 square miles, and under which a multi-jurisdictional library service program is operated, which meets the requirements of this section other than the requirement for a city having a population of 30,000 or more shall be deemed to meet such requirement if it provides in the system plan for access by contract to the resources and services of a public library in a city having a population of 30,000 or more which is participating in a system.

SECTION 118p. 44.015 (5) of the statutes is created to read:

44.015 (5) By rule, establish fees to recover costs under s. 44.02 (24).

SECTION 118r. 44.02 (24) of the statutes is created to read:

44.02 (24) Promulgate by rule procedures, standards and forms necessary to certify, and shall certify, expenditures for preservation or rehabilitation of non-depreciable historic property for the purposes of s. 71.09 (12q). These standards shall be substantially similar to the standards used by the secretary of the interior to certify rehabilitations under 26 USC 48 (g) (2) (C).

SECTION 119. 44.565 (2) (c) of the statutes is created to read:

44.565 (2) (c) The board shall set aside at least 5% of the funds for grants under par. (a) for grants to minority arts organizations.

SECTION 119m. 44.565 (2) (d) and (e) of the statutes are created to read:

44.565 (2) (d) The board shall set aside at least 20% of the funds for grants under par. (a) for grants to arts organizations and local arts agencies that have operating budgets of less than $100,000.

(e) Notwithstanding par. (b), a grant under par. (c) or (d) may match up to 100% of the sum of the arts organization’s or local arts agency’s income from contributions and earned income for the previous fiscal year, except that a grant under par. (d) shall be not less than $3,000 and not more than $10,000.

SECTION 120. 44.565 (3) and (4) of the statutes are created to read:

44.565 (3) If the amount in the appropriation under s. 20.215 (1) (d) in any fiscal year is insufficient to fund all grants under this section, the board shall award grants on a prorated basis.

44.565 (4) The board shall promulgate rules to implement and administer this section.

SECTION 120g. 44.65 of the statutes is created to read:

44.65 Cultural excellence awards. (1) From the appropriation under s. 20.215 (1) (e), the board shall make cultural excellence awards to a professional repertory theater company described under s. 125.51 (4) (k) 1 if the company matches the amount awarded through money or in-kind services.

(2) Notwithstanding sub. (1), in the 1988-89 fiscal year the board shall award the amount in the appropriation under s. 20.215 (1) (e) to a professional repertory theater company described under s. 125.51 (4) (k) 1 if the company matches the amount awarded through money or in-kind services.
45.01 G.A.R. memorial hall; space for. The department of administration shall provide suitable rooms in the capitol and properly prepare them for the purpose of a memorial hall, designated as the G.A.R. memorial hall, dedicated to the men and women of Wisconsin who served in the armed forces of the United States in the civil war of 1861 to 1865 or in any subsequent wars, as enumerated in s. 45.35 (5) (a) to (g), or in Grenada or Lebanon or a Middle East crisis under s. 45.34, and the department of veterans affairs shall operate and conduct such memorial hall.

SECTION 121m. 45.04 of the statutes is created to read:

45.04 Veterans memorial grants. (1) DEFINITIONS. In this section:
(a) "Department" means the department of veterans affairs.
(b) "In-kind contributions" includes but is not limited to donations of appliances, buildings, creations, equipment, fixtures, furniture, materials, structures, supplies and utilities, and work performed in the construction of a memorial.
(c) "Memorial" means a building, structure, statue or creation used to keep alive the remembrance of a veteran, veterans group or an event related to a veteran, but does not include a museum.
(d) "Secretary" means the secretary of the department.
(2) GRANT PROGRAM. From the appropriation under s. 20.485 (2) (s), the secretary shall award to eligible applicants grants to support the construction of not more than 2 memorials in this state to honor state veterans who served in the U.S. armed forces. One memorial may be constructed to honor state veterans who served during the Korean conflict, June 27, 1950, to January 31, 1955, and one to honor state veterans who served during the Vietnam era, August 5, 1964, to June 30, 1975.
(3) NOTICE; APPLICATION PROCESS. The secretary shall publicize the grant program under this section and the availability of grants. Eligible persons may apply for grants in accordance with the rules promulgated under sub. (6). The secretary shall develop and make available grant application forms.
(4) COUNCIL OF COMMANDERS REVIEW. The department shall provide the council of commanders with a copy of each application for a grant. The council may review the applications and submit its recommendations to the department.
(5) GRANTS. A grant may not exceed $300,000 per memorial. No person may receive a grant under this section unless the person is able to provide at least $1 for construction of the memorial for each $2 granted by the state. An initial payment of part of the grant, not to exceed $50,000, may be provided to an eligible person before the person obtains the required matching funds if the department is satisfied that the person is able to obtain those matching funds within a reasonable time. The eligible person's share of the cost of constructing the memorial may be in the form of money or in-kind contributions of equivalent value, or both. If the funds granted by the state plus the matching funds obtained by the grantee exceed the cost of construction of the memorial, any excess state grant shall be returned by the grantee to the department. The department shall return any excess state grant to the transportation fund. No grant may be provided unless the person provides evidence of the ability to provide continuing care and maintenance of the memorial. No funds may be granted for administrative expenses of the grantee.
(6) RULES. The department shall promulgate rules specifying all of the following:
(a) The persons eligible for grants.
(b) The application process.
(c) The council of commanders review process.
(d) The costs related to memorial construction that may be covered under a grant.
(e) The amount of matching funds required of eligible persons.
(f) The type of in-kind contributions that may be considered as part of the eligible person's matching funds.
(g) The grantee's responsibilities for the care and maintenance of the memorial after construction is completed.
(h) The type of evidence required to prove the person's ability to adequately care for and maintain the memorial.
(i) Any other information deemed necessary by the department.

SECTION 122. 45.16 of the statutes is amended to read:

45.16 Burial allowance. Each county veterans service officer shall cause to be interred in a decent and respectable manner in any cemetery in this state, other than those used exclusively for the burial of paupers, the body of any person who served in any war of the United States, in the Korean conflict, in the Vietnam era, under section 1 of executive order 10957, dated August 10, 1961, or had service which entitled the person to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or who served in Grenada or Lebanon or a Middle East crisis under s. 45.34 and who was discharged under honorable conditions therefrom after 90 days or more of active service, in the U.S. armed forces, or if having served less than 90 days was honorably discharged for disability incurred in line of duty and who was living in such county at the time of death, and who dies not leaving sufficient means to defray the necessary expenses of a decent burial, or under financial circumstances which would distress the person's family to pay the expenses of such burial, and the
body of a spouse or surviving spouse of any such person who dies not leaving such means or under the same financial circumstances and who was living in such county at the time of death, at an expense to the county of not more than $300 in addition to the burial allowance payable under laws administered by the veterans administration.

SECTION 123. 45.28 (1) (b) of the statutes is amended to read:

45.28 (1) (b) In this section, “veteran” means any person who served on active duty under honorable conditions in the U.S. armed forces for 90 days or more for other than training purposes between August 5, 1964, and July 1, 1975, or who is eligible to receive education benefits from the veterans administration for active service in the U.S. armed forces between August 5, 1964, and July 1, 1975, or who served in Grenada or Lebanon or a Middle East crisis under s. 45.34 and whose selective service local board, if any, and home of record at time of entry into active service as shown on the report of separation from the U.S. armed forces were in this state, or who was a resident of this state at the time of entry into active duty, and who has not received a bonus from another state for such service.

SECTION 123m. 45.28 (1) (c) of the statutes is amended to read:

45.28 (1) (c) The amount of the grant shall be based on the student’s financial need as determined by the department after disregarding any payment described under s. 45.85. The maximum grant per academic year shall not exceed $400 for married veterans or veterans with dependents and $200 for single veterans. The department shall distribute such grants to students eligible under this program and such grants may be renewable for up to 4 academic years.

SECTION 124. 45.34 of the statutes is renumbered 45.34 (1), and 45.34 (1) (c), as renumbered, is amended to read:

45.34 (1) (c) Was not entitled to receive a medal under sub.1) or (2) par. (a) or (b) but submits other proof of service acceptable to the department.

SECTION 125. 45.34 (title) of the statutes is created to read:

45.34 (title) Lebanon and Grenada and Middle East crisis.

SECTION 126. 45.34 (2) of the statutes is created to read:

45.34 (2) MIDDLE EAST CRISIS. A person shall be considered to have served in a Middle East crisis if, because of active duty in the U.S. armed forces or forces incorporated as a part of U.S. armed forces, any of the following apply:

(a) The person was awarded the humanitarian service medal for participating in the attempt to rescue American hostages in Iran.

(b) The person was awarded the valor ribbon bar by the U.S. state department for having been a hostage in Iran during the Iranian hostage crisis in 1980 and 1981.

(c) The person participated in the April 14, 1986, military action against Libya.


SECTION 127. 45.35 (5) (intro.) of the statutes is amended to read:

45.35 (5) VETERAN DEFINED; BENEFIT. (intro.) “Veteran” as used in this chapter, except in s. 45.37 and unless otherwise modified, means any person who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, except service on active duty for training purposes, which service was in Grenada or Lebanon or a Middle East crisis under s. 45.34 or which service entitled the veteran to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or any person who served for 90 days or more during a war-time period as enumerated under pars. (a) to (g) or under section 1 of executive order 10957 dated August 10, 1961, or if having served less than 90 days was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service connected or died in service, who is either a resident of and living in this state at the time of making application or deceased, and whose selective service local board, if any, and home of record at time of entry or reentry into active service as shown on the veteran’s report of separation from the U.S. armed forces for a qualifying period were in this state or who was either a resident of this state at the time of entry or reentry into active duty or has been a resident of this state for at least 10 years next preceding the veteran’s application or death. If the person had more than one qualifying term of service, at least one term of service must have been under honorable conditions or have been terminated by an honorable discharge for the purpose of establishing eligibility under this section and s. 45.37 (1a). Veterans who are otherwise eligible and who are serving on active duty in the U.S. armed forces need not be living in this state on date of application to qualify for benefits from the department. The benefits available to veterans shall also be made available to those married surviving spouses, minor or dependent children of deceased veterans if such remarried surviving spouses or minor or dependent children are residents of and living in this state at the time of making application. Any person whose service on active duty with the U.S. armed forces or in forces incorporated as part of the U.S. armed forces makes such person eligible for general veterans administration benefits shall be deemed to have served under honorable conditions for the purpose of this subsection and s. 45.37 (1a).

SECTION 127g. 45.351 (2) (a) of the statutes is amended to read:
45.351 (2) (a) The department may lend any veteran not more than $4,000 to be used for the purchase of a business or business property or the repairing of or adding to his or her home or business property, the construction of a garage, the education of the veteran or his or her children or to provide essential economic assistance if the department determines, after disregarding any payment described under s. 45.85, that the veteran satisfies the need requirements established by the department by rule. The need requirements may include, but are not limited to, consideration of the veteran’s resources and credit available upon manageable terms. The department may prescribe loan conditions, but the interest rate shall be 3% per year for loan applications received by the department before July 20, 1985, and the interest rate shall be 6% per year for loan applications received by the department on or after July 20, 1985, and the term shall not exceed 10 years. Loan expense may be charged to the veteran. The department may execute necessary instruments, collect interest and principal, compromise indebtedness, sue and be sued, post bonds and write off indebtedness which it deems uncollectible.

Where any loan under this section is secured by a real estate mortgage, the department may exercise the rights and powers set forth in s. 45.72. Interest and repaid principal shall be paid into the veterans trust fund. The department may lend not more than $4,000 to any veteran’s surviving spouse, whether remarried or not, or to the parent of any deceased veteran’s children for the education of such minor or dependent children if such surviving spouse or parent is a resident of and living in this state on the date of application.

SECTION 127r. 45.351 (2) (b) 1. (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

45.351 (2) (b) 1. (intro.) No person may receive a loan under this section if the department determines, after disregarding any payment described under s. 45.85, that the person’s annual income exceeds $500 for each dependent in excess of 2 dependents plus whichever of the following applies:

SECTION 128. 45.351 (2) (b) 1. cm of the statutes is amended to read:

45.351 (2) (b) 1. cm. For loans approved on or after July 1, 1988, $25,000.

SECTION 129. 45.37 (1a) of the statutes is amended to read:

45.37 (1a) Definition of veteran. “Veteran” as used in this section means any person who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces who was entitled to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or who served in Grenada or Lebanon or a Middle East crisis under s. 45.34 or any person who served for at least one day during a war period, as defined in s. 45.35 (5) (a) to (g) or under section 1 of executive order 10957, dated August 10, 1961, and who was officially reported missing in action, killed in action or who died in service, or who was discharged under honorable conditions therefrom after 90 days or more of active service, or if having served less than 90 days was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service connected, or who died as a result of service-connected disability.

SECTION 130. 45.42 (1) of the statutes is amended to read:

45.42 (1) The department may compile a record of the burial places within the state of persons who served in the U.S. armed forces in time of war as defined in s. 45.35 (5) (a) to (g) or in Grenada or Lebanon or a Middle East crisis under s. 45.34, or under section 1 of executive order 10957, dated August 10, 1961, or whose service entitled them to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965. The record, so far as practicable, may indicate the name of each person; the service in which engaged; the appropriate designation of armed forces unit; the rank and period of service; the name and location of the cemetery or other place in which the body is interred; the location of the grave in the cemetery or other place; and the character of headstone or other marker, if any, at the grave.

SECTION 131. 45.42 (2) of the statutes is amended to read:

45.42 (2) The department may have blank forms prepared whereby the information required for the record may be transmitted to it and may distribute the forms to county veterans service officers. The county veterans service officer within whose county and cemetery or burial place is located in which are interred the bodies of persons who served in the U.S. armed forces in time of war as defined in s. 45.35 (5) (a) to (g) or in Grenada or Lebanon or a Middle East crisis under s. 45.34 or under section 1 of executive order 10957, dated August 10, 1961, or whose service entitled them to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, shall submit the facts required for such record to the
provided under s. 45.85.

SECTION 132. 45.43 (1) (a) of the statutes is amended to read:

45.43 (1) (a) Except as provided under par. (b), the county board shall elect a county veterans' service officer who shall be a Wisconsin resident who served under honorable conditions in the armed forces of the United States in time of war as set forth in s. 45.35 (5) (a) to (g) or in Grenada or Lebanon or a Middle East crisis under s. 45.34.

SECTION 133. 45.43 (6) (b) of the statutes is amended to read:

45.43 (6) (b) Except as provided under par. (c), the county board may appoint assistant county veterans' service officers who shall be persons who served under honorable conditions in the U.S. armed forces during a war period specified under s. 45.35 (5) in time of war as set forth in s. 45.35 (5) (a) to (g) or in Grenada, Lebanon or a Middle East crisis under s. 45.34.

SECTION 133g. 45.71 (7) of the statutes is amended to read:

45.71 (7) "Funds" include cash on hand, liquid investments, and any asset the conversion of which to cash would not result in a substantial loss, except as provided under s. 45.85. The funds of a veteran include all funds owned by the veteran and his or her spouse, individually or jointly, unless the veteran and his spouse are permanently separated.

SECTION 133r. 45.71 (9) (intro.) and (b) of the statutes are amended to read:

45.71 (9) (intro.) "Income" means the amount of annual income of the person or both the person and his spouse, if any, that may reasonably be expected to be regular and dependable, except as provided under s. 45.85.

(b) Unless temporary in nature and except as provided under s. 45.85, pensions and disability compensation shall be considered income.

SECTION 134. 45.71 (16) (a) (intro.) of the statutes is amended to read:

45.71 (16) (a) (intro.) Any person who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who is entitled to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or who served in Grenada or Lebanon or a Middle East crisis under s. 45.34 or any person who served for 90 days or more during a war period as enumerated under subs. 1 to 9 or under section 1 of executive order 10957, dated August 10, 1961, or if having served less than 90 days was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service-connected or died in service, or who served on active duty for more than 6 months during the period between February 1, 1955, and August 4, 1964, and was honorably discharged, and who has been a resident of this state for at least 5 years next preceding an application or death or who was a resident of this state at the time of enlistment or induction into service and is either a resident of and living in this state at the time of making application or is deceased. If the person had more than one qualifying term of service, at least one term of service must have been under honorable conditions or have been terminated by an honorable discharge. Veterans who are otherwise eligible and who are serving on active duty in the U.S. armed forces need not be living in this state on date of application to qualify for a loan under this chapter. The following are designated as war periods:

SECTION 134m. 45.74 (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

45.74 Eligible persons; disqualifying factors. (intro.) Except as provided under s. 45.745 or 45.85, no person may receive a loan under this subchapter if the department or authorized lender determines that any of the following applies:

SECTION 135. 45.74 (1) of the statutes, as affected by 1987 Wisconsin Act 9, is renumbered 45.74 (1) (intro.) and amended to read:

45.74 (1) ANNUAL INCOME LIMITATION. (intro.) The annual income of the person or both the person and the person's spouse exceeds whichever of the following applies:

(a) The amount of $27,000 for loan applications approved under s. 45.79 during the period of July 1, 1981 to April 7, 1987, and for loan applications approved under s. 45.80 on or after during the period of July 1, 1981, or to June 30, 1988.

(b) The amount of $34,000 for loan applications approved under s. 45.79 on or after April 7, 1987, and for loan applications approved under s. 45.80 on or after July 1, 1988.

SECTION 135m. 45.745 (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

45.745 Loans to disabled veterans; qualifying factors. (intro.) A veteran who has secured a special housing grant under 38 USC 801 due to permanent and total service connected disability may receive a loan under this subchapter if the department or authorized lender determines, after disregarding any payment received under s. 45.85, that all of the following apply:

SECTION 136. 45.80 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

45.80 (1) Loans authorized; loan amount limited. The department may make loans to eligible veterans for qualified purposes in the manner provided under this section. No loan made under this section may exceed $6,509 $8,000. Subject to such limitation the amount of each loan shall be fixed by the depart-
ment with due regard to the conditions and requirements of the applicant.

SECTION 136d. 45.85 of the statutes is created to read:

45.85 Disregard of agent orange litigation payment. Notwithstanding any other provision of this chapter, the department or authorized lender shall not consider any payment received by a veteran or a veteran's dependent from the settlement approved by the U.S. district court in the case of In re “Agent Orange” Product Liability Litigation, 618 F. Supp. 623 (D.C.N.Y. 1985), as income or assets for purposes of determining eligibility for any of the following:

(1) Vietnam and post-Vietnam era veterans educational grants under s. 45.28.

(2) Educational grants under s. 45.28.

(3) Primary mortgage loans under s. 45.79.

(4) Secondary mortgage loans under s. 45.80.

SECTION 136f. 46.03 (18) (f) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

46.03 (18) (f) Notwithstanding par. (a), any person who submits to an assessment or driver safety plan under s. 23.33 (13) (e), 30.80 (6) (d), 343.16 (2) (a), 343.30 (1q) or 343.305 (10) or 350.11 (3) (d) shall pay a reasonable fee therefor to the appropriate county department under s. 51.42 or traffic safety school under s. 345.60. The fee for the driver safety plan may be reduced or waived if the person is unable to pay the complete fee, but no fee for assessment or attendance at a traffic safety school under s. 345.60 may be reduced or waived.

SECTION 136g. 46.033 (2) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

46.033 (2) The department shall promulgate rules establishing standards of competency, including examinations and training requirements, for income maintenance workers.

SECTION 136h. 46.033 (3) and (4) of the statutes, as created by 1987 Wisconsin Act 27, are repealed.

SECTION 136i. 46.21 (2) (q) of the statutes is created to read:

46.21 (2) (q) May, together with a private or public organization, association or affiliation, organize, establish and participate in the governance of an entity to operate wholly or in part any health-related service, may participate in the financing of the entity and may do whatever is necessary to effect the success of the entity.

SECTION 137g. 46.25 (7) of the statutes is renumbered 46.25 (7) (a) and amended to read:

46.25 (7) (a) The Before January 1, 1990, the department may represent the state or any individual in any action to establish or to enforce a support or maintenance obligation, including maintenance under s. 49.90 (1) (a) 2. The department may delegate its authority to represent the state or any individual in any action to establish or to enforce a support or maintenance obligation under this section to the district attorney, or corporation counsel when authorized by county board resolution, pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.435 (4) (p) to carry out a contract under this subsection.

SECTION 137m. 46.25 (7) (b) of the statutes is created to read:

46.25 (7) (b) After December 31, 1989, the department may represent the state or any individual in any action to establish or to enforce a support or maintenance obligation, including maintenance under s. 49.90 (1) (a) 2. The department may delegate its authority to represent the state or any individual in any action to establish or to enforce a support or maintenance obligation under this section to the district attorney, or corporation counsel when authorized by county board resolution, pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to effect the success of the entity.
a support or maintenance obligation. The department may delegate its authority to represent the state or any individual in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section or any other support or maintenance obligation pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.435 (4) (p) to carry out a contract under this subsection.

SECTION 139. 46.26 (4) (d) 4 of the statutes is amended to read:

46.26 (4) (d) 4. Beginning January 1, 1987 1989, and ending June 30, 1987 1989, the per person daily cost assessment to counties shall be $93.59 94.08 for care in a juvenile correctional institution, $93-54 94.09 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), $94.55 the dollar amount set by the department by rule for maintaining a prisoner in an adult correctional institution, $103.62 for care in a child caring institution, $64.62 $67.17 for care in a group home for children, $20.08 $26.08 for care in a foster home and approved by the department.

SECTION 140. 46.266 (1) (a) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

46.266 (1) (a) A Except as provided in par. (am), a nursing home terminates use of a bed occupied by the individual as part of a plan submitted by the nursing home and approved by the department.

SECTION 141. 46.266 (1) (am) of the statutes is created to read:

46.266 (1) (am) If approved by the department, a nursing home may, in lieu of the requirement of par. (a), agree to receive a permanent limitation on the facility's payment under s. 49.45 (6m) for each person relocated under this section. The department shall promulgate rules to administer this paragraph.

SECTION 141m. 46.266 (1) (b) of the statutes is created to read:

46.266 (1) (b) The eligible individual is a resident of a nursing home that is found to be or is at risk of being found to be an institution for mental diseases, as defined under 42 CFR 435.1009.

SECTION 142. 46.266 (1) (c) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

46.266 (1) (c) The individual is aged 22 21 to 64 and has a diagnosis of mental illness, except an individual under 22 years of age who was receiving services for his or her diagnosis immediately prior to reaching age 21 and continuously thereafter.

SECTION 144. 46.266 (3) of the statutes is created to read:

46.266 (3) If a person who is provided services under sub. (1) and who was relocated from a nursing home found to be an institution for mental diseases reenters, within 6 months following his or her first receipt of services under sub. (1), a nursing home that is found to be an institution for mental diseases, as defined under 42 CFR 435.1009, sub. (2) does not apply and funding under s. 49.45 (6g) (a) (intro.) and 1 shall be provided.

SECTION 144b. 46.27 (1) (bm) of the statutes is created to read:

46.27 (1) (bm) "Private nonprofit agency" means a nonprofit corporation, as defined in s. 181.02 (8), which provides comprehensive health care services to elderly persons and which participates in the On Lok replication initiative.

SECTION 144e. 46.27 (3m) of the statutes is created to read:

46.27 (3m) Powers and Duties of a Private Nonprofit Agency. A private nonprofit agency with which the department contracts for service under sub. (11) (c) 5 shall have the powers and duties under this section of a county department designated under sub. (3) (b) to administer the program.

SECTION 144h. 46.27 (7) (am) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

46.27 (7) (am) 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 to pay assessment and case plan costs under sub. (6) not otherwise paid under s. 46.032 or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46 or 49.47 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.

SECTION 144j. 46.27 (7m) of the statutes is created to read:

46.27 (7m) Right to hearing. A person 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 144L. 46.27 (11) (c) 3 of the statutes is amended to read:

46.27 (11) (c) 3. Medical assistance reimbursement for services a county or a private nonprofit agency with which the department contracts provides under this subsection shall be made from the appropriations under s. 20.435 (1) (o) and (4) (b) and (bd).

SECTION 144p. 46.27 (11) (c) 5 of the statutes is created to read:
46.27 (11) (c) 5. The department may contract for services under this subsection with a county or a private nonprofit agency.

SECTION 144r. 46.277 (1m) (at) of the statutes is created to read:

46.277 (1m) (at) "Private nonprofit agency" has the meaning specified in s. 46.27 (1) (bm).

SECTION 144u. 46.277 (3m) of the statutes is created to read:

46.277 (3m) PARTICIPATION BY A PRIVATE NONPROFIT AGENCY. A private nonprofit agency with which the department contracts for services under sub. (5) (c) shall have the powers and duties under this section of a county department, as specified in sub. (3) (a).

SECTION 144y. 46.277 (5) (c) of the statutes is created to read:

46.277 (5) (c) The department may contract for services under this section with a private nonprofit agency. Paragraphs (a) and (b) apply to funding received by a private nonprofit agency under this subsection.

SECTION 144. 46.40 (3) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

46.40 (3) SUPPORTIVE HOME CARE. For supportive home care services, the department shall allocate not more than $7,267,800 for the last 6 months of 1987, not more than $14,501,400 for 1988 and not more than $7,250,700 for the first 6 months of 1989.

SECTION 144s. 46.40 (6) (b) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

46.40 (6) (b) In addition to the amounts under par. (a), the department shall allocate for community-based programs for the mentally disabled under s. 45.44 to meet standards for medical institutionalization, the department shall allocate not more than $877,000 in fiscal year 1988-89.

SECTION 145s. 46.40 (6) (b) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

46.40 (6) (b) In addition to the amounts under par. (a), the department shall allocate for community-based programs for the mentally disabled under s. 45.44 to meet standards for medical institutionalization, the department shall allocate not more than $877,000 in fiscal year 1988-89.

SECTION 145. 46.40 (12) of the statutes is created to read:

46.40 (12) SERVICES TO PERSONS WITH EPILEPSY. For grants for services to persons with epilepsy under s. 46.57, the department shall allocate not more than $75,000 for the first 6 months of 1989.

SECTION 146. 46.45 (3) (a) of the statutes, as created by 1987 Wisconsin Act 27, 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, except for funds allocated for day care under ss. 46.98 (2) (a) 2 and 49.52 (1) (d) and funds allocated under s. 46.40 (11) (am) for use by the county, tribal governing body or nonprofit organization in the following calendar year. The department may not carry forward more than 25% of the amount allocated to a county, tribal governing body or nonprofit organization under s. 46.40 (2), (3) (e) 5, (5) to (10) or (12). All funds carried forward for a tribal governing body or nonprofit organization and all federal child welfare funds, under 42 USC 620 to 626, and federal alcohol, drug abuse and mental health block grant funds, under 42 USC 300x to 300x-9, carried forward for a county should be used for the purpose for which the funds were originally allocated. Except as provided under par. (am), other funds carried forward may be used for any purpose under s. 20.435 (4) (b). If a county match was required by s. 49.52 (1) (d) or 51.423 (2) when funds carried forward were originally allocated, the county match requirement applies to the funds in the following calendar year.

SECTION 147. 46.45 (3) (a) of the statutes, as created by 1987 Wisconsin Act 27, 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, except for funds allocated for day care under ss. 46.98 (2) (a) 2 and 49.52 (1) (d) and funds allocated under s. 46.40 (11) (am) for use by the county, tribal governing body or nonprofit organization in the following calendar year. The department may not carry forward more than 25% of the amount allocated to a county, tribal governing body or nonprofit organization under s. 46.40 (2), (3) (e) 5, (5) to (10) or (12). All funds carried forward for a tribal governing body or nonprofit organization and all federal child welfare funds, under 42 USC 620 to 626, and federal alcohol, drug abuse and mental health block grant funds, under 42 USC 300x to 300x-9, carried forward for a county should be used for the purpose for which the funds were originally allocated. Except as provided under par. (am), other funds carried forward may be used for any purpose under s. 20.435 (4) (b). If a county match was required by s. 49.52 (1) (d) or 51.423 (2) when funds carried forward were originally allocated, the county match requirement applies to the funds in the following calendar year.
Vetoed in Part

SECTION 148. 46.57 of the statutes is created to read:

46.57 Grants for services to persons with epilepsy.

(1) Definitions. In this section:

(a) "Agency" means a private nonprofit organization or a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 which provides or proposes to provide direct services or indirect services to or on behalf of persons with epilepsy, their families or both.

(b) "Direct services" means services provided to a person with epilepsy or a member of the family of a person with epilepsy and includes counseling, referral to other services, case management, daily living skills training, providing information and parent helper services.

(c) "Indirect services" means services provided to a person working with or on behalf of a person with epilepsy and includes service provider training, community education, prevention programs and advocacy.

(2) Purpose; allocation. (a) From the appropriations under s. 20.435 (4) (b) and (o), the department shall award grants to agencies to provide direct services or indirect services to or on behalf of persons with epilepsy, their families or both.

(b) The department may not allocate more than $50,000 per year to any agency for the program under this section.

(3) Criteria for awarding grants. In reviewing applications for grants, the department shall consider the following:

(a) The need for direct services and indirect services to persons with epilepsy and their families in the area in which the applicant provides services or proposes to provide services.

(b) Ways to ensure that both urban and rural areas receive services under the grant program.

(4) Evaluation. (a) After each year that an agency operates a program funded under this section the agency shall provide the following information to the department:

1. The estimated number of persons with epilepsy that reside within the area served by the agency.

2. The number of persons with epilepsy and other persons and organizations who received services within the area served by the agency.

(b) The subunit of the department which is responsible for departmental program evaluation shall annually submit, to the governor and the chief clerk of each house of the legislature for distribution under s. 13.172 (3), a report evaluating the grant program under this section.

SECTION 148c. 46.63 of the statutes is created to read:

46.63 Outreach to low-income pregnant women.

(1) The department shall conduct an outreach program to make low-income pregnant women aware of the importance of early prenatal health care and of the availability of medical assistance benefits under ss. 49.45 to 49.47 and other types of funding for prenatal care, to refer women to prenatal care services in the community and to make follow-up contacts with women referred to prenatal care services.

(b) The department shall award grants to agencies to provide direct services or indirect services to or on behalf of persons with epilepsy, their families or both.

(2) In addition to the amounts appropriated under s. 20.435 (4) (b) and (o), the department shall allocate $250,000 for fiscal year 1988-89 from moneys received under the maternal and child health services block grant program, 42 USC 701 to 709, for the outreach program under this section.
SECTION 148g. 46.81 (2) of the statutes, as created by 1987 Wisconsin Act 27, is renumbered 46.81 (2) (a).

SECTION 148h. 46.81 (2) (b) of the statutes is created to read:
46.81 (2) (b) In addition to the amounts allocated under par. (a), the department shall allocate $175,000 for fiscal year 1988-89 to aging units to provide benefit specialist services to older persons. The department shall allocate the funds under this paragraph so that each aging unit receives a 28% increase in funding, except that the department shall allocate to an aging unit a larger increase if necessary to fund, under this paragraph plus par. (a), 15 hours per week of benefit specialist services.

SECTION 148i. 46.82 of the statutes, as affected by 1987 Wisconsin Act 27, is renumbered 46.82 (1). 46.82 (1) The department shall establish an aging district office serving the southeastern portion of the state and 2 regional offices serving the southwestern, northwestern, and northcentral regions of the state for the administration and provision of the services specified under s. 46.81.

SECTION 148j. 46.85 (2) (a) of the statutes is created to read:
46.85 (2) (a) In addition to the amounts allocated under par. (a), the department shall allocate $175,000 for fiscal year 1988-89 to aging units to provide benefit specialist services to older persons. The department shall allocate the funds under this paragraph so that each aging unit receives a 28% increase in funding, except that the department shall allocate to an aging unit a larger increase if necessary to fund, under this paragraph plus par. (a), 15 hours per week of benefit specialist services.

SECTION 148k. 46.95 (2) (b) 3 of the statutes is amended to read:
46.95 (2) (b) 3. The need for domestic abuse services in the areas of the state served by each health systems agency designated under 12 USC 300L, as defined in s. 140.83 (1), 1985 stats.

SECTION 148l. 46.97 (2) (b) 4 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:
46.97 (2) (b) 4. In addition to the amounts under subs. 1 to 3, no more than $50,000 $150,000 in each year to eligible applicants without restriction as to the location of the applicants.

SECTION 148m. 46.97 (3m) of the statutes is created to read:
46.97 (3m) GRANT ELIGIBILITY. In awarding grants under this section, the department shall consider whether the community in which an eligible applicant provides services has a coordinated system of services for homeless individuals and families.

SECTION 148n. 48.06 (1) (am) 1 of the statutes is amended to read:
48.06 (1) (am) 1. All intake workers beginning employment after May 15, 1980, shall have the qualifications required to perform entry level social work in a county department and shall have successfully completed 30 hours of intake training approved or provided by the department prior to the completion of the first 6 months of employment in the position. The department shall monitor compliance with this subdivision according to rules promulgated by the department.

SECTION 148o. 48.06 (1) (am) 2 of the statutes is created to read:
48.06 (1) (am) 2. The department shall make training programs available annually that permit intake workers to satisfy the requirements specified under subd. 1.

SECTION 148p. 48.06 (1) (am) 2 of the statutes is renumbered 48.06 (1) (am) 3 and amended to read:
48.06 (1) (am) 2. The department shall make training programs available annually that permit intake workers to satisfy the requirements specified under subd. 1.

SECTION 148q. 48.06 (1) (am) 2 of the statutes is created to read:
48.06 (1) (am) 2. The department shall make training programs available annually that permit intake workers to satisfy the requirements specified under subd. 1.

SECTION 148r. 48.06 (1) (am) 2 of the statutes is created to read:
48.06 (1) (am) 2. The department shall make training programs available annually that permit intake workers to satisfy the requirements specified under subd. 1.

SECTION 148s. 48.06 (1) (am) 2 of the statutes is created to read:
48.06 (1) (am) 2. The department shall make training programs available annually that permit intake workers to satisfy the requirements specified under subd. 1.
SECTION 149r. 49.015 (1) (d) of the statutes, as affected by 1987 Wisconsin Act 27, is renumbered 49.015 (3) and amended to read:

49.015 (3) After December 31, 1986, a general relief agency may waive the requirement under par. (b) sub. (1) (b) or (2) (a) in a medical emergency or in case of unusual misfortune or hardship. Each waiver shall be reported to the department. The department may deny reimbursement under s. 49.035 for any case in which a waiver is inappropriately granted.

SECTION 150. 49.127 (2) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.127 (2) No person may misstate or conceal facts in a food stamp program application or report of income, assets or household circumstances with intent to secure or continue to receive food coupons stamp program benefits.

SECTION 151. 49.127 (2m) of the statutes is created to read:

49.127 (2m) No person may knowingly fail to report changes in income, assets or other facts as required under 7 USC 2015 (c) (1) or regulations issued under that provision.

SECTION 152. 49.128 of the statutes is created to read:

49.128 Food stamp demonstration project. (1) The department shall apply to the U.S. secretary of agriculture under 7 USC 2026 (b) (1) for a demonstration project in which recipients of supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.177 receive food stamp program benefits as cash payments instead of food coupons. If the demonstration project is approved, the department shall conduct the project.

(2) After the department is notified that the demonstration project under sub. (1) is approved, the department shall inform the U.S. secretary of agriculture that the state supplemental payments under s. 49.177 do not include an amount in lieu of food stamps in determining need.

SECTION 154. 49.19 (5) (am) 1. (intro.) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.19 (5) (am) 1. Instead Except as provided under subd. 1m, instead of the disregards under par. (a) 4 and 4m, after disregarding the amounts specified under par. (a) 2 and 3, $30 of earned income and an amount equal to one-sixth of the remaining earned income not disregarded shall be disregarded from the earned income of a person specified in par. (a) 2. These disregards do not apply to:

SECTION 155. 49.19 (5) (am) 1m of the statutes is created to read:

49.19 (5) (am) 1m Instead Except as provided under subd. 1m, instead of the disregards under par. (a) 4 and 4m, after disregarding the amounts specified under par. (a) 2 and 3, $30 of earned income and an amount equal to one-sixth of the remaining earned income not disregarded shall be disregarded from the earned income of a person specified in par. (a) 2. These disregards do not apply to:
49.19 (5) (am) 1m. If a waiver under subd. 2 is granted, the department may select individuals to whom the disregards under par. (a) 4 and 4m apply, rather than the disregard under subd. 1, as a control group for all or part of the period during which the waiver is in effect.

SECTION 157i. 49.41 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is renumbered 49.41 and amended to read:

49.41 (title) Assistance grants exempt from levy. Except as provided in sub. (2), all grants of aid to families with dependent children, payments made for social services, and benefits under s. 49.177 or federal Title XVI, are exempt from every tax, and from execution, garnishment, attachment and every other process and shall be inalienable.

SECTION 157j. 49.41 (2) of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 159. 49.45 (6g) (a) of the statutes, as created by 1987 Wisconsin Act 27, is renumbered 49.45 (6g) (a) (intro.) and amended to read:

49.45 (6g) (a) (intro.) Notwithstanding sub. (6m) (ag) and except as provided under par. (ar), if during the period beginning on July 1, 1987 and ending on June 30, 1989, the federal health care financing administration or the department finds a skilled nursing facility or intermediate care facility in this state that provides care to medical assistance recipients for which the facility receives reimbursement under sub. (6m) to be an institution for mental diseases:

49.45 (6g) (ag) Funds transferred or credited under sub. (6m) of the facility, that are not federal financial participation.

SECTION 160. 49.45 (6g) (a) 1 to 3 of the statutes are created to read:

49.45 (6g) (a) 1. A person residing in the facility on the date of the first month beginning after the effective date of this subsection may not exceed the number of beds available for the persons specified in par. (a) 1, minus the number of beds reduced under s. 46.266 (1) for persons who are not persons specified under s. 46.266 (3).

SECTION 161. 49.45 (6g) (ag) of the statutes is created to read:

49.45 (6g) (ag) Funds transferred or credited under par. (a) shall be all of the following:

1. Funds at 90% of the daily medical assistance reimbursement rate under sub. (6m) of the facility, unless the amount of $6,544,100 plus the state share of the daily medical assistance reimbursement rate that is budgeted for this purpose and for relocations under s. 46.266 for state fiscal year 1988-89 under s. 20.435 (1) (b) is insufficient to reimburse all eligible costs, in which case the funds shall be prorated by the department.

2. Funds, calculated according to a method specified by the department, equivalent to the state share of the average daily medical assistance payment for noninstitutional medical services for residents of skilled nursing facilities or intermediate care facilities found to be institutions for mental diseases whose care has been disallowed for federal financial participation.

SECTION 162. 49.45 (6g) (ar) of the statutes is created to read:

49.45 (6g) (ar) The total number of beds in skilled nursing facilities or intermediate care facilities that are funded at any one time under pars. (a) and (ag) may not exceed the number of beds available for the persons specified in par. (a) 1, minus the number of beds reduced under s. 46.266 (1) for persons who are not persons specified under s. 46.266 (3).

SECTION 162m. 49.45 (6g) (d) of the statutes is created to read:

49.45 (6g) (d) No skilled nursing facility or intermediate care facility that has residents who are 21 to 64 years of age and have a diagnosis of mental illness may receive funds under this subsection unless the skilled nursing facility or intermediate care facility has received distinct part or separate licensure under s. 50.03 (1m).

SECTION 163. 49.45 (6j) of the statutes is created to read:

49.45 (6j) Limitation on certain facility coverage. The department shall determine, under a method devised by the department, the average population during the period from January 1, 1987, to the last day of the first month beginning after the effective date of this subsection ... [revisor inserts date], of persons in each skilled nursing facility or an intermediate care facility who are mentally ill and are within the age limitations specified in this subsection may not exceed the payment for the average population of these persons in that facility, as determined by the department.

SECTION 164. 49.45 (6m) (ar) 1. a of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:
49.45 (6m) (ar) 1. a. The department shall establish standards for payment of allowable direct care costs that are at least 110% of the median for direct care costs for facilities that do not primarily service the developmentally disabled and separate standards for payment of allowable direct care costs that are at least 110% of the median for direct care costs for facilities primarily serving the developmentally disabled. The standards shall be adjusted by the department for regional labor cost variations. The department may decrease the percentage established for the standards only if amounts available under par. (ag) (intro.) are insufficient to provide total payment under par. (am), less capital costs under subd. 5.

SECTION 165. 49.45 (6u) (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.45 (6u) FACILITY OPERATING DEFICIT REDUCTION. (intro.) Except as provided in par. (g), from the appropriation under s. 20.435 (1) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a facility, as defined under sub. (6m) (a) 2, that is established under s. 49.14 (1) or that is owned and operated by a city or village, the department shall allocate $3,715,000 in fiscal year 1987-88 and $3,715,000 in fiscal year 1988-89 to these facilities and up to $1,000,000 in fiscal year 1988-89, as determined by the department, and shall perform all of the following:

SECTION 166. 49.45 (27) of the statutes is created to read:

49.45 (27) ELIGIBILITY OF ALIENS. A person who is not a U.S. citizen or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law may not receive medical assistance benefits except as provided under 8 USC 1255a (h) (3) or 42 USC 1396b (v).

SECTION 166i. 49.45 (29) of the statutes is created to read:

49.45 (29) HOSPICE REIMBURSEMENT. The department shall promulgate rules limiting aggregate payments made to a hospice under ss. 49.46 and 49.47.

SECTION 168m. 49.46 (2) (a) 4. a of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.46 (2) (a) 4. a. Inpatient hospital services other than services in an institution for mental diseases, including psychiatric and alcohol or other drug abuse treatment services, subject to the limitations under par. (i).

SECTION 168s. 49.46 (2) (a) 5 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.46 (2) (a) 5. Hospice care, as provided under par. (g). This subdivision does not apply beginning on July 1, 1988, and ending on July 31, 1989.

SECTION 170g. 49.46 (2) (b) 6. e of the statutes is amended to read:

49.46 (2) (b) 6. e. Inpatient hospital, subject to the limitations under par. (i), skilled nursing facility and intermediate care facility services for patients of any institution for mental diseases who are under 21 years of age, are under 22 years of age and who were receiving these services immediately prior to reaching age 21, or are 65 years of age or older.

SECTION 170r. 49.46 (2) (b) 10 of the statutes is created to read:

49.46 (2) (b) 10. Hospice care as defined in 42 USC 1396d (o) (1). No person may receive benefits under this subdivision after July 31, 1989, unless that person receives benefits under this subdivision on July 31, 1989.
under 42 USC 1395c to 1395i-2, and is terminally ill. This paragraph does not apply beginning on July 1, 1988, and ending on July 31, 1989.

SECTION 172m. 49.46 (2) (i) of the statutes is created to read:

49.46 (2) (i) 1. The department may pay for inpatient hospital psychiatric care, including alcohol and other drug abuse services, under par. (a) 4. a or (b) 6. e only if that care is determined to be medically necessary prior to the admission or, for emergency admissions, within 24 hours after the admission by a medical peer review organization under a contract with the department after consulting with a provider designated by the department and certified under s. 49.45 (2) (a) 11. The department may not pay for continuing inpatient psychiatric care under par. (a) 4. a or (b) 6. e if the peer review organization determines, after consulting with the designated provider, based on a periodic review of the recipient’s needs, that continued inpatient treatment is not medically necessary.

2. The department shall contract with a peer review organization and with certified providers to determine, under subd. 1, the medical necessity of inpatient psychiatric admissions and continuing inpatient psychiatric care at intervals determined by the department.

SECTION 178g. 49.47 (6) (a) 1 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.47 (6) (a) 1. All beneficiaries, for those services enumerated under s. 49.46 (2) (a) and (b) 3 and 6. a to d and h to j and, beginning on July 1, 1988, and ending on July 31, 1989, under s. 49.46 (2) (b) 10.

SECTION 178r. 49.47 (6) (a) 4 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.47 (6) (a) 4. Beneficiaries described under s. 49.46 (2) (g), for hospice care. This subdivision does not apply beginning on July 1, 1988, and ending on July 31, 1989.

SECTION 179. 49.47 (6) (a) 5 of the statutes is created to read:

49.47 (6) (a) 5. Beneficiaries who are patients of a skilled nursing facility or intermediate care facility that is an institution for mental diseases, who are under 21 years of age, are under 22 years of age and were receiving these services immediately prior to reaching age 21, or are 65 years of age or older, for skilled nursing facility or intermediate care facility services, if prescribed by a physician.

SECTION 180. 49.47 (6) (c) 4 of the statutes, as created by 1987 Wisconsin Act 27, is repealed and recreated to read:

49.47 (6) (c) 4. Services to individuals aged 21 to 64 who are residents of an institution for mental diseases and who are otherwise eligible for medical assistance, except for individuals under 22 years of age who were receiving these services immediately prior to reaching age 21 and continuously thereafter and except for services to individuals who are on convalescent leave or are conditionally released from the institution for mental diseases. For purposes of this subdivision, the department shall defined “convalescent leave” and “conditional release” by rule.

SECTION 182r. 49.50 (7) (g) 3 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.50 (7) (g) 3. The individual is physically able to attend school and is not excused from attending school under s. 118.15 (3).

SECTION 183m. 49.50 (7) (g) 4 to 10 of the statutes are created to read:

49.50 (7) (g) 4. The individual is a parent or is residing with his or her natural or adoptive parent.

5. If the individual is the caretaker of a child, the child is at least 90 days old.

6. If child care services are necessary in order for the individual to attend school, child care licensed under s. 48.65, certified under s. 48.651 or established under s. 120.13 (14) is available for the child and transportation to and from child care is also available.

7. The individual is not prohibited from attending school while an expulsion under s. 119.25 or 120.13 (1) is pending.

8. If the individual was expelled from a school under s. 119.25 or 120.13 (1), there is another school available which the individual can attend.

9. If the individual is 16 to 19 years of age, the school district does not determine that the individual will fail to graduate from high school before reaching age 20.

10. The individual does not have good cause for failing to attend school, as defined by the department by rule.

SECTION 185g. 49.50 (7) (h) of the statutes, as created by 1987 Wisconsin Act 27, is renumbered 49.50 (7) (h) 1 and is amended to read:

49.50 (7) (h) 1. The individual is physically able to attend school and is not excused from attending school under s. 118.15 (3) and if the following requirements are satisfied:

SECTION 186r. 49.50 (7) (j) 1 of the statutes are created to read:

49.50 (7) (j) 1. a. The school offered the individual programs or curricular modifications under s. 115.15 (1) (d), prior to the last attendance absence on which the section is based.
SECTION 186. 49.50 (7) (h) 2 of the statutes is created to read:

49.50 (7) (h) 2. The first time an individual is sanctioned under subd. 1, if application of the sanction would result in the family receiving no payment, the department shall make a payment to meet only the needs of the individual's parent or parents who would otherwise be eligible for aid under s. 49.19, for up to 3 months.

SECTION 187. 49.50 (7) (hm) of the statutes is created to read:

49.50 (7) (hm) The department may require consent to the release of school attendance records, under s. 118.125 (2) (e), as a condition of eligibility for aid under s. 49.19.

SECTION 187m. 49.50 (7) (hr) of the statutes is created to read:

49.50 (7) (hr) If an individual required to attend school under par. (g) is enrolled in a public school, communications between the school district and the department or a county department under s. 46.215, 46.22 or 46.23 concerning the individual's school attendance may only be made by a school attendance officer, as defined under s. 118.16 (1) (a).

SECTION 188. 49.50 (7) (i) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.50 (7) (i) The department shall request a waiver from the secretary of the federal department of health and human services to permit the application of the school attendance requirement under par. (g). Paragraphs (e) 1, and (g) and (h) to (hr) do not apply unless the federal waiver is in effect. If a waiver is received, the department shall implement par. (e) 1, (g) and (h) beginning with the fall 1987 school term, as defined under s. 115.001 (12), or on the date the waiver is effective, whichever is later.

SECTION 189m. 49.50 (7g) (em) of the statutes is created to read:

49.50 (7g) (em) The department shall contract with a local service agency, as defined in s. 101.35 (1) (d), to use all or part of the grant of an individual receiving aid for families with dependent children to supplement the wages of the individual, if his or her wages are subsidized under s. 101.35. The rules promulgated by the department establishing criteria for recipient participation do not apply to contracts under this paragraph. Contracts between the department and local service agencies shall use the most effective means of implementing grant diversion under 42 USC 614. This paragraph does not apply after June 30, 1991.

SECTION 190. 49.50 (17) of the statutes is created to read:

The department shall not require an individual to participate in a program under s. 118.105 (1) (a) if the department has determined that the individual does not have the ability to participate in the program. The department may cancel the program and the aid provided under s. 49.19 on account under s. 118.105 (1) (a).

SECTION 191. 49.50 (7g) (em) of the statutes is created to read:

49.50 (7g) (em) The department shall contract with a local service agency, as defined in s. 101.35 (1) (d), to use all or part of the grant of an individual receiving aid for families with dependent children to supplement the wages of the individual, if his or her wages are subsidized under s. 101.35. The rules promulgated by the department establishing criteria for recipient participation do not apply to contracts under this paragraph. Contracts between the department and local service agencies shall use the most effective means of implementing grant diversion under 42 USC 614. This paragraph does not apply after June 30, 1991.

SECTION 195. 49.52 (1) (ag) 3 of the statutes is created to read:

49.52 (1) (ag) 3. For the first 6 months of 1989:

a. Divide the projected county workload change for the first 6 months of 1989, as determined by the department, by the projected statewide workload change for the first 6 months of 1989, as determined by the department.

b. Multiply the amount determined under subd. 3. a by 0.75.

c. Multiply the amount determined under subd. 3. b by 50% of the county base allocation for 1989.

d. If the county has a projected workload increase, add the amount determined under subd. 3. c to 50% of the county base allocation for 1989; and if the county has a projected workload decrease, subtract the amount determined under subd. 3. c from 50% of the county base allocation for 1989.

e. A county's reimbursement equals the amount determined under subd. 3. d or 95% of 50% of the county base allocation for 1989, whichever is greater.

SECTION 196b. 49.90 (1) (a) 2 of the statutes is amended to read:

49.90 (1) (a) 2. Except as provided under sub. subs. (11) and (13) (a), the parent of a dependent person under the age of 18 shall maintain a child of the dependent person so far as the parent is able and to the extent that the dependent person is unable to do so. The requirement under this subdivision does not supplant any requirement under subd. 1 and applies regardless of whether a court has ordered maintenance by the parent of the dependent person or established a level of maintenance by the parent of the dependent person.

SECTION 196c. 49.90 (2) of the statutes is renumbered 49.90 (2) (a) 1 and amended to read:

49.90 (2) (a) 1. Upon failure of these relatives to provide maintenance the authorities or board shall submit to the district attorney a report of its findings. Upon receipt of the report the district attorney shall, within 60 days, apply to the circuit court for the
county in which the dependent person under sub. (1) (a) 1 or the child of a dependent person under sub. (1) (a) 2 resides for an order to compel such maintenance. Upon such an application the district attorney shall make a written report to the county department under s. 46.215, 46.22 or 46.23, with a copy to the chairperson of 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, and to the department of health and social services.

SECTION 196n. 49.90 (2) (a) 1 of the statutes is renumbered 49.90 (2) (a) and amended to read:

49.90 (2) (a) Upon failure of these relatives to provide maintenance the authorities or board shall submit to the district attorney a report of its findings. Upon receipt of the report the district attorney shall, within 60 days, apply to the circuit court for the county in which the dependent person resides for an order to compel such maintenance. Upon such an application, the district attorney shall make a written report to the county department under s. 46.215, 46.22 or 46.23, with a copy to the chairperson of 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, and to the department of health and social services.


SECTION 196L. 49.90 (2g) and (2r) of the statutes are created to read:

49.90 (2g) (a) In addition to the remedy specified in sub. (2), upon failure of a grandparent to provide maintenance under sub. (1) (a) 2, another grandparent who is or may be required to provide maintenance under sub. (1) (a) 2, a child of a dependent minor or the child's parent may apply to the circuit court for the county in which the child resides for an order to compel the provision of maintenance. A county department under s. 46.215, 46.22 or 46.23, a county child support agency or the department may initiate an action to obtain maintenance of the child by the child's grandparent under sub. (1) (a) 2, regardless of whether the child receives public assistance.

(b) Paragraph (a) does not apply after December 31, 1989.

(2r) (a) An action under sub. (2) or (2g) for maintenance of a grandchild by a grandparent may be joined with an action to determine paternity under s. 767.45 (1) or an action for child support under s. 767.02 (1) (f) or (j) or 767.08, or both.

(b) Paragraph (a) does not apply after December 31, 1989.

SECTION 196n. 49.90 (3) of the statutes is renumbered 49.90 (3) (a) and amended to read:

49.90 (3) (a) At least 10 days prior to the hearing on the application under sub. (2) or (2g), notice thereof of the hearing shall be served upon such relatives the grandparent or other relative who is alleged not to have provided maintenance, in the manner provided for the service of summons in courts of record.

SECTION 196r. 49.90 (3) (b) to (d) of the statutes are created to read:

49.90 (3) (b) Paragraph (a) does not apply after December 31, 1989.

(c) At least 10 days prior to the hearing on the application under sub. (2), notice of the hearing shall be served upon the relative who is alleged not to have provided maintenance, in the manner provided for the service of summons in courts of record.

(d) Paragraph (c) applies after December 31, 1989.

SECTION 196u. 49.90 (4) (a) 1, (10) and (11) (a) of the statutes are amended to read:

49.90 (4) (a) 1. The circuit court shall in a summary way hear the allegations and proofs of the parties and by order require maintenance from these relatives, if they have sufficient ability to consider their own future maintenance and making reasonable allowance for the protection of the property and investments from which they derive their living and their care and protection in old age, in the following order: First the husband or wife; then the father and the mother; and then the grandparents in the instances in which sub. (1) (a) 2 applies. The order shall specify a sum which will be sufficient for the support of the dependent person under sub. (1) (a) 1 or the maintenance of a child of a dependent person under sub. (1) (a) 2, to be paid weekly or monthly, during a period fixed by the order or until the further order of the court. If the court is satisfied that any such relative is unable wholly to maintain the dependent person or the child, but is able to contribute to the person's support or the child's maintenance, the court may direct 2 or more of the relatives to maintain the person or the child and prescribe the proportion each shall contribute. If the
court is satisfied that these relatives are unable together wholly to maintain the dependent person or
the child, but are able to contribute to the person's
support or the child's maintenance, the court shall
direct a sum to be paid weekly or monthly by each
relative in proportion to ability. Contributions
directed by court order, if for less than full support,
shall be paid to the department of health and social
services and distributed as required by state and fed-
eral law. An order under this subdivision that relates
to maintenance required under sub. (1) (a) 2 shall
specifically assign responsibility for and direct the man-
ders of payment of the child's health care expenses,
subject to the limitations under subs. (1) (a) 2 and (11)
(a). Upon application of any party affected by the
order and upon like notice and procedure, the court
may modify such an order. Obedience to such an
order may be enforced by proceedings for contempt.

(10) If an action under this section relates to sup-
port or maintenance of a child, to the extent appropri-
ate the court shall determine maintenance or support
in the manner provided in which support is deter-
mined under s. 767.25.

(11) (a) The Except as provided in sub. (13) (b), the
parent of a dependent person who is under the age of
18 and is alleged to be the father of a child is respon-
sible for maintenance of that child only if the paternity
of the child has been determined to be that of the
dependent person as provided in subch. VIII of ch. 48
or under ss. 767.45 to 767.60. Subject to the limita-
tions under sub. (1) (a), if a parent of the a dependent
person is liable for the health care expenses of the
dependent person's child under sub. (4) (a) 1, this lia-
bility extends to all expenses of the child's medical
care and treatment, including those associated with
the childbirth, regardless of whether they were
incurred prior to the determination of paternity and
regardless of whether the determination of paternity is
made after the child's father attains 18 years of age,
except that the period for which maintenance payment
is ordered for the parent of a dependent person may
not extend beyond the date on which the dependent
person attains 18 years of age. The court may limit the
liability of the dependent person's parent for the
child's medical expenses if the expenses exceed 5% of
the parent's federal adjusted gross income for the pre-
vious taxable year, if the parent files separately, or 5% of
the sum of the parents' federal adjusted gross
income for the previous taxable year, if the parents file
jointly.

SECTION 196y. 49.90 (12) and (13) of the statutes
are created to read:

49.90 (12) (a) The parent of a dependent person
who maintains a child of the dependent person under
sub. (1) (a) 2 may, after the dependent person attains
the age of 18, apply to the circuit court for the county
in which the child resides for an order to compel resti-
tution by the dependent person of the amount of
maintenance provided to the dependent person's child
by that parent. The circuit court shall in a summary
way hear the allegations and proof of the parties and,
after considering the financial resources and the future
ability of the dependent person to pay, may by order
specify a sum in payment of the restitution, to be paid
weekly or monthly, during a period fixed by the order
or until further order of the court. Upon application
of any party affected by the order and following notice
and an opportunity for presentation of allegations
and proof by the parties, the court may modify the
order. The parent of the dependent person may file a
restitution order with the clerk of circuit court. Upon
payment of the fee under s. 814.61 (5) (a), the clerk
shall enter the order on the judgment docket under s.
806.10 in the same manner as for a judgment in a civil
action. Thereafter, the parent of the dependent per-
son may enforce the order against the dependent per-
sone in the same manner as for a judgment in a civil
action.

(b) Paragraph (a) does not apply after December

(13) (a) The parent of a dependent person who is
the victim of a sexual assault under s. 940.225 (1) (a)
for which a conviction is obtained and which results in
the birth of a child before the dependent person
attains the age of 18 is not responsible under sub. (1)
(a) 2 for the maintenance of that child of the depen-
dent person.

(b) If a dependent person is convicted at any time of
caus ing a pregnancy under s. 940.225 (1) (a) which
results in the birth of a child before the dependent per-
son attains the age of 18, the parent of that dependent
person is solely liable under the requirements of sub.
(1) (a) 2 for the maintenance of the dependent person's
child.

(c) If the parent of the dependent person specified
in par. (a) provides maintenance to the dependent per-
sone's child and if par. (b) applies, the parent may
apply to the circuit court for the county in which the
child resides for an order to compel restitution by the
parent specified in par. (b) of the amount of mainte-
nance provided. The circuit court shall in a summary
way hear the allegations and proof of the parties and,
after considering the financial resources and future
ability of the parent of the dependent person specified
in par. (b) to pay, may by order specify a sum in pay-
ment of the restitution, to be paid weekly or monthly,
during a period fixed by the order or until further
order of the court. Upon application of any party
affected by the order and following notice and an
opportunity for presentation of allegations and proof
by the parties, the court may modify the order. The
parent specified in par. (a) may file a restitution order
with the clerk of circuit court. Upon payment of a fee
under s. 814.61 (5) (a), the clerk shall enter the order
on the judgment docket under s. 806.10 in the same
manner as for a judgment in a civil action. Thereafter,
the parent specified in par. (a) may enforce the order
against the parent specified in par. (b) in the same
manner as for a judgment in a civil action.
(d) Paragraphs (a) to (c) do not apply after December 31, 1989.

SECTION 196z. 50.03 (1m) of the statutes is created to read:

50.03 (1m) **Distinct part or separate licensure for institutions for mental diseases.** Upon application to the department, the department may approve licensure of the operation of a nursing home or a distinct part of a nursing home as an institution for mental diseases, as defined under 42 CFR 435.1009. Conditions and procedures for application for, approval of, operation under and renewal of licensure under this subsection shall be established in rules promulgated by the department.

SECTION 197. 50.04 (3) (d) of the statutes is created to read:

50.04 (3) (d) **Survey of institutions for mental diseases.** Before July 1, 1988, the department shall conduct a survey to determine whether any nursing home that is licensed under this section is an institution for mental diseases, as defined under 42 CFR 435.1009. On or after July 1, 1988, the department shall make these determinations during inspections conducted under par. (a).

SECTION 198. 50.51 (1) (d) of the statutes is created to read:

50.51 (1) (d) If a person or establishment licensed under ch. 97 is incidentally engaged in an activity for which a permit is required under this section, the department may, by rule, exempt the person or establishment from the permit 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.

SECTION 198b. 50.53 (1) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

50.53 (1) (b) For a tourist rooming house, $70

SECTION 198c. 51.30 (4) (b) 18 of the statutes is amended to read:

51.30 (4) (b) 18. To staff members of the protection and advocacy agency designated under s. 51.62 (2) or to staff members of the private, nonprofit corporation with which the agency has contracted under s. 51.62 (3) (a) 3, if any, for the purpose of protecting and advocating the rights of persons with developmental disabilities, as defined under s. 51.62 (1) (a), or mental illness, as defined under s. 51.62 (1) (bm), except that if the patient has a guardian information concerning the patient obtainable by staff members of the agency or nonprofit corporation with which the agency contracted is limited to the name, birth date and county of residence of the patient, information regarding the patient was voluntarily admitted, involuntarily committed or protectively placed and the date and place of admission, placement or commitment, and the name and address of any guardian of the patient and the date and place of the guardian’s appointment. Any staff member who wishes to obtain additional information shall notify the patient’s guardian in writing of the request and of the guardian’s right to object. The staff member shall send the notice by mail to the guardian’s address. If the guardian does not object in writing within 15 days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within 15 days after the notice is mailed, the staff member may not obtain the additional information.

SECTION 198g. 51.62 (1) (bm) of the statutes is created to read:

51.62 (1) (bm) “Mental illness” means mental disease to such extent that a person so afflicted requires care and treatment for his or her welfare, or the welfare of others, or of the community and is an inpatient.
SECTION 198i. 5162 (1) (c) of the statutes is amended to read:

"Protection and support services'-means a system to protect and advocate the rights of persons with developmental disabilities, as authorized under 42 USC 6062 or mental illness, as authorized under 42 USC 10831.

SECTION 198k. 5162 (2) (a) and (b) 2. a. The council on developmental disabilities and mental health.

3. An agency that provides treatment, services or habilitation to persons with developmental disabilities or mental illness.

b. Major organizations, in the state, of persons with developmental disabilities or mental illness and their families and representatives of these persons.

SECTION 198m. 5162 (3) (a) of the statutes is amended to read:

"Protection and support services', means a system to protect and advocate the rights of persons with developmental disabilities or mental illness and to provide information and referral to programs and services addressing the needs of persons with developmental disabilities or mental illness.

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or resident in a facility rendering care or treatment or
has been discharged from the facility for more
than 90 days.

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Vetoed in Part
SECTION 199bi. 59.072 of the statutes is created to read:

59.072 Employe ownership grants and loans. (1) In this section:

(a) "Employe group" means a group formed by or on behalf of employes or former employes of a business that is considering substantial layoffs or closing, if the group is formed to assume or attempt to assume control of the business and reorganize it as an employe-owned business.

(b) "Employe-owned business" has the meaning given in section 560.16 (1) (c) of the statutes.

(2) A county board of a county having a population of 300,000 or more may make grants or loans to an employe group for any of the following:

(a) Costs associated with financial, legal or organizational services associated with assuming control of a business and reorganizing it as an employe-owned business.

(b) Costs associated with buying stock or assets or pursuing other means to assume control of a business and reorganize it as an employe-owned business.

(3) A county board may not issue bonds or similar obligations, including bonds under s. 66.066, to finance grants or loans under this section.

(4) This section does not apply after December 31, 1990.
SECTION 199. 59.68 (7) of the statutes is amended to read:

59.68 (7) A county may establish extensions of the jail, which need not be at the county seat, to serve as places of temporary confinement. No person may be detained in such an extension for more than 24 consecutive hours, except that a court may order that a person subject to imprisonment under ss. 23.33 (13) (b) 2 or 3 or (c) or 350.11 (3) (a) 2 or 3 or (b) be imprisoned for more than 24 consecutive hours in such an extension. Jail extensions shall be subject to plans and specifications approval by the department of health and social services and shall conform to other requirements imposed by law on jails, except that cells may be designed and used for multiple occupancy.

SECTION 200. 59.84 (3m) of the statutes is amended to read:

59.84 (3m) ACCOUNTING AND BUDGETING PROCEDURE. Every accounting and budgeting procedure applied under this section shall comply with generally

Vetoed in Part

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accepted accounting principles for government as promulgated by the national council on governmental accounting governmental accounting standards board or its successor bodies or other authoritative sources.

Vetoed in Part

SECTION 200g. 60.74 (2) of the statutes is amended to read:

60.74 (2) (a) "Approve bonds furnished by contractors for public works under s. 779.14 (-1-) (1m).

SECTION 200i. 60.74 (8) of the statutes is amended to read:

60.74 (8) APPLICABILITY TO LOCAL GOVERNMENTAL AGENTS. An ordinance enacted under this section is applicable to activities conducted by a unit of local government and an agency of the unit of government. An ordinance enacted under this section is not applicable to activities conducted by an agency as defined under s. 227.01 (1) and also including the office of district attorney which is subject to the state construction site erosion control and storm water management plan promulgated by memorandum of understanding entered into under s. 144.294 (1).

Vetoed in Part

SECTION 200k. 60.24 (3) (zm) of the statutes is amended to read:

60.24 (3) (zm) Approve bonds furnished by contractors for public works under s. 779.14 (4) (1m).

SECTION 200l. 60.55 (2) (b) of the statutes is amended to read:

60.55 (2) (b) Charge property owners a fee for the cost of fire calls made protection provided to their property under sub. (1) (a) according to a written schedule established by the town board.

Vetoed in Part

SECTION 200m. 61.354 (1) of the statutes is amended to read:

61.354 (1) (d) (1) ENFORCEMENT OF ORDINANCES TO PROMOTE THE PURPOSES OF 144.294. An ordinance to promote the public health, safety and general welfare of a village may adopt in connection with erosion control ordinance and may enact storm water management zoning ordinance applicable to all of its incorporated area. This ordinance thereof ordinances may be enacted separately from other ordinance enacted under s. 144.294 (1).

Vetoed in Part

SECTION 200n. 61.22 (1e) of the statutes is amended to read:

61.22 (1e) CERTAIN INDUSTRIAL SITES. The governing body of a 2nd class city which is adjacent to
Lake Michigan and which is located in a county with a population of less than 110,000, according to the most recent estimate by the department of administration, may acquire real property by gift outside the city boundaries for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for public purposes; and may sell and convey such property.

SECTION 200s. 62.234 (2) of the statutes is amended to read:

62.234 (2) (d) Authority to acquire property by gift outside the city boundaries to promote the public health, safety and general welfare. In effect the purposes of s. 146.306 and to promote the public health, safety and general welfare, a city may enact a construction, the construction, and a storm water management plan promulgated by the department of administration, for the incorporation of the town as a village or city.

(2) CENSUS. To determine the population of the territory to be incorporated under this section, a town board may adopt a resolution directing that a census be taken of the resident population of such territory as it may be on some day not more than 10 weeks prior to the date of a referendum to be held under this section, exhibiting the name of every head of a family and the name of every person who is a resident in good faith of such territory on such day, and the lot or quarter section of land on which that person resides, which shall be verified by the affidavit of the person taking the census affixed to the census.

(3) 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 such territory is on file with the town clerk.

(c) If incorporation as a city is proposed, specify the number of members of the common council and the method of election; and if the members are to be elected from aldermanic districts, specify the numbers and boundaries of the districts.

(d) Determine the polling place for each ward and, if subdivision of existing wards is required to enable creation of aldermanic districts, specify the numbers and boundaries of the wards.

(e) The town contains at least 300 acres of land which has been zoned for industrial, commercial or public utility use.

(f) The town contains at least 100 acres of land actually used for industrial, commercial or public utility purposes.

(g) The common council or village board of each city or village contiguous to the town has adopted a resolution approving the incorporation of the town as a village or city.

SECTION 200s. 66.011 of the statutes is created to read:

66.011 Towns may become villages or cities. (1) CONDITIONS. A town board may initiate the procedure for incorporating its town as a village or city 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 or city if on the date of adoption of the resolution all of the following conditions are satisfied:

(a) The most recent federal census or a census taken under sub. (2) shows that the resident population of the town exceeds 10,000.

(b) The town is contiguous to a 2nd class city with a resident population exceeding 65,000.

(c) The most recent per capita equalized valuation figures available from the department of revenue show that the per capita equalized valuation for the town is equal to or greater than the average per capita equalized valuation for all cities and villages of the state.

(d) The town board of the town is authorized to exercise village powers.

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(c) The most recent per capita equalized valuation figures available from the department of revenue show that the per capita equalized valuation for the town is equal to or greater than the average per capita equalized valuation for all cities and villages of the state.

(d) The town board of the town is authorized to exercise village powers.

(e) The town contains at least 300 acres of land which has been zoned for industrial, commercial or public utility use.

(f) The town contains at least 100 acres of land actually used for industrial, commercial or public utility purposes.

(g) The common council or village board of each city or village contiguous to the town has adopted a resolution approving the incorporation of the town as a village or city.

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(c) The most recent per capita equalized valuation figures available from the department of revenue show that the per capita equalized valuation for the town is equal to or greater than the average per capita equalized valuation for all cities and villages of the state.

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(a) The most recent federal census or a census taken under sub. (2) shows that the resident population of the town exceeds 10,000.

(b) The town is contiguous to a 2nd class city with a resident population exceeding 65,000.

(c) The most recent per capita equalized valuation figures available from the department of revenue show that the per capita equalized valuation for the town is equal to or greater than the average per capita equalized valuation for all cities and villages of the state.

(d) The town board of the town is authorized to exercise village powers.

(e) The town contains at least 300 acres of land which has been zoned for industrial, commercial or public utility use.

(f) The town contains at least 100 acres of land actually used for industrial, commercial or public utility purposes.

(g) The common council or village board of each city or village contiguous to the town has adopted a resolution approving the incorporation of the town as a village or city.
Section 5.01 (10) INTERIM OFFICERS. All officers of the town incorporated under this section shall be a body corporate and politic, with powers and privileges of a municipal corporation at common law and those conferred upon a village or city by statute.

(9) EXISTING ORDINANCES. Ordinances in force in the territory incorporated or any part thereof, insofar as not inconsistent with an applicable provision of these statutes, shall continue in force until amended or repealed.

(10) INTERIM OFFICERS. All officers of the town incorporated under this section as a village or city shall continue to exercise the powers and duties that they exercised prior to incorporation until the first meeting of the board of trustees or common council at which a quorum is present.

(11) FIRST VILLAGE OR CITY ELECTION. (a) Within 10 days after the date of the certificate of incorporation issued by the secretary of state, the town board shall fix a time for the first village or city election, determine the expiration dates of the terms of the officers to be elected and name at least 3 inspectors of election for each polling place. The time for the election shall be fixed no less than 40 days after the date of the certificate of incorporation issued by the secretary of state. If a primary is required for any office, the date fixed for the election shall be the date of the primary and the election shall be held on the date provided in s. 8.50 (2) (b). Nomination papers shall conform to ch. 8. Nomination papers may be circulated no earlier than the date of the certificate of incorporation issued by the secretary of state and may be filed no later than 5 p.m. 28 days before the date of the election.

(b) The town clerk shall publish a type A notice of the election under s. 10.01 (2) (a) no later than 35 days before the election, a type E notice of the election under s. 10.01 (2) (e) on the 4th Tuesday before the election and type B and D notices of the election under s. 10.01 (2) (b) and (d) on the day before the election. Notice shall be given by publication in the newspapers selected under sub. (4) and by posting notices in 3 public places in the village or city. Section 5.01 (1) applies in the event of failure to comply with the notice requirements of this paragraph.

(c) The election shall be conducted as prescribed by chs. 5 to 12. The inspectors shall make returns to the town board of canvassers which shall, within one week after the election, canvass the returns and certify the results. The clerk shall notify the officers-elect and issue certificates of election. If the first election is on the first Tuesday in April, the officers so elected shall commence and hold their offices as for a regular term, take office within 3 days after certification of the results and hold their offices until their terms expire. The terms of their appointees shall expire as soon as successors qualify.

(12) SUNSET. This section does not apply after June 30, 1990.

SECTION 201. 66.03 (1) of the statutes is amended to read:

66.03 (1) DEFINITION. In this section, “municipality” includes town sanitary districts, school districts, vocational, technical and adult education district, town, village districts, towns, villages and city districts.

SECTION 201d. 66.04 (2) (a) 1 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

66.04 (2) (a) 1. Time deposits in any credit union, bank, savings bank, trust company or savings and loan association which is authorized to transact business in this state if the time deposits mature in not more than one year.
SECTION 201h. 66.04 (2) (a) 4 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

66.04 (2) (a) 4. Any security which matures or which may be tendered for purchase at the option of the holder within not more than 7 years of the date on which it is acquired, if that security is rated has a rating which is the highest or 2nd highest rating category assigned by Standard & Poor’s corporation, Moody’s investors service or other similar nationally recognized rating agency or if that security is senior to, or on a parity with, a security of the same issuer which has such a rating.

SECTION 201k. 66.114 (2) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

66.114 (2) (a) If the person so arrested and released fails to appear, personally or by an authorized attorney or agent, before the court at the time fixed for hearing of the case, then the bond and money deposited, or such portion thereof as the court may determine to be an adequate penalty, plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, may be declared forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed after an ex parte hearing together with the costs. In either event, the surplus, if any, shall be refunded to the person who made the deposit.

SECTION 201ka. 66.23 (7) of the statutes is amended to read:

66.23 (7) A per diem compensation not to exceed $50 may be paid to commissioners. Commissioners shall be reimbursed for actual expenses incurred as commissioners in carrying out the work of the commission.

SECTION 201kb. 66.24 (3) of the statutes is amended to read:

66.24 (3) CONNECTIONS WITH SYSTEM. The commission may require any person or municipality in the district to provide for the discharge of its sewage into the district’s collection and disposal system, or to connect any sanitary sewerage system with the district’s disposal system where reasonable opportunity therefor is provided; may regulate the manner in which such connections are made; may require any person or municipality discharging sewage into the system to provide preliminary treatment therefor; may prohibit and impose a penalty for the discharge into the system of any substance which it determines will or may be harmful to the system or any persons operating it; and may, with the prior approval of the department, after hearing upon 30 days’ notice to the municipality involved, require any municipality to discontinue the acquisition, improvement or operation of any facility for disposal of any wastes or material handled by the commission wherever and so far as adequate service is or will be provided by the commission. The commission shall have access to all sewerage records of any municipality in the district and shall require all such municipalities to submit plans of existing systems and proposed extensions of local services or systems. The commission or its employees may enter upon the land in any municipality within the district for the purpose of making surveys or examinations.

SECTION 201kd. 66.26 (1) of the statutes is created to read:

66.26 (1) Territory outside the district which becomes annexed for municipal purposes to a city or village which, prior to the annexation, is located entirely within the original district shall be added to the district upon receipt by the commission and the regional planning com-
mission 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, 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 the commission issues a written determination disapproving the addition of the territory under this subsection. Failure of the commission to disapprove the addition of the territory under this subsection is subject to review under ch. 227.

SECTION 201kh. 66.26 (4) of the statutes is created to read:

66.26 (4) Section 66.23 (1) does not require the appointment of a commissioner from territory annexed under this section if that territory, on the day before the annexation, has a population of less than 8.5% of the total population served by the district.

SECTION 201L. 66.33 (5) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

66.33 (5) Any municipality may participate in the state financial assistance program for water resources protection established under s. 144.21, 144.24, 144.241 or 144.25 and may enter into agreements with the department of natural resources for that purpose. Any county may participate in the state financial assistance program for soil and water resources protection established under s. 92.14 and may enter into agreements with the department of agriculture, trade and consumer protection for that purpose.

SECTION 201m. 66.41 (4) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

66.41 (4) a. Such bonds may be sold or exchanged at public sale or by private negotiation with bond underwriters, as the authority may provide. The bonds may be sold or exchanged at such price or prices as the authority shall determine. If sold or exchanged at public sale, the sale shall be held after a public notice under ch. 292, published prior to such sale in a newspaper having general circulation in the city, and in such other manner of publication as the authority determines. Such notice may be held to the federal government at private sale, without publication of any notice, at not less than par and, less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at private sale at not less than par to interested parties to the authority or to exceed the interest cost to the authority of not to exceed the interest cost to the authority of the price at which the bond is sold to the federal government. The provision of this subsection is subject to agreements entered into in connection with the sale of such bonds by the authority and the parties interested as may be necessary or reasonable to effectuate the terms of the contracts made for the purposes of this section.

Vetoed in Part
SEC. 201p. (a)(3)(b) of the statutes is amended to read:

"The city of ______ may extend the whole or any part of the project in accordance with the provisions of this section, provided that the city is responsible for the construction and maintenance of the project in accordance with the provisions of this section."

SEC. 201p. (a)(3)(c) of the statutes is amended to read:

"The city of ______ may extend the whole or any part of the project in accordance with the provisions of this section, provided that the city is responsible for the construction and maintenance of the project in accordance with the provisions of this section."

SEC. 201p. (a)(3)(d) of the statutes is amended to read:

"The city of ______ may extend the whole or any part of the project in accordance with the provisions of this section, provided that the city is responsible for the construction and maintenance of the project in accordance with the provisions of this section."

Vetoed in Part
SECTION 201r. 67.12 (12) (a) of the statutes is amended to read:

67.12 (12) (a) Any municipality may issue promissory notes as evidence of indebtedness for any public purpose, as defined in s. 67.04 (1) (b), for any general and current municipal expense, and to refinance any municipal obligations, including interest thereon. Each note, plus interest, shall be repaid within 10 years after the original date of the note, except that notes issued under s. 144.241 shall be repaid within 20 years after the date of completion of the treatment work project which they fund.

SECTION 201t. 70.03 of the statutes is amended to read:

70.03 Definition real property. The terms "real property", "real estate" and "land", when used in chs. 70 to 79, shall include not only the land itself but all buildings and improvements thereon, and all fixtures and rights and privileges appertaining thereto, except that for the purpose of vacation time-sharing properties, time-share property, as defined in s. 707.02 (32), real property does not include recurrent exclusive use and occupancy on a periodic basis or other rights, including, but not limited to, membership rights, vacation services and club memberships.

SECTION 202. 70.05 (1m) of the statutes is repealed.

SECTION 202c. 70.05 (5) (a) 3 of the statutes is created to read:

70.05 (5) (a) 3. “Major class of property” means any class which includes more than 5% of the full value of the taxation district.

SECTION 202g. 70.05 (5) (e) of the statutes is amended to read:

70.05 (5) (e) Annually beginning in 1992, the department of revenue shall determine the ratio of assessed value to full value of all taxable general property of each taxation district and of each major class of property under s. 70.32 (2) of each taxation district and publish its finding in the report required under s. 73.06 (5).

SECTION 202h. 70.05 (5) (f) and (g) of the statutes are created to read:

70.05 (5) (f) Beginning in 1992, if the department of revenue determines that the assessed value of the taxation district, including 1st class cities, has not been established so that the ratios of assessed value to full value of any 2 major classes of property under s. 70.32 (2) are within 10% of each other at least once during the 4-year period consisting of the current year and the 3 preceding years, the department shall notify the clerk of the taxation district in writing on or before November 1 of the year of determination that the district’s assessment staff is required to participate in the program under s. 73.08 (3) during the next year.

(g) If, in the year after the year in which a taxation district’s assessment staff participates in the program under s. 73.08 (3), the department of revenue determines that the ratios of assessed value to full value of any 2 major classes of property under s. 70.32 (2) are not within 10% of each other, the department shall order special supervision under s. 70.75 (3) for that taxation district for the succeeding year’s assessment. That order shall be in writing and shall be mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

SECTION 202k. 70.095 of the statutes is amended to read:

70.095 (title) Assessment roll; time-share property. For the purpose of vacation time-sharing condominiums, a condominium association time-share property, as defined in s. 703.02 (1m) 707.02 (32), a time-share instrument, as defined in s. 707.02 (28), shall provide in its bylaws under s. 703.10 a method for allocating real property taxes among its members the time-share owners, as defined in s. 707.02 (31), and a method for giving notice of an assessment and the amount of property tax to its members the owners. Only one entry shall be made on the assessment roll for each building unit within the condominium time-share property, which entry shall consist of the cumulative real property value of all time-share parcels for each building interests in the unit.

SECTION 202m. 70.11 (15m) of the statutes is created to read:

70.11 (15m) Secondary containment structures. Secondary containment structures used to prevent leakage of liquid fertilizer or pesticides.

SECTION 203. 70.11 (21) (c) of the statutes is amended to read:

70.11 (21) (c) A prerequisite to exemption under this subsection is the filing of a statement on forms prescribed by the department of revenue with the department of revenue. This statement shall be filed not later than February 1 January 15 of the year in which a new exemption is requested or in which a waste treatment facility that has been granted an exemption is retired, replaced, disposed of, moved to a new location or sold.

SECTION 204. 70.11 (21) (d) of the statutes is created to read:

70.11 (21) (d) The department of revenue shall allow an extension to February 15 of the due date for filing the report form required under par. (c) if a written application for an extension, stating the reason for the request, is filed with the department of revenue before January 15.
SECTION 205. 70.11 (21) (e) of the statutes is amended to read:
70.11 (21) (e) On or before March 1 of each year the department of revenue shall notify the owner and the local assessor of each taxation district wherein such property is located as to the taxability or nontaxability of such nonmanufacturing property.

SECTION 206. 70.11 (21) (f) of the statutes is created to read:
70.11 (21) (f) If property about which a statement has been filed under par. (c) is determined to be taxable, the owner may appeal that determination to the tax appeals commission under s. 73.01 (5) (a), except that assessments under s. 76.07 shall be appealed under s. 76.08.

SECTION 206c. 70.111 (3) of the statutes is amended to read:
70.111 (3) Boats. Watercraft employed regularly in interstate traffic. Watercraft laid up for repairs. All pleasure watercraft used for recreational purposes. Commercial fishing boats.

SECTION 206m. 70.113 (2) (a) of the statutes is amended to read:
70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined in s. 28.02 (1), state parks under s. 27.01 and other lands acquired under s. 23.09 (2) (d), 23.27, 23.29, 23.293, 23.31 or 29.571 (1) located within such municipality and acquired after June 30, 1969. Such payments shall be made from the appropriation under s. 20.370 (4) (ea) or (eq) and remitted by the department of natural resources in the amounts certified by the department of revenue according to par. (b).

SECTION 207. 70.119 (6) of the statutes is amended to read:
70.119 (6) The department shall report to the cochairpersons of the committee the results of its negotiations to the committee at its December meeting and report the total payments proposed to be made in the subsequent calendar year. Upon approval of the total payment by the committee, the department may make payments to individual municipalities. If the cochairpersons of the committee do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed total payments within 14 working days after the date of the department's report, the department may make the payments. If, within 14 working days after the date of the department's report, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed total payments, the department shall not make the payments without the approval of the committee.

SECTION 208. 70.25 of the statutes is amended to read:
70.25 Lands, described on rolls. In all assessments and tax rolls, and in all advertisements, certificates, papers, conveyances or proceedings for the assessment and collection of taxes, and proceedings founded thereon, as well herebefore as hereafter, except in tax bills, any descriptions of land which shall indicate the land intended with ordinary and reasonable certainty and which would be sufficient between grantor and grantee in an ordinary conveyance shall be sufficient; nor shall any description of land according to the United States survey be deemed insufficient by reason of the omission of the word quarter or the figures or signs representing it in connection with the words or initial letters indicating any legal subdivision of lands according to government survey. Where a more complete description may not be practicable and the deed or a mortgage describing any piece of real property is recorded in the office of the register of deeds for the county, an abbreviated description including the volume and page where recorded, and the section, village or city where the property is situated, shall be sufficient. Where a more complete description may not be practicable, and the piece of property is described in any certificate, order or judgment of a court of record in the county, an abbreviated description including the volume and page of the court record where recorded, and the section, village or city where the property is situated, shall be sufficient.

SECTION 208g. 70.395 (2) (d) (intro.) of the statutes is amended to read:
70.395 (2) (d) (intro.) Annually on the first Monday in January, except as provided in subd. 5. b and c, the department of administration shall distribute, upon certification by the board:

SECTION 208r. 70.395 (2) (d) 5. c of the statutes is created to read:
70.395 (2) (d) 5. c. To each Native American community, county, city, town and village that contains at least 15% of a minable ore body in respect to which construction has begun at a metalliferous mining site
but in respect to which extraction has not begun, $100,000 as a one-time payment. Those payments shall be made on or before the date 30 days after the beginning of construction.

SECTION 208t. 70.395 (2) (dg) of the statutes is amended to read:

70.395 (2) (dg) Each person constructing a metalliferous mining site shall annually pay to the department of revenue for deposit in the investment and local impact fund, as a construction fee, an amount sufficient to make the construction period payments under par. (d) 5. a and b in respect to that site. Any person paying a construction fee under this paragraph may credit against taxes due under s. 70.375 an amount equal to the payments that the taxpayer has made under this paragraph, provided that the credit does not reduce the taxpayer's liability under s. 70.375 below the amount needed to make the first-dollar payments as defined under sub. (1) (a) 2 for that year in respect to the taxpayer's mine. Any amount not credited because of that limitation in any year may be carried forward.

SECTION 208v. 70.47 (7) (ab) of the statutes is amended to read:

70.47 (7) (ab) For the purpose of this section, the condominium association managing entity, as defined in s. 703.02 (1m) 707.02 (15), or its designee, may be considered the taxpayer as an agent of the vacation time shared period titleholder for the time-share owner, as defined in s. 707.02 (31), and may file one objection and make one appearance before the board of review concerning all objections relating to a particular real property improvement and the land associated with it. An individual titleholder A time-share owner may file one objection and make one appearance before the board of review concerning the assessment of the building unit in which he or she owns a time share.

SECTION 210. 70.511 (2) (b) of the statutes is amended to read:

70.511 (2) (b) If the reviewing authority reduces the value of the property in question, the condominium association managing entity, as defined in s. 703.02 (1m) 707.02 (15), or its designee, may be considered the taxpayer as an agent of the vacation time shared period titleholder for the time-share owner, as defined in s. 707.02 (31), and may file one objection and make one appearance before the board of review concerning all objections relating to a particular real property improvement and the land associated with it. An individual titleholder A time-share owner may file one objection and make one appearance before the board of review concerning the assessment of the building unit in which he or she owns a time share.

SECTION 210m. 70.511 (2) (b) of the statutes is amended to read:

70.511 (2) (b) If the reviewing authority reduces the value of the property in question, the condominium association managing entity, as defined in s. 703.02 (1m) 707.02 (15), or its designee, may be considered the taxpayer as an agent of the vacation time shared period titleholder for the time-share owner, as defined in s. 707.02 (31), and may file one objection and make one appearance before the board of review concerning all objections relating to a particular real property improvement and the land associated with it. An individual titleholder A time-share owner may file one objection and make one appearance before the board of review concerning the assessment of the building unit in which he or she owns a time share.

SECTION 211. 70.53 of the statutes is amended to read:

70.53 Statement of assessment and exemptions. Upon the correction of the assessment roll as provided in s. 70.52, the clerks shall prepare and, on or before the 2nd Monday in June, transmit to the department of revenue a detailed statement of the aggregate of each of the several items of taxable property specified in s. 70.30, a detailed statement of each of the several classes of taxable real estate, entering land and improvements separately, as prescribed in s. 70.32 (2), the aggregate of all taxable property by elementary and high school district and by vocational, technical and adult education district, and a detailed statement of the aggregate of each of the several items of exempt real property as specified by the department of revenue as to which the taxation district is exempt, determining the effect of the assessment reduction or determination of exemption on the taxation district's equalized values. Each taxation district so charged shall pay the municipality no later than January 31 of the year succeeding the taxation district's next property tax levy.

SECTION 212m. 70.57 (1) of the statutes is amended to read:

70.57 (1) The department of revenue before August 15 of each year shall complete the valuation of the property of each county and taxation district of the state. From all the sources of information accessible
to it the department shall determine and assess by the value of all property subject to general property taxation in each county and taxation district. If the department is satisfied that the assessment by a county assessor under s. 70.99 is at full value, it may adopt that value as the state's full value. It shall set down a list of all the counties and taxation districts and opposite to the name of each county and taxation district the valuation determined by the department, which shall be the full value according to its best judgment. There shall also be prepared a list of all the counties of the state, with opposite the name of each county the valuation determined, which shall be certified by the secretary of revenue as the assessment of the counties of the state made by the department, and the list of counties and taxation districts, for the purpose of review of the increase, or may, within 30 days after the person or municipality affected may seek file an appeal seeking review of the reduction, or may, within 30 days after the person assessed files a petition for review, file a cross-appeal, before the tax appeals commission even though the municipality did not file an objection to the assessment with the board. If an assessment is increased by the board, the person assessed may seek file an appeal seeking review of the increase, or may, within 30 days after the municipality files a petition for review, file a cross-appeal, before the commission even though the person did not file an objection to the assessment with the board.

SECTION 213. 70.995 (8) (a) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors, which shall be comprised of the members of the department of revenue whom the secretary designates. The state board of assessors shall investigate any objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state board of assessors, after having made the investigation, shall notify the person assessed or the person's agent and the appropriate municipality of its determination by 1st class mail. Beginning with objections filed in 1989, the state board of assessors shall make its determination on or before March 1 of the year after the filing. If the determination results in a refund of property taxes paid, the state board of assessors shall include in the determination a finding of whether the refund is due to false or incomplete information supplied by the person assessed. The person assessed or the municipality having been notified of the determination of the state board of assessors shall be deemed to have accepted the determination unless the person or municipality files a petition for review with the clerk of the tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission. If an assessment is reduced by the state board of assessors, the municipality affected may seek file an appeal seeking review of the reduction, or may, within 30 days after the person assessed files a petition for review, file a cross-appeal, before the tax appeals commission even though the municipality did not file an objection to the assessment with the board. If an assessment is increased by the board, the person assessed may seek file an appeal seeking review of the increase, or may, within 30 days after the person assessed files a petition for review, file a cross-appeal, before the commission even though the person did not file an objection to the assessment with the board.
the municipality files a petition for review, file a cross-appeal, before the commission even though the person did not file an objection to the assessment with the board.

SECTION 216. 70.995 (12) (a) of the statutes is amended to read:

70.995 (12) (a) The department of revenue shall prescribe a standard manufacturing property report form that shall be submitted annually for each real estate parcel and each personal property account on or before March 1 by all manufacturers whose property is assessed under this section. The report form shall contain all information deemed necessary by the department and shall include, without limitation, income and operating statements, fixed asset schedules and a report of new construction or demolition. Failure to submit the report shall result in denial of any right of redetermination by the state board of assessors or the tax appeals commission. If any property is omitted or understated in the assessment roll in any of the next 5 previous years, the assessor shall enter the value of the omitted or understated property once for each previous year of the omission or understatement. The assessor shall designate each additional entry as omitted or understated for the year 19.. (giving year of omission or understatement). The assessor shall affix a just valuation to each entry for a former year as it should have been assessed according to the assessor’s best judgment. Taxes shall be apportioned and collected on the tax roll for each entry, on the basis of the net tax rate for the year of the omission, taking into account credits under s. 79.10, and interest shall be added at the rate of 0.8% per month 0.0267% per day for the period of time between the date when the form is required to be submitted and the date when the assessor affixes the just valuation. In computing this interest, a fraction of a month shall be considered to be a full month.

SECTION 217d. 71.01 (3) (a) of the statutes is amended to read:

71.01 (3) (a) Income of mutual insurers exempt from federal income taxation pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized under or subject to ch. 612, foreign insurers, and domestic insurers engaged exclusively in life insurance business, domestic insurers insuring against financial loss by reason of nonpayment of principal, interest and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust or other instrument constituting a lien or charge on real estate, railroad corporations and sleeping car companies, of car line companies from operation of car line equipment as defined in s. 76.39, and corporations organized under ch. 185 or operating under subch. 1 of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any shareholder or member, or operated on a cooperative plan pursuant to which they determine and distribute their proceeds in sub-

stantial compliance with s. 185.45, and the income, except the unrelated business taxable income as defined in section 512 of the internal revenue code, of all religious, scientific, educational, benevolent or other corporations or associations of individuals not organized or conducted for pecuniary profit. This paragraph does not apply to the income of mutual savings banks, mutual loan corporations or savings and loan associations. This paragraph applies to the income of credit unions except to the income of any credit union that is derived from public deposits for any taxable year in which the credit union is approved as a public depository under ch. 34 and acts as a depository of state or local funds under s. 186.113 (20). For purposes of this subdivision, the income of a credit union that is derived from public deposits is the product of the credit union’s gross annual income for the taxable year multiplied by a fraction, the numerator of which is the average monthly balance of public deposits in the credit union during the taxable year, and the denominator of which is the average monthly balance of all deposits in the credit union during the taxable year. Beginning with calendar year 1972 and thereafter, this paragraph does not apply to the income of insurers under ch. 613 operating by virtue of s. 148.03, 447.13, 449.15 or 613.80. Tax on the income of such insurers shall first be payable on or before March 15, 1973, and thereafter under s. 71.10 (1).

SECTION 217g. 71.01 (4) (g) 11 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

71.01 (4) (g) 11. For taxable year 1987 and subsequent years, “internal revenue code” means the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable year 1987 and thereafter, except that changes to the internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 217r. 71.01 (4) (g) 12 of the statutes is created to read:

71.01 (4) (g) 12. For taxable years that begin after December 31, 1987, “internal revenue code” means the federal internal revenue code as amended to December 31, 1987. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this subdivision with respect to taxable years beginning after December 31, 1987.

SECTION 218. 71.016 of the statutes, as affected by 1987 Wisconsin Acts 27 and 92, is amended to read:

71.016 Additional tax on tax-option corporations. In addition to the other taxes imposed under this chapter, there is imposed on every tax-option corporation, except those under section 1374 (c) (1) of the internal revenue code, that has a recognized built-in gain, as defined in section 1374 (d) (2) of the internal revenue code, during a recognition period, as
defined in section 1374 (d) (3) of the internal revenue code, a tax computed under section 1374 of the internal revenue code except that the rate is that under s. 71.09 (2m), the recognized built-in gain is computed using the Wisconsin basis of the assets and the Wisconsin apportionment percentage for the current taxable year, the taxable income is the Wisconsin taxable income and the credit and net operating losses are those under this chapter rather than the federal credits and net operating losses. The tax under this section does not apply if the return is filed pursuant to a federal S corporation election made before January 1, 1987, and the corporation has not elected to change its status under s. 71.042 (4) (a) for any intervening year.

SECTION 219. 71.02 (1) (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.02 (1) Definitions applicable to corporations. (intro.) In this chapter and in regard to corporations, including tax-option corporations except as otherwise provided in this chapter, and to nuclear decommissioning trust or reserve funds:

SECTION 219g. 71.02 (1) (a) of the statutes is renumbered 71.02 (1) (at).

SECTION 219r. 71.02 (1) (af) of the statutes is created to read:

71.02 (1) (af) “Corporation” includes publicly traded partnerships treated as corporations in section 7704 of the internal revenue code.

SECTION 220m. 71.02 (1) (bf) 2 and 3 of the statutes are created to read:

71.02 (1) (bf) 2. Except as provided in pars. (bh), (bhm), (bj) and (c) and s. 71.01 (4) (g), “internal revenue code”, for taxable years that end after July 1, 1988, and before December 31, 1988, means the federal internal revenue code as amended to December 31, 1988, except that changes to the internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.

3. Except as provided in pars. (bh), (bhm), (bj) and (c) and s. 71.01 (4) (g), “internal revenue code”, for taxable years that begin after December 31, 1987, means the federal internal revenue code as amended to December 31, 1987. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this subdivision with respect to taxable years beginning after December 31, 1987.

SECTION 220r. 71.02 (1) (bg) (intro.) of the statutes, as created by 1987 Wisconsin Act 27, is renumbered 71.02 (1) (bf) 1 and amended to read:

71.02 (1) (bf) 1. Except as provided in pars. (bg), (bh) and (c) and s. 71.01 (4) (g), “internal revenue code”, for taxable year 1987 and subsequent years, means the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years, except that that code does not include amendments, except that for taxable years 1987 that end after July 1 and before December 31, “internal revenue code” does not include changes to the federal internal revenue code made by sections 142, 801, 802 and 803 of P.L. 99-514. Amendments to the federal internal revenue code enacted after December 31, 1986, and except that that code is modified in the following ways: do not apply to this paragraph with respect to taxable year 1987, except that changes to the internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 220t. 71.02 (1) (bg) (intro.) of the statutes is created to read:

71.02 (1) (bg) (intro.) “Internal revenue code” means the federal internal revenue code modified as follows:

SECTION 221g. 71.02 (1) (bg) 17 of the statutes, as affected by 1987 Wisconsin Acts 27 and 92, is repealed and recreated to read:

71.02 (1) (bg) 17. Sections 501 to 511 and 513 to 528 (relating to exempt organizations) are excluded, except as they pertain to the definitions of unrelated business taxable income in section 512, and replaced by the treatment of exemptions under s. 71.01 (3).

SECTION 221r. 71.02 (1) (bg) 18 of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 222. 71.02 (1) (bg) 25 of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 223. 71.02 (1) (bh) of the statutes is created to read:

71.02 (1) (bh) 1. “Internal revenue code” for tax-option corporations, for taxable year 1987, means the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987, except that for taxable years 1987 that end after July 1 and before December 31 “internal revenue code” does not include changes to the federal internal revenue code made by sections 142, 801, 802 and 803 of P.L. 99-514, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.016 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1986, do not apply to this subdivision, except that changes to the internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.

2. “Internal revenue code” for tax-option corporations, for taxable years that begin after December 31, 1988, and before December 31, 1988, means the federal internal revenue code as amended to December 31, 1986, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.016 for the taxes under sections 1374 and 1375, and except that changes to the internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.

3. “Internal revenue code” for tax-option corporations, for taxable years that begin after December 31,
1987, means the federal internal revenue code as amended to December 31, 1987, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.016 for the taxes under sections 1374 and 1375.

Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this subdivision with respect to taxable years after December 31, 1987.

SECTION 223m. 71.02 (1) (bhm) of the statutes is created to read:

71.02 (1) (bhm) “Internal revenue code”, for corporations that are subject to a tax on unrelated business income under s. 71.01 (3) (a), means the federal internal revenue code as amended to December 31, 1987, except that that code does not include amendments to the federal internal revenue code enacted after December 31, 1987.

SECTION 224g. 71.02 (1) (c) 12 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

71.02 (1) (c) 12. For taxable year 1987 and subsequent years, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years, “net income” means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years, except that for taxable years that end after July 1, 1987, and before December 31, 1987, “internal revenue code” does not include changes to the federal internal revenue code made by sections 142, 801, 802 and 803 of P.L. 99-514, except that property that, under subdivisions 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. Amendments to the internal revenue code enacted after December 31, 1986, except those made by P.L. 100-203, do not apply to this subdivision with respect to taxable years that begin on August 1, 1987, to December 1, 1987.

SECTION 224r. 71.02 (1) (c) 14 of the statutes is created to read:

71.02 (1) (c) 14. For taxable years that begin after December 31, 1987, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1987, “net income” means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1987, except that that code does not include changes to the federal internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 224m. 71.02 (1) (c) 13 of the statutes is created to read:

71.02 (1) (c) 13. For taxable years that end after July 1, 1988, and before December 31, 1988, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1986, “net income” means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1987, except that that code does not include changes to the federal internal revenue code made by P.L. 100-203 apply for Wisconsin purposes at the same time as for federal purposes.
under the internal revenue code, as defined under par. (bh), except that:

1. Section 1363 (a) of the internal revenue code does not apply.

2. The items referred to in section 1366 (a) (1) (A) of the internal revenue code shall be included.

3. The deduction referred to in sections 212 and 703 (a) (2) (E) of the internal revenue code shall be allowed.

4. An addition or subtraction, as appropriate, shall be made for the net amount of state and federal differences including differences arising from the different basis of assets disposed of in a transaction in which gain or loss is recognized for state tax purposes, different depreciation methods or difference in basis of depreciable assets, different elections, or transitional adjustments due to differences in the statutes for taxable years 1986 and 1987 pertaining to the computation of net income of a tax-option corporation.

5. An addition shall be made for the amount of credit computed under s. 71.043 and used by the corporation in the current year.

6. An addition shall be made for the amount of interest, less related expenses, excluded by reason of section 103 of the internal revenue code (relating to interest received on state and municipal obligations and on volunteer fire department and mass transit obligations) or any other federal law.

SECTION 226. 71.02 (2) (ej) of the statutes is amended to read:

71.02 (2) (ej) “Partner” does not include a partner of a publicly traded partnership treated as a corporation under sub. (1) (af).

SECTION 227. 71.02 (2) (fr) 2 of the statutes is amended to read:

71.02 (2) (fr) 2. Has no more than 200 500 employes covered by Wisconsin unemployment insurance, including employees of any corporation that owns more than 50% of the stock of the issuing corporation.

SECTION 227e. 71.02 (4) of the statutes is created to read:

71.02 (4) ADDITIONAL DEFINITION. Notwithstanding subs. (1) (c) and (2) (d), for natural persons, fiduciaries, trusts and estates, at the taxpayer’s option, “internal revenue code” means the federal internal revenue code as amended to December 31, 1987, includes any revisions to section 67 (c) of the internal revenue code adopted after January 1, 1988, that relate to the indirect expenses of regulated investment companies.

SECTION 227m. 71.04 of the statutes is created to read:

71.04 Previously exempt corporations; basis and depreciation. The Wisconsin adjusted basis of the property of any corporation that has, in any taxable year before it ceases to be exempt from tax under this chapter, taken depreciation or amortization of depreciable property for federal income tax purposes shall be the adjusted basis of that property as computed for federal income tax purposes as of the beginning of the taxable year in which the corporation ceases to be exempt. The corporation may continue, after it ceases
to be exempt, to depreciate that property under the method used previously for federal income tax purposes.

SECTION 228. 71.042 (7) of the statutes is created to read:

71.042 (7) A corporation that elects under sub. (4) (a) not to be a tax-option corporation and a corporation that elects to become a tax-option corporation shall adjust its income, under rules promulgated by the department of revenue, for the taxable year for which that election is first effective to avoid the omission or double inclusion of any item of income, loss or deduction.

SECTION 229. 71.05 (1) (a) 31 of the statutes, as created by 1987 Wisconsin Act 92, is amended to read:

71.05 (1) (a) 31. Any amount received as a proportionate share of the earnings and profits of a corporation that is an S corporation for federal income tax purposes if those earnings and profits accumulated during a year for which the shareholders have elected under s. 71.042 (4) not to be a tax-option corporation, to the extent not included in federal adjusted gross income for the current year.

SECTION 231. 71.05 (1) (b) 1 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.05 (1) (b) 1. The amount of any interest or dividend income which is by federal law exempt from taxation by this state less the related expense in regard to both the distributable and nondistributable interest and dividend income on a fiduciary return.

SECTION 232. 71.05 (1) (b) 14 of the statutes is created to read:

71.05 (1) (b) 14. Farm losses added to income under par. (a) 26 in any of the 15 preceding years, to the extent that they are not offset against farm income of any year between the loss year and the taxable year for which the modification under this subdivision is claimed and to the extent that they do not exceed the net profits or net gains from the sale or exchange of capital or business assets in the current taxable year from the same farming business or portion of that business to which the limits on deductible farm losses under par. (a) 26 applied in the loss year.

SECTION 233. 71.05 (1) (b) 16 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

71.05 (1) (b) 16. On assets held more than one year and on all assets acquired from a decedent, 60% of the capital gain as computed under the internal revenue code, not including capital gains for which the federal tax treatment is determined under section 406 of P.L. 99-514 and not including amounts treated as ordinary income for federal income tax purposes because of the recapture of depreciation or any other reason. For purposes of this subdivision, the capital gains and capital losses for all assets shall be netted before application of the percentage.

SECTION 235. 71.05 (2tm) of the statutes is created to read:

71.05 (2tm) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated 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. Any difference between the adjusted basis for federal income tax purposes and the adjusted basis under this chapter shall be taken into account in determining net income or loss in the years of profit which the gain or loss is reportable under this chapter. If that property was first placed in service by the taxpayer during taxable year 1986 and thereafter but before the property is used in the production of income subject to taxation under this chapter, the property's adjusted basis and the depreciation or other deduction schedule are not required to be changed from the amount allowable on the owner's federal income tax returns for any year because the property is used in the production of income subject to taxation under this chapter. The property was acquired in a transaction in taxable year 1986 or thereafter in which the adjusted basis of the property in the hands of the transferee is the same as the adjusted basis of the property in the hands of the transferor, the Wisconsin adjusted basis of that property on the date of transfer is the adjusted basis allowable under the internal revenue code as defined for Wisconsin purposes for the property in the hands of the transferor.

SECTION 235m. 71.07 (1) of the statutes, as affected by 1987 Wisconsin Acts 27 and 119, is amended to read:

71.07 (1) All income or loss of resident individuals and resident estates and trusts shall follow the residence of the individual, estate or trust. Income or loss of nonresident individuals and nonresident estates and trusts from business, not requiring apportionment under sub. (2), (3) or (5), shall follow the situs of the business from which derived. All items of income, loss and deductions of nonresident individuals and nonresident estates and trusts derived from a tax-option corporation not requiring apportionment under sub. (2m) shall follow the situs of the business of the corporation from which derived. Income or loss of nonresident individuals and nonresident estates and trusts derived from rentals and royalties from real estate or tangible personal property, or from the operation of any farm, mine or quarry, or from the sale of
real property or tangible personal property shall follow the situs of the property from which derived. Income from personal services of nonresident individuals, including income from professions, shall follow the situs of the services. Income of nonresident individuals, estates and trusts from the state lottery under ch. 656 is taxable by this state. All other income or loss of nonresident individuals and nonresident estates and trusts, including income or loss derived from land contracts, mortgages, stocks, bonds and securities or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in subs. (2m) and (7).

SECTION 236. 71.07 (1g) (b) 1 of the statutes, as created by 1987 Wisconsin Act 27, is renumbered 71.07 (1g) (b) and amended to read:

71.07 (1g) (b) Part-year residents, nonresidents. General All partners who are residents of this state for less than a full taxable year or who are nonresidents shall compute taxes for that year on their share of partnership income or loss under this chapter for the part of the taxable year during which they are nonresidents by recognizing their proportionate share of all items of income, loss or deduction attributable to a business in, services performed in, or rental of property in, this state.

SECTION 237. 71.07 (1g) (b) 2 of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 238. 71.07 (1m) (b) 14 of the statutes is amended to read:

71.07 (1m) (b) 14. A general partner's share of income or loss from a partnership.

SECTION 239. 71.07 (1m) (b) 15 of the statutes is repealed.

SECTION 239m. 71.07 (2) (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.07 (2) (intro.) Corporations, nonresident individuals and nonresident estates and trusts engaged in business within and without the state shall be taxed only on such income as is derived from business transacted and property located within the state. The amount of such income attributable to Wisconsin may be determined by an allocation and separate accounting thereof, when the business of such corporation, nonresident individual or nonresident estate or trust within the state is not an integral part of a unitary business, but the department of revenue may permit an allocation and separate accounting in any case in which it is satisfied that the use of such method will properly reflect the income taxable by this state. In all cases in which allocation and separate accounting is not permissible, the determination shall be made in the following manner: for all businesses except financial organizations and public utilities and corporations or associations that are subject to a tax on unrelated business income under s. 71.01 (3) (a) and trusts that are subject to a tax on unrelated business income there shall first be deducted from the total net income of the taxpayer the part thereof (less related expenses, if any) that follows the situs of the property or the residence of the recipient. The remaining net income shall be apportioned to Wisconsin by use of an apportionment fraction composed of a sales factor representing 50% of the fraction, a property factor representing 25% of the fraction and a payroll factor representing 25% of the fraction.

SECTION 240. 71.07 (2) (cm) 8 of the statutes is amended to read:

71.07 (2) (cm) 8. A general partner's share of the partnership's gross receipts.

SECTION 241. 71.07 (2) (cr) 7 of the statutes is amended to read:

71.07 (2) (cr) 7. Gain Gross receipts and gain or loss from the sale of intangible assets, except those under par. (cm) 1.

SECTION 242. 71.07 (2) (cr) 15 of the statutes is repealed.

SECTION 242m. 71.07 (2) (f) of the statutes is created to read:

71.07 (2) (f) The unrelated business taxable income of organizations that are subject to tax on that income under s. 71.01 (3) (a) and of trusts shall be apportioned under the department of revenue's rules.

SECTION 243. 71.09 (7) (a) (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.09 (7) (a) (1) An exemption of $50 for each person for whom the taxpayer is entitled to an exemption for the taxable year under section 151 of the federal Internal Revenue Code as well as an additional exemption of $50 for each person for whom the taxpayer is entitled to an exemption for the taxable year under section 152 of the federal Internal Revenue Code shall be granted by the taxing power to provide income support to that person in proportion to the support otherwise.

SECTION 244. 71.09 (7) (a) (6) of the statutes, as affected by 1987 Wisconsin Act 27 and as the act is repealed and reenacted to read:

71.09 (7) (a) (6) An exemption of $50 for each person for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (c) of the federal Internal Revenue Code.

SECTION 245. 71.09 (7) (a) 2 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.09 (7) (a) 2. "Gross rent" means rental paid at arm's length, solely for the right of occupancy of a homestead, exclusive of. "Gross rent" does not include, whether expressly set out in the rental agreement or not, charges for any medical services; other personal services such as laundry, transportation, counseling, grooming, recreational and therapeutic services; shared living expenses, including but not limited to food, supplies and utilities unless utility payments are included in the gross rent paid to the
landlord; and food furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. "Gross rent" includes the rental paid to a landlord for parking of a mobile home, exclusive of any charges for food furnished by the landlord as a part of the rental agreement, plus parking fees paid under s. 66.058 (3) (c) for a rented mobile home. If a homestead is an integral part of a multipurpose or multidwelling building, "gross rent" is the percentage of the gross rent on that part of the multipurpose or multidwelling building occupied by the household as a principal residence plus the same percentage of the gross rent on the land surrounding it, not exceeding one acre, that is reasonably necessary for use of the multipurpose or multidwelling building as a principal residence, except as the limitations under par. (h) apply. If the homestead is part of a farm, "gross rent" is the rent on up to 120 acres of the land contiguous to the claimant’s principal residence plus the rent on all improvements to real property on that land, except as the limitations under par. (h) apply. If a claimant and persons who are not members of the claimant’s household reside in a homestead, the claimant’s "gross rent" is the gross rent paid by the claimant to the landlord for the homestead divided by the number of adults residing in the homestead and not related to the claimant as husband or wife.
SECTION 245m. 71.09 (11) (a) 1. c of the statutes is amended to read:

71.09 (11) (a) 1. c. For partnerships except publicly traded partnerships treated as corporations under s. 71.02 (1) (af), "claimant" means each individual partner.

SECTION 245p. 71.09 (11) (a) 3 of the statutes is amended to read:

71.09 (11) (a) 3. "Farmland" means 35 or more acres of real property in this state owned by the claimant or any member of the claimant's household during the income year for which a credit under this subsection is claimed if the farmland, during that year, produced not less than $6,000 in gross farm profits resulting from the farmland's agricultural use, as defined in s. 91.01 (1), or if the farmland, during that year and the 2 years immediately preceding that year, produced not less than $18,000 in such profits, or if at least 35 acres of the farmland, during all or part of that year, was enrolled in the conservation reserve program under 16 USC 3831 to 3836.

SECTION 245r. 71.09 (11) (a) 3m of the statutes is amended to read:

71.09 (11) (a) 3m. "Gross farm profits" means gross receipts, excluding rent, from agricultural use, as defined in s. 91.01 (1) including the fair market value at the time of disposition of payments in kind for placing land in federal programs or payments from the federal dairy termination program under 7 USC 1446 (d), the cost or other basis of livestock or other items purchased for resale which are sold or otherwise disposed of during the income year.

SECTION 245rs. 71.09 (11) (a) 5 of the statutes is amended to read:

71.09 (11) (a) 5. "Household income" means all of the income of the claimant, and the claimant's spouse and the farm income, including wages, earned on the farm to which the credit applies of all minor dependents attributable to the income year while members of the household.

SECTION 245r. 71.09 (11) (a) 6 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.09 (11) (a) 6. For an individual, means income as defined under sub. (1) (a) 5. plus farm business

Vetoed in Part
reduced by the tax credit under s. 79.10, minus, if the seller reimburses the buyer for part of the property taxes, the amount prorated to the seller in the closing agreement. With the claim for credit under this subsection, the seller shall submit a copy of the closing agreement and the buyer shall submit a copy of the closing agreement and a copy of the property tax bill.

SECTION 251. 71.09 (12m) (title) of the statutes is created to read:

71.09 (12m) (title) COMMUNITY DEVELOPMENT FINANCE CREDIT.

SECTION 252. 71.09 (12m) (a) of the statutes is amended to read:

71.09 (12m) (a) Any corporation which contributes an amount to the community development finance authority under s. 233.03, 1985 stats., or to the housing and economic development authority under s. 234.03 (32) and, in the same year purchases common stock or partnership interests of the community development finance company issued under s. 233.05 (2), 1985 stats., or 234.95 (2) in an amount no greater than the contribution to the authority, may credit against taxes otherwise due an amount equal to 75% of the purchase price of the stock or partnership interests.

The credit received under this paragraph may not exceed 75% of the contribution to the community development finance authority.

SECTION 252m. 71.09 (12q) of the statutes is created to read:

71.09 (12q) REHABILITATION OF NONDEPRECIABLE HISTORIC PROPERTY. (a) For taxable years 1989 and 1990, any person may credit against taxes otherwise due under this chapter an amount equal to 25% of the approved costs of preservation or rehabilitation of historic property, except that the credit may not exceed $50,000 for any preservation or rehabilitation project.

(b) The department of revenue shall approve the credit under this subsection if all of the following conditions are met:

1. The costs are incurred and the claim is submitted by the owner of the historic property.
2. The historic property is nondepreciable.
3. The state historical society certifies that:
   a. The property is listed on the national register of historic places in Wisconsin or the state register of historic places or is located in a historic district which is listed in the national register of historic places in Wisconsin or the state register of historic places and is certified by the state historic preservation officer as being of historic significance to the district.
   b. The proposed preservation or rehabilitation complies with standards promulgated under s. 44.02 (24).
   c. The property is subject to an easement, covenant or similar restriction running with the land which is...
held by the state historical society or by an entity approved by the state historical society, which protects the historic features of the property and which, at the time the credit is received, will remain effective for a term of at least 20 years.

4. The preservation or rehabilitation work is completed within 2 years after the commencement date, except in the case of any preservation or rehabilitation which is initially planned for completion in phases, in which case the work shall be completed within 5 years after the commencement date.

5. The expenditures for preservation or rehabilitation of the historic property which are approved under subd. 3. b and are incurred within the time period in subd. 4 exceed the Wisconsin adjusted basis of the historic property on the date that preservation or rehabilitation is commenced or $1,000, whichever is greater.

6. The costs are not incurred to acquire any building or interest in a building or to enlarge existing building.

7. The costs were not incurred before the state historical society approved the preservation or rehabilitation under subd. 3. b.

(c) The Wisconsin adjusted basis of the historic property shall be reduced by the amount of any credit awarded under this subsection.

(d) Applications for credit under this subsection shall be made on a form prescribed by the department of revenue and shall be attached to the claimant's tax return under this chapter.

(e) Any person may carry forward to the next 5 taxable years the credit under par. (a) not offset against taxes for the year the expense was incurred to the extent not offset by those taxes otherwise due in all intervening years between the year for which the credit was computed and the year for which the carry-forward is claimed.

(f) No person may claim a credit under this subsection and under sub. (12p) for the same expenses.

(g) The provisions of sub. (12r) (d), (f) and (j) to (L), as they apply to the credit under that subsection, apply to the credit under this subsection.

SECTION 254e. 71.09 (12r) (L) of the statutes is amended to read:

71.09 (12r) (L) Nonclaimants. The credit under this subsection may be claimed by a partnership except a publicly traded partnership treated as a corporation under s. 71.02 (1) (af) or a tax-option corporation or by partners including partners of a publicly traded partnership or shareholders of a tax-option corporation.

SECTION 254f. 71.095 (1) of the statutes is amended to read:

71.095 (1) Every individual filing an income tax return who is a tax liability or is entitled to a tax except that described in the Wisconsin income tax return or who is a resident or otherwise subject to the Wisconsin income tax and whose income for the year is gross income derived from the following sources is treated as distributive shares of the income of publicly traded partnerships treated as corporations under s. 71.02 (1) (af) in the manner prescribed by s. 71.08 (2), (4) and (12p) and the income described in s. 71.08 (2) (f) and (12p), is distributed to the extent not offset by those taxes otherwise due in all intervening years between the year for which the credit was computed and the year for which the carry-forward is claimed.

SECTION 254g. 71.10 (1) (intro.) of the statutes is amended to read:

71.10 (1) (intro.) Every corporation, except corporations all of whose income is exempt from taxation and except as provided in sub. (1m), shall furnish to the department a true and accurate statement, on or before March 15 of each year (except that returns for fiscal years ending on some other date than December 31 shall be furnished on or before the 15th day of the 3rd month following the close of such fiscal year) in such manner and form and setting forth such facts as the department deems necessary to enforce this chapter. Such statement shall be subscribed by the president, vice president, treasurer, assistant treasurer, chief accounting officer or any other officer duly authorized so to act. In the case of a return made for a corporation by a fiduciary such fiduciary shall subscribe the return. The fact that an individual's name is subscribed on the return shall be prima facie evidence that such individual is authorized to subscribe the return on behalf of the corporation.

SECTION 254r. 71.10 (1m) of the statutes is created to read:

71.10 (1m) Every corporation subject to a tax on unrelated business income under s. 71.01 (3) (a), if that corporation is required to file for federal income tax purposes, shall furnish to the department of revenue a true and accurate statement on or before the date on or before which it is required to file for federal income tax purposes. The requirements about manner, form and subscription under sub. (1) apply to statements under this subsection.

SECTION 254t. 71.10 (2) (d) of the statutes is amended to read:

71.10 (2) (d) For purposes of this subsection, "gross income" means all income, from whatever source derived and in whatever form realized, whether in money, property or services, which is not exempt from Wisconsin income taxes. Gross income includes, but is not limited to, the following items: compensation for services, including salaries, wages and fees, commissions and similar items; gross income derived from business; gains derived from dealings in property; interest; rents; royalties; dividends; alimony and separate maintenance payments; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive shares of partnership gross income except distributive shares of the income of publicly traded partnerships treated as corporations under s. 71.02 (1) (af); income in respect of a decedent; and income from an interest in an estate or trust. Gross income from a business or farm consists of the total gross receipts without reduction for cost of goods sold, expenses or any other amounts. The gross rental amounts received from
rental properties are included in gross income without reduction for expenses or any other amounts. Gross income from the sale of securities, property or other assets consists of the gross selling price without reduction for the cost of the assets, expenses of sale or any other amounts. Gross income from an annuity, retirement plan or profit sharing plan consists of the gross amount received without reduction for the employer's contribution to the annuity or plan.

SECTION 254. 71.10 (3) (a) and (b) of the statutes are amended to read:

71.10 (3) (a) Every partnership, except publicly traded partnerships treated as corporations under s. 71.02 (1) (af) shall furnish to the department a true and accurate statement, on or before April 15 of each year, except that returns for fiscal years ending on some other date than December 31, shall be furnished on or before the 15th day of the 4th month following the close of such fiscal year, in such manner and form and setting forth such facts as the department deems necessary to enforce this chapter. The statement shall be subscribed by one of the members of the partnership.

(b) The net income of the partnership, except publicly traded partnerships treated as corporations under s. 71.02 (1) (af) shall be computed in the same manner and on the same basis as provided for computation of the income of persons other than corporations.

SECTION 255. 71.10 (10) (d) of the statutes is amended to read:

71.10 (10) (d) Except as provided in par. (e) pars. (e) and (em), no refund shall be made and no credit shall be allowed for any year, the income of which was assessed as a result of a field audit, and which assessment has become final under s. 71.12 (1) and (3), 73.01 or 73.015, and no refund shall be made and no credit shall be allowed on any item of income or deduction, assessed as a result of an office audit, the assessment of which shall have become final under s. 71.12 (1) and (3), 73.01 or 73.015.

SECTION 256. 71.10 (10) (em) of the statutes is created to read:

71.10 (10) (em) In respect to overpayments attributable to a capital loss carry-back, a corporation may claim a refund within 4 years after the due date, including extensions, for filing the return for the taxable year of the capital loss that is carried back.

SECTION 259. 71.21 (1m) (am) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

71.21 (1m) (am) If no return is filed, or a return is filed the tax computed on which is less than 75% of the tax properly due and the addition to tax interest under this section is $300 or more, “return” means a return that would show the tax properly due. If a return is timely filed and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax interest under this section is less than $300, “return” means that timely return. If a return is filed late and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax interest under this section is less than $300, “return” means the first return filed after the due date or after the due date as extended.

SECTION 260. 71.21 (11) and (12) (intro.) and (c) of the statutes, as affected by 1987 Wisconsin Act 27, are amended to read:

71.21 (11) Except as provided in sub. (12), in the case of any underpayment of estimated tax by an individual, estate or trust, except as hereinafter provided, there shall be added to the aggregate tax for the taxable year an amount determined interest at the rate of 12% per year on the amount of the underpayment for the period of the underpayment. In this subsection, “the period of the underpayment” means the time period from the due date of the installment until either the 15th day of the 4th month beginning after the end of the taxable year or the date of payment, whichever is earlier.

(12) (intro.) No addition to tax interest is required under sub. (11) if any of the following conditions apply:

(c) The secretary of revenue determines that because of casualty, disaster or other unusual circumstances it is not equitable to impose an addition to tax interest.

SECTION 261. 71.22 (1) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.22 (1) (a) If no return is filed, or a return is filed the tax computed on which is less than 75% of the tax properly due and the addition to tax interest under sub. (7) is $300 or more, “return” means a return that would show the tax properly due. If a return is timely filed and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax interest under sub. (7) is less than $300, “return” means that timely return. If a return is filed late and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax interest under sub. (7) is less than $300, “return” means the first return filed after the due date or after the due date as extended.

SECTION 262. 71.22 (3m) of the statutes is created to read:

71.22 (3m) The department of revenue may refund estimated taxes after the completion of the taxable year to which the estimated taxes relate if the refund is at least 10% of the taxes estimated for that taxable year and is at least $500.

SECTION 263. 71.22 (7) and (8) (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, are amended to read:

71.22 (7) Except as provided in sub. (8), in the case of any underpayment of estimated tax under this section there shall be added to the aggregate tax for the taxable year an amount determined interest at the rate of 12% per year on the amount of the underpayment
for the period of the underpayment. In this subsection, "period of the underpayment" means the time period from the due date of the instalment until either the 15th day of the 3rd month beginning after the end of the taxable year or the date of payment, whichever is earlier. Any estimated taxes not paid by the 15th day of the 3rd month following the close of the taxable year, along with any addition to the tax interest due, shall accrue delinquent interest under s. 71.13 (1) (a).

(8) (intro.) No addition to tax interest is required under sub. (7) for a corporation if any of the following conditions apply:

SECTION 264. 71.22 (8) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.22 (8) (b) The preceding taxable year was 12 months and the corporation had no liability under s. 71.01 for that year and the corporation has a Wisconsin net income of less than $250,000 for the current taxable year.

SECTION 265. 71.23 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.23 Penalties not deductible. No penalty imposed by this chapter, including penalties imposed under s. 71.20 or 71.21 (19) (d), or by subch. III of ch. 77 of any amounts added to the tax under s. 71.21 or 71.22 may be deducted from gross income in arriving at net income taxable under this chapter.

SECTION 266. 71.60 (4) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

71.60 (4) Tax benefit rule. The department of revenue shall promulgate rules to provide that the amount under sub. (1) (a) 3 1 may be reduced to prevent the inclusion of any amounts, except the federal standard deductions, itemized deductions and personal exemptions, that do not reflect a benefit in respect to the tax imposed under s. 71.01 (1).

SECTION 266m. 71.65 (1) (fr) of the statutes is created to read:

71.65 (1) (fr) Historic rehabilitation credit under s. 71.09 (12q).

SECTION 267. 71.65 (2) (f) of the statutes is amended to read:

71.65 (2) (f) Community development finance authority credit under s. 71.09 (12m).

SECTION 267m. 71.65 (2) (fh) of the statutes is created to read:

71.65 (2) (fh) Historic rehabilitation credit under s. 71.09 (12q).
73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and ss. 70.11 (21), 70.38 (4) (a), 70.64, 70.995 (8), 71.12, 72.86 (4), 76.38 (12) (a), 76.39 (4) (c), 76.48 (6), 77.26 (3), 77.59 (6) (b), 78.22, 139.03 (4), 139.315 and 139.78. Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirman, modification or reversal of the department’s position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner’s refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 269m. 73.01 (4) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and ss. 70.11 (21), 70.38 (4) (a), 70.64, 70.995 (8), 71.12, 72.86 (4), 1985 stats., 76.38 (12) (a), 76.39 (4) (c), 76.48 (6), 77.26 (3), 77.59 (6) (b), 78.22, 139.03 (4), 139.315 and 139.78. Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirman, modification or reversal of the department’s position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner’s refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 270. 73.01 (5) (a) of the statutes is amended to read:

73.01 (5) (a) Any person who is aggrieved by a determination of the state board of assessors under s. 70.995 (8) or by the department of revenue under s. 70.11 (21) or who has filed a petition for redetermination with the department of revenue and who is aggrieved by the redetermination of the department may, within 60 days of the determination of the state board of assessors or of the department or, in all other cases, within 60 days after the redetermination but not thereafter, file with the clerk of the commission a petition for review of the action of the department and the number of copies of the petition required by rule adopted by the commission. If a municipality appeals, its appeal shall set forth that the appeal has been authorized by an order or resolution of its governing body and the appeal shall be verified by a member of that governing body as pleadings in courts of record are verified. The clerk of the commission shall transmit one copy to the department of revenue and to each party. In the case of appeals from manufacturing property assessments, the person assessed shall be a party to a proceeding initiated by a municipality. At the time of filing the petition, the petitioner shall pay to the commission a $5 filing fee, which the commission shall deposit in the general fund. Within 30 days after such transmission the department, except for petitions objecting to manufacturing property assessments, shall file with the clerk of the commission an original and the number of copies of an answer to the petition required by rule adopted by the commission and shall serve one copy on the petitioner or the petitioner’s attorney or agent. Within 30 days after service of the answer, the petitioner may file and serve a reply in the same manner as the petition is filed. Any person entitled to be heard by the commission under s. 76.38 (12) (a), 76.39 (4) (c) or 76.48 may file a petition with the commission within the time and in the manner provided for the filing of petitions in income tax cases. Such papers may be served as a circuit court summons is served or by certified mail. For the purposes of this subsection, a petition for review is considered timely filed if mailed by certified mail in a properly addressed envelope, with postage duly prepaid, which envelope is postmarked before midnight of the last day for filing.

SECTION 271. 73.015 (1) of the statutes is amended to read:

73.015 (1) This section shall provide the sole and exclusive remedy for review of any decision or order of the tax appeals commission and no person may contest, in any action or proceeding, any matter reviewable by the commission unless such person has first availed himself or herself of a hearing before the commission under s. 73.01 or has cross-appealed under s. 70.995 (8) (a).
Vetoed in Part

SECTION 272m. 73.03 (38) of the statutes is created to read:

73.03 (38) To require each operator of a swap meet, flea market, craft fair or similar event, as defined by rule, to report to the department the name, address, social security number and, if available, the seller's permit number of each vendor selling merchandise at the swap meet, flea market, craft fair or similar event that he or she operates.

SECTION 273. 73.035 of the statutes is created to read:

73.035 Private letter rulings. (1) In this section, "department" means the department of revenue.
(2) Upon receipt of a request, in the form prescribed by the department, from a person who requests a ruling about facts relating to a tax that the department administers, the department may issue a private letter ruling. Rulings under this section:
(a) May be published if the department decides to do so.
(b) May be edited by the requester as to types of information specified by the department, if that editing is submitted to the department before the deadline that the department establishes and if the department approves the editing.
(c) Do not bind the requester.
(d) May not be appealed.
(e) Do not preclude application for a declaratory ruling under s. 227.41.
(3) Any person who receives a ruling under this section shall attach a copy of it to all of that person's tax returns to which it is relevant.
(4) Rulings under this section and all information related to them are subject to the confidentiality provisions for the tax relevant to the request, except that if a ruling has been edited under sub. (2) (b), or the deadline for editing set by the department has expired, and if the ruling has been published by the department, the published rulings are not subject to those confidentiality provisions.
(5) The department's decision not to issue, or not to publish, a ruling under this section may not be appealed.

SECTION 274. 73.06 (5) of the statutes is amended to read:

73.06 (5) The department of revenue through its supervisor of equalization shall make a report to the county board of each county showing in detail the work of local assessors in their several districts, the failure, if any, of such assessors to comply with the law, the relative assessed and full value of property in each taxation district, and all statistical and tabular information and statistics as that may be obtained which will be of assistance to the county board in determining the relative value of all taxable property in each taxation district in the county. Such report shall be filed with the county clerk at least 15 days before the annual meeting of the county board. The county clerk shall cause to be printed not less than 200 copies of such report, one of which shall be delivered immediately by the county clerk to each member of the county board and a sufficient number of copies not to exceed 5 to each
municipality requesting the same by resolution of the governing body for the use of the officials of the municipality. Not less than 6 copies of such printed report, together with all statistics accompanying the same, shall be filed with the department of revenue.

SECTION 276id. 73.08 (1) of the statutes is repealed.

SECTION 276ig. 73.08 (2) of the statutes is amended to read:

73.08 (2) All costs of the department of revenue in connection with the review of assessment practices under this section s. 73.08 (1), 1985 stats., shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 276ij. 73.08 (2) of the statutes, as affected by 1987 Wisconsin Act .... (this act), is repealed.

SECTION 276im. 73.08 (3) of the statutes is created to read:

73.08 (3) From the amounts provided under s. 20.566 (2) (c), beginning in 1993, the department of revenue shall implement an educational program for local assessment staff members in taxation districts that do not meet the requirements of s. 70.05 (5) (f).

SECTION 279. 73.10 (2) (b) of the statutes is amended to read:

73.10 (2) (b) The department may require by rule that the information it needs under par. (a) be submitted as annual financial statements, notes to the financial statements and supporting schedules, that the statements, notes and schedules conform to generally accepted accounting principles promulgated by the governmental accounting standards board or its successor bodies and that the statements, notes and schedules be audited in accordance with generally accepted auditing standards. Notwithstanding s. 227.01 (13) (j), a rule under this paragraph is subject to the requirements of ch. 227.

SECTION 280. 74.135 (3) of the statutes is amended to read:

74.135 (3) When the property is exempt by law, except under s. 70.11 (27), from taxation.

SECTION 281. 76.07 (3) of the statutes is amended to read:

76.07 (3) (title) ASSESSMENT. For the purpose of determining the full market value of the property of each company appearing on the assessment roll, the department may, if deemed necessary, view and inspect the property of such company and shall consider the reports filed in compliance with s. 76.04 and the reports and returns of the company filed in the office of any officer of this state, and such other evidence or information as may have been taken or obtained bearing upon the full market value of the property of the company assessed. In case of companies which own or operate lines of roads use property lying partly within and partly without the state, the said department shall only value and assess only the property within this state, and the property within the same shall be valued and assessed in the same manner and at the same time as the property within this state. When the full market value of the property of a company within this state shall have been ascertained and determined, the amount thereof shall be entered upon the assessment roll opposite the name of the company and shall be, and constitute, the assessment of the entire property of such company within this state for the levy of taxes thereon, subject to review and correction, as hereinafter provided. The department shall thereupon give notice by registered mail to each company assessed of the amount of its assessment as entered upon such roll.

SECTION 282. 76.07 (4g) of the statutes is created to read:

76.07 (4g) DETERMINING THE PROPERTY IN THIS STATE. The department shall determine the property in this state of railroad companies, air carrier companies, pipeline companies in the following manner:

(a) Railroad companies. For railroad companies:

1. Determine the ton miles of revenue freight handled in this state.
2. Divide the amount under subd. 1 by the ton miles of revenue freight handled everywhere.
3. Divide the fraction under subd. 2 by 3.
4. Determine the number of cars originated, terminated, received at connections, delivered at connections or otherwise handled in this state.
5. Determine the tons of revenue freight on line, both originated and terminated, both received and delivered, in this state.
6. Divide the fraction under subd. 5 by 6.
7. Determine the tons of revenue freight on line, both originated and terminated, and at connections, both received and delivered, in this state.
8. Divide the amount under subd. 7 by the tons of revenue freight on line, both originated and terminated, and at connections, both received and delivered, everywhere.
9. Divide the fraction under subd. 8 by 6.
10. Determine the depreciated cost of road property in this state.
11. Determine the depreciated cost of migratory road property.
12. Multiply the amount under subd. 11 by a fraction the numerator of which is the unit miles in this state and the denominator of which is the unit miles everywhere.
13. Divide the sum of the amounts under subds. 10 and 12 by the depreciated cost of road property everywhere.

14. Divide the fraction under subd. 13 by 3.

15. Add the fractions under subds. 3, 6, 9 and 14.

16. Multiply the fraction under subd. 15 by the full market value of the company's property everywhere.

(b) **Air carrier companies.** For air carrier companies:

1. Determine the depreciated original cost of the real and tangible personal property owned or rented by the company in this state and used in the operation of the company's business.

2. Determine the depreciated original cost of the company's migratory tangible personal property used in the operation of the company's business.

3. Multiply the amount under subd. 2 by a fraction the numerator of which is the total of flight and ground hours in this state and the denominator of which is the flight and ground hours everywhere.

4. Add the amounts under subd. 1 and 3.

5. Divide the amount under subd. 4 by the depreciated original cost of the real and tangible personal property owned or rented by the company everywhere and used in the operation of the company's business.

6. Divide the fraction under subd. 5 by 2.

7. Determine transport revenue by adding revenue received for transporting passengers and property on flights either originating at, or connecting at, airports in this state.

8. Determine transport-related revenue by adding public service revenue allocated to this state on the basis of routes for which the company is authorized to receive subsidy payments, mutual aid allocated to this state on the basis of the ratio of transport revenues allocated to this state to transport revenues everywhere in the previous year, in-flight sales allocated to this state as they are allocated under s. 77.51 (14r) and all other transport-related revenues from sales made in this state.

9. Divide the sum of the amounts under subds. 7 and 8 by the transport and transport-related revenues everywhere.

10. Divide the fraction under subd. 9 by 4.

11. Determine the tons of revenue passengers and revenue cargo first received either as originating traffic or as connecting traffic in this state or finally discharged by the company in this state.

12. Determine the tons of revenue passengers and revenue cargo received or finally discharged at airports everywhere.

13. Divide the amount under subd. 11 by the amount under subd. 12.

14. Divide the fraction under subd. 13 by 4.

15. Add the fractions under subds. 6, 10 and 14.

16. Multiply the fraction under subd. 15 by the full market value of the company's property everywhere.

(c) **Natural gas pipelines.** For natural gas pipelines, except liquefied gas pipelines:

1. Determine the gross cost of gas plant in service in this state, except motor vehicles exempt from the property tax under s. 70.112 (5), and of all other property in this state included in the base for purposes of rate regulation by the federal energy regulatory commission.

2. Determine the gross cost of gas plant in service everywhere, except motor vehicles specified under s. 70.112 (5), and of all other property everywhere included in the base for purposes of rate regulation by the federal energy regulatory commission.

3. Divide the amount under subd. 1 by the amount under subd. 2.

4. Multiply the fraction under subd. 3 by 4.

5. Divide the fraction under subd. 4 by 4.

6. Determine the barrel miles transported in this state.

7. Determine the barrel miles transported everywhere.

8. Divide the amount under subd. 6 by the amount under subd. 7.

9. Divide the fraction under subd. 8 by 5.

10. Determine the number of barrels received and delivered in this state.

11. Determine the number of barrels received and delivered everywhere.

12. Divide the amount under subd. 10 by the amount under subd. 11.

13. Divide the fraction under subd. 12 by 20.

14. Determine the gross cost of line of pipe everywhere.

15. Determine the gross cost of all property everywhere.

16. Divide the amount under subd. 14 by the amount under subd. 15.

17. Add the fractions under subds. 5, 9 and 13 and multiply that result by the fraction under subd. 16.

18. Determine the gross cost of property other than pipe in this state.

19. Determine the gross cost of all property everywhere.

20. Divide the amount under subd. 18 by the amount under subd. 19.

21. Add the fraction under subd. 17 to the fraction under subd. 20.
22. Multiply the fraction under subd. 21 by the full market value of the company’s property everywhere.

SECTION 286. 76.12 of the statutes is repealed.

SECTION 287. 76.125 (1) of the statutes is amended to read:

76.125 (1) Using the statement of assessments under s. 70.53 and the statement of taxes under s. 69.61, the department shall determine the net rate of taxation of commercial property under s. 70.32 (2) (a) 2 and (b) 2, of manufacturing property under s. 70.32 (2) (a) 3 and (b) 3 and of personal property under s. 70.30 as provided in subs. (2) to (6). The department shall enter that rate on the records of the department.

SECTION 288. 76.126 of the statutes is created to read:

76.126 Average net rate of taxation. The department shall compute the average net rate of taxation by subtracting the aggregate state property tax credits paid under s. 79.10 from the aggregate tax determined under s. 76.11 and dividing that result by the state assessment of the general property of the state upon which those taxes were levied. The department shall enter that rate upon the department’s records.

SECTION 289. 76.13 (1) of the statutes is amended to read:

76.13 (1) The department shall compute and levy a tax upon the property of each company defined in s. 76.02, as assessed in the manner specified in ss. 76.07 and 76.08, at the average net rate of taxation determined under s. 76.125 for companies under s. 76.02 (2) and (5a) and under s. 76.12 for all other companies under s. 76.02 in 1985 to 1987 and under s. 76.125 in 1988 and thereafter, and the 76.126. The amount of tax to be paid by each such company shall be extended upon a tax roll opposite the description of the property of the respective companies. The tax rolls for all companies required to be assessed on or before September 15 in each year under s. 76.07 (1) shall be completed on or before September 15 in each year under s. 76.07 (1) shall be completed on or before October 1; and the department shall thereupon attach to each such roll a certificate signed by the secretary of revenue, which shall be as follows:

“I do hereby certify that the foregoing tax roll includes the property of all railroad companies, sleeping car companies, air carrier companies, conservation and regulation companies, or pipeline companies, as the case may be, defined in s. 76.02, liable to taxation in this state; that the valuation of the property of each company as set down in said tax roll is the full market value thereof as assessed by the department of revenue, except as changed by court judgment, and that the taxes thereon charged in said tax roll have been assessed and levied at the average net rate of taxation in this state, as required by law”.

SECTION 289r. 76.38 (1) (b) of the statutes, as affected by 1987 Wisconsin Act 27, section 1564cm, is amended to read:

76.38 (1) (b) “Gross revenues” includes all revenue derived from local and rural exchange service, all toll business gross revenue, and all other operating revenues from telecommunications business. It does not include excise taxes on telephone service or facilities nor uncollectible telecommunications revenues actually written off during the year. “Gross revenues” includes recoveries within the year of all telecommunications revenues written off in prior years as uncollectible. For a telephone company operating on any form of mutual basis, “gross revenues” includes all amounts assessed against the members for the operation and maintenance of the business. “Gross revenues” also includes access revenues and revenues from directory advertising. For qualifying telecommunications resellers, “gross revenues” does not include the allocable share of approved reselling services sold to the public. “Gross revenues” does not include any revenues collected from service users under s. 146.70 (3). For fees assessed on May 1, 1989, and thereafter, telecommunications companies may deduct 100% of access expenses that arise from services or facilities that permit origination or termination of telecommunications from a point or points in this state to a point or points in the same local access and transport area incurred during the previous year and 14.5% of the all other access expenses incurred during the previous year.

SECTION 290. 76.38 (12) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

76.38 (12) (a) If after filing the reports specified in sub. (2) and after the department’s computation and assessment of license fees under sub. (3) it is subsequently determined that the amount of gross revenues reported is in error, the department shall compute the additional license fee to be paid or the amount of the overpayment of license fee to be refunded, as the case may be. If an additional license fee is due, the department shall give notice to the telephone company against whom the license fee is to be levied. All such additional assessments and claims for refunds for excess license fees paid are subject to the same procedure for review and final determination as additional income tax assessments and claims for refunds under ch. 71 as far as the same may be applicable, except that
appeals of denials of claims for refunds shall be made directly to the tax appeals commission and except that the additional license fees shall become delinquent 60 days after notice provided in this subsection or, if review proceedings are held, 60 days following final determination of the review proceedings. All additional license fees shall bear interest at the rate of 12% per year from the time they should have been paid to the date on which the additional fees shall become delinquent if unpaid.

SECTION 291. 76.39 (4) (c) of the statutes is amended to read:

76.39 (4) (c) All additional assessments and claims for refund shall be subject to the same procedure for review and final determination as is provided with respect to additional assessments and refunds of income taxes in chs. 71 and 73, except that appeals of denials of claims for refunds shall be made directly to the tax appeals commission and except as the same may conflict with this section. Delinquent taxes shall be subject to interest at the rate of 1.5% per month until paid.

SECTION 292. 76.48 (6) of the statutes is amended to read:

76.48 (6) All additional assessments and claims for refund shall be subject to the same procedure for review and final determination as is provided with respect to additional assessments and refunds of income taxes under chs. 71 and 73, except that appeals of denials of claims for refunds shall be made directly to the tax appeals commission and except as such procedure conflicts with this section.

SECTION 293. 77.10 (2) (a) of the statutes is amended to read:

77.10 (2) (a) 1. Any owner of forest croplands may elect to withdraw all or any of such lands from under this subchapter, by filing with the department of natural resources a declaration withdrawing from this subchapter any description owned by such person which he or she specifies, and by payment by such owner to the department of natural resources within 60 days the amount of tax due from the date of entry or the most recent date of renewal, whichever is later, as determined by the department of revenue under s. 77.04 (1) with simple interest thereon at 12% per year, less any severance tax and supplemental severance tax or acreage share paid thereon, with interest computed according to the rule of partial payments at the rate of 12% per year.

2. The exact amount of the tax shall be determined by the department of revenue after hearing and upon due notice of all parties interested, but when furnished to the department of natural resources, which shall determine the exact amount of payment. When the tax rate or assessed value ratio of the current year has not been determined the rate of the preceding tax year may be used. On receiving such payment the department of natural resources shall issue an order of withdrawal and file copies thereof with the department of revenue, the supervisor of equalization, the clerk of the town and the register of deeds of the county in which the land lies. The land shall then cease to be forest croplands.

SECTION 294. 77.51 (9) (a) of the statutes is amended to read:

77.51 (9) (a) Isolated and sporadic sales of tangible personal property or taxable services where the frequency, in relation to the other circumstances, including the sales price and the gross profit, support the inference that the seller is not pursuing a vocation, occupation or business or a partial vocation or occupation or part-time business as a vendor of personal property or taxable services. No sale of any tangible personal property or taxable service may be deemed an occasional sale if at the time of such sale the seller holds or is required to hold a seller's permit, except that this provision shall not apply to an organization required to hold a seller's permit solely for the purpose of conducting bingo games and except as provided in par. (am).

SECTION 295. 77.51 (9) (am) of the statutes is created to read:

77.51 (9) (am) The sale of personal property, other than inventory held for sale, previously used by a seller to conduct its trade or business at a location after that person has ceased actively operating in the regular course of business as a seller of tangible personal property or taxable services at that location if the seller delivers its seller's permit to the department for cancellation within 10 days after the last sale at that location of that personal property other than inventory held for sale. This transaction is an occasional sale, even though the seller holds a seller's permit for one or more other locations.

SECTION 295b. 77.51 (9) (c) of the statutes is repealed.

SECTION 295br. 77.51 (13) (p) of the statutes is amended to read:

77.51 (13) (p) A telephone company which provides to an interexchange carrier services which permit the origination or termination of telephone messages between a customer in this state and one or more points in another telephone exchange local access and transport area, as defined in s. 76.38 (1) (bd).

SECTION 295cg. 77.51 (13g) (intro.) of the statutes is amended to read:

77.51 (13g) (intro.) "Retailer Except as provided in sub. (13h), "retailer engaged in business in this state"
unless otherwise limited by federal statute, for purposes of the use tax, means any of the following:

SECTION 295e. 77.51 (13h) of the statutes is created to read:

77.51 (13h) "Retailer engaged in business in this state", notwithstanding sub. (13g), does not include a foreign corporation that is the publisher of printed materials the only activities of which in this state do not exceed the storage of its raw materials for any length of time in this state in or on property owned by a person other than the foreign corporation and the delivery of its raw materials to another person in this state if that storage and delivery are for printing by that other person, and the purchase from a printer of a printing service or of printed materials in this state for the publisher and the storage of the printed materials for any length of time in this state in or on property owned by a person other than the publisher. In this subsection "raw materials" means tangible personal property which becomes an ingredient or component part of the printed materials or which is consumed or destroyed or loses its identity in the printing of the printed materials.

SECTION 295em. 77.51 (14) (m) of the statutes is amended to read:

77.51 (14) (m) Transfers of services to an interchange carrier which permit the origination or termination of telephone messages between a customer in this state and one or more points in another telephone exchange local access and transport area, as defined in s. 76.38 (1) (bd).

SECTION 295et. 77.52 (2) (a) 2 of the statutes is amended to read:

77.52 (2) (a) 2. The sale of admissions to amusement, athletic, entertainment or recreational events or places, the sale, rental or use of regular bingo cards, extra regular cards, 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, in connection with the sale or use of time-share property, as defined in s. 707.02 (32), 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 295ep. 77.52 (7) of the statutes is amended to read:

77.52 (7) Every person desiring to operate as a seller within this state shall file with the department an application for a permit for each place of operations. Every application for a permit shall be made upon a form prescribed by the department and shall set forth the name under which the applicant intends to operate, the location of his place of operations, and such other information as the department requires. The application shall be signed by the owner if a sole proprietor; in the case of sellers other than sole proprietors, the application shall be signed by the person authorized to act on behalf of such sellers. A non-profit organization that has gross receipts taxable under s. 77.54 (7m) shall obtain a seller's permit and pay taxes under this subchapter on all taxable gross receipts received after it is required to obtain that permit. If that organization becomes eligible later for the exemption under s. 77.54 (7m) except for its possession of a seller’s permit, it may surrender that permit.

SECTION 295epm. 77.53 (17r) of the statutes is created to read:

77.53 (17r) This section does not apply to an aircraft if all of the following requirements are fulfilled:

(a) It is purchased in another state.
(b) Its owner or lessee has paid all of the sales and use taxes imposed in respect to it by the state where it was purchased.
(c) If the owner or lessee is a corporation, that corporation, and all corporations with which that corporation may file a consolidated return for federal income tax purposes, neither is organized under the laws of this state nor has real property or other tangible personal property; except aircraft and such property as hangars, accessories, attachments, fuel and parts required for operation of aircraft; in this state at the time the aircraft is registered in this state.
(d) If the owner or lessee is a partnership, all of the corporate partners fulfill the requirements under par.
(e) If the owner or lessee is an individual, the owner or lessee is not domiciled in this state.
(f) If the owner or lessee is an estate, trust or cooperative; that estate, that trust and its grantor or that cooperative does not have real property or other tangible personal property; except aircraft and such property as hangars, accessories, attachments, fuel and parts required for operation of aircraft; in this state at the time the aircraft is registered in this state.
(g) The department has not determined that the owner, if the owner is a corporation, trust or partnership, was formed to qualify for the exception under this subsection.

SECTION 295erm. 77.54 (7m) of the statutes is created to read:

77.54 (7m) Occasional sales of tangible personal property or services, including but not limited to admissions or tickets to an event; by a neighborhood
association, church, civic group, garden club, social club or similar nonprofit organization; not involving professional entertainment, conducted by the organization if the organization is not engaged in a trade or business and is not required to have a seller's permit. For purposes of this subsection, an organization is engaged in a trade or business if its sales of tangible personal property or services, not including sales of tickets to events, or if its events occur on more than 20 days during the year, unless its receipts do not exceed $15,000 during the year.

SECTION 296. 77.54 (20) (b) 4 of the statutes is amended to read:

77.54 (20) (b) 4. Soda water beverages as defined in s. 97.29 (1) (i), bases, concentrates and powders intended to be reconstituted by consumers to produce soft drinks, and fruit drinks and ade not defined as fruit juices in s. 97.02 (27), 1967 stats.

SECTION 297. 77.54 (26) of the statutes is amended to read:

77.54 (26) The gross receipts from the sales of and the storage, use, or other consumption of tangible personal property which becomes a component part of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or tangible personal property which becomes a component part of a waste treatment facility of this state or any agency thereof, or any political subdivision of the state or agency thereof as provided in s. 40.02 (28). The exemption includes replacement parts thereof, and also applies to chemicals and supplies used or consumed in operating a waste treatment facility and to purchases of tangible personal property made by construction contractors who transfer such property to their customers in fulfillment of a real property construction activity. This exemption does not apply to tangible personal property installed in fulfillment of a written construction contract entered into, or a formal written bid made, prior to July 31, 1975.

SECTION 297g. 77.54 (28) of the statutes is amended to read:

77.54 (28) The gross receipts from the sale of and the storage, use or other consumption to or by the ultimate consumer of apparatus or equipment for the injection of insulin or the treatment of diabetes and supplies used to determine blood sugar level.

SECTION 297mb. 77.54 (39) of the statutes is created to read:

77.54 (39) The gross receipts from the sale of and the storage, use or other consumption of off-highway, heavy mechanical equipment such as Feller bunchers, slashers, delimiters, chippers, hydraulic loaders, loaders, skidder-forwarders, skidders, timber wagons and tractors used exclusively and directly in the harvesting or processing of raw timber products in the field by a person in the logging business. In this subsection, “heavy mechanical equipment” does not include hand tools such as axes, chains, chain saws and wedges.

SECTION 298. 77.60 (9) of the statutes is amended to read:

77.60 (9) Any officer or employee of any corporation subject to this subchapter or other person who has responsibility for making payment of the amount of tax hereon imposed under this subchapter and who wilfully fails to make such payment to the department, shall be personally liable for such amounts, including interest and penalties thereon, in the event that after proper proceedings for the collection of such amounts, as provided in this subchapter, such corporation is unable to pay such amounts to the department, and the personal liability of such officer, employee or other responsible person as provided herein shall survive the dissolution of the corporation. Such personal liability may be assessed by the department against such officer, employee or other responsible person pursuant to this subchapter for the making of sales tax determinations against retailers and shall be subject to the provisions for review of sales tax determinations against retailers, but the time for making such determinations shall not be limited by s. 77.59 (3) or by any other statute.

SECTION 298g. 78.01 (2) (e) of the statutes is amended to read:

78.01 (2) (e) Regular-leaded gasoline. Motor fuel sold for nonhighway use in mobile machinery and equipment and delivered directly into the consumer's storage tank in an amount of not less than 200 gallons if the supplier obtains from the consumer an annual exemption certificate prescribed by the department.

SECTION 298r. 78.12 (3m) of the statutes is amended to read:

78.12 (3m) Exemption reports. Any person who purchases regular-leaded gasoline motor fuel tax-free under s. 78.01 (2) (e) shall file an annual report not later than April 15 of the year following the reporting period. That report shall be prescribed by the department and shall set forth the number of gallons purchased, the supplier, the use and any other information that the department reasonably requires for the administration and enforcement of this subchapter. The department may not renew the exemption certificate of any person who fails to file the report under this subsection.

SECTION 299. 78.13 (2) of the statutes is amended to read:

78.13 (2) Final reports. Every wholesaler shall, upon the discontinuance, sale or transfer of the business or upon the cancellation or revocation of a license except for a cancellation or revocation under s. 78.68, make a report as required under s. 78.12 and pay all motor fuel taxes and penalties due the state. Such payment shall be to the public depository if one has
been designated pursuant to s. 78.84, but otherwise to the department.

SECTION 300. 78.50 (2) of the statutes is amended to read:

78.50 (2) Final report. Every special fuel licensee shall, upon such cessation, sale or transfer of the business or upon the cancellation or revocation of a license, except for a cancellation or revocation under s. 78.68, make a report as required in s. 78.49 and pay all special fuel taxes and penalties due the state. Such payment shall be to the public depository if one has been designated pursuant to s. 78.84, but otherwise to the department.

SECTION 301. 78.59 (2) of the statutes is amended to read:

78.59 (2) Final report. Every general aviation fuel licensee shall, upon such cessation, sale or transfer of the business or upon the cancellation or revocation of a license except for a cancellation or revocation under s. 78.68, make a report as required in s. 78.58 and pay all general aviation fuel taxes and penalties due the state. Such payment shall be to the public depository if one has been designated under s. 78.84, but otherwise to the department.

SECTION 302. 78.65 (2) of the statutes is repealed.

SECTION 303. 78.68 of the statutes is repealed and recreated to read:

78.68 Returns; failure to pay; refunds. (1) Unpaid taxes shall bear interest at the rate of 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes bear interest at the rate of 9% per year from the due date of the return to the date on which the refund is certified on the refund rolls.

(1m) All payments of additional amounts owned shall be applied in the following order: penalties, interest, tax principal.

(2) Delinquent tax returns are subject to a $10 late filing fee. Delinquent motor fuel, special fuel and general aviation fuel taxes bear interest at the rate of 1.5% per month until paid. The taxes imposed by this chapter are delinquent if not paid:

(a) In the case of a timely filed return, no return or a late return, on or before the due date of the return; or

(b) In the case of a deficiency determination of taxes, within 2 months after the date of demand.

(3) If due to neglect an incorrect return is filed, the entire tax finally determined is subject to a penalty of 25% of the tax exclusive of interest or other penalty. A person filing an incorrect return has the burden of proving that the error or errors were due to good cause and not due to neglect.

(4) In case of failure to file any return required under ss. 78.12, 78.49 and 78.58 by the due date, unless it is shown that that failure was due to reasonable cause and not due to neglect, there shall be added to the amount required to be shown as tax on that return 5% of the amount of the tax if the failure is for not more than one month, and an additional 5% of the tax for each additional month or fraction thereof during which the failure continues, not exceeding 25% of the tax in the aggregate. For purposes of this subsection, the amount of tax required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the due date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return.

(5) If a person fails to file a return when due or files a false or fraudulent return with intent in either case to defeat or evade the taxes imposed by this chapter, a penalty of 50% of the tax shall be added to the tax required to be paid, exclusive of interest and other penalties.

(6) Any person who fails to furnish any return required to be made or who fails to furnish any data required by the department may be fined not more than $500 or imprisoned for not more than 30 days or both.

(7) Any person, including an officer of a corporation, who is required to make, render, sign or verify any report or return required by this chapter and who makes a false or fraudulent report or return or who fails to furnish a report or return when due with the intent, in either case, to defeat or evade the tax imposed by this subchapter may be fined not more than $500 or imprisoned for not more than 30 days or both.

(8) No person may aid, abet or assist another in making any false or fraudulent return or false statement in any return required by this chapter with intent to defraud the state or evade payment of the tax, or any part thereof, imposed by this chapter. Any person who violates this subsection may be fined not more than $500 or imprisoned for not more than 30 days or both.

(9) Before any tax becomes due, if the department has reason to believe that any licensee intends or is likely to evade or attempt to evade payment of the tax when due, or intends or is likely to convey, dispose of, or conceal his or her property or abscond from the state, or do any other act which would render the state insecure in collecting the tax when due, the department may demand payment forthwith of all taxes upon all motor fuel received, as defined in s. 78.07, general aviation fuel placed in the fuel supply tank of an aircraft or in bulk storage facilities or special fuel used, as defined in s. 78.44, by the licensee, which shall immediately become payable and collectible as if delinquent, and the property of the licensee shall be subject to attachment as provided in s. 78.70.

SECTION 304. 79.03 (4) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

79.03 (4) In 1987, the total amount to be distributed under this subchapter from the appropriation under s. 20.835 (1) (d) is $779,260,000. In 1988 and thereafter, the total amount to be distributed under this subchapter from the appropriation under s. 20.835 (1) (d)
is $791,360,000. In 1989 and thereafter, the total amount to be distributed under this subchapter from s. 20.835 (1) (d) is $807,360,000.

SECTION 305. 79.185 of the statutes is repealed.

SECTION 305g. 84.06 (2) of the statutes is amended to read:

84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed by contract based on bids unless the department finds that another method as provided in sub. (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the department. Except as provided in s. 84.075 the contract shall be awarded to the lowest competent and responsible bidder as determined by the department. If the bid of the lowest competent bidder is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. The secretary shall enter into the contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but ss. 16.528 and 16.754 apply to the contract. Any such contract involving an expenditure of $1,000 or more shall not be valid until approved by the governor. The secretary may require the attorney general to examine any contract and any bond submitted in connection with the contract and report on its sufficiency of form and execution. The bond required under s. 779.14 (4) (1m) (b) for any such contract involving an expenditure of less than $1,000 is exempt from approval by the governor and shall be subject to approval by the secretary. This subsection also applies to contracts with private contractors based on bids for maintenance under s. 84.07.

SECTION 305rg. 84.076 of the statutes is created to read:

84.076 Disadvantaged business demonstration and training program. (1) DEFINITIONS. In this section:
(a) “Disadvantaged individual” means a minority group member, a woman or any other individual found to be socially and economically disadvantaged by the department as provided in 49 CFR 23.62, unless successfully challenged as provided in 49 CFR 23.69.
(b) “Disadvantaged business” means a sole proprietorship, partnership, joint venture or corporation that fulfills all of the following requirements, as certified by the department:
1. It is at least 51% owned by one or more disadvantaged individuals who are U.S. citizens or persons lawfully admitted to the United States for permanent residence, as defined under 8 USC 1101 (a) (20).
2. Its management and daily business operations are controlled by one or more of the disadvantaged individuals who own it.
3. It is currently performing a useful business function as defined in s. 560.036 (1) (h).
(c) “Minority group member” has the meaning given under s. 560.036 (1) (e) 1.
(d) “ Minority business” has the meaning given under s. 560.036 (1) (f).

(2) ADMINISTRATION. (a) The secretary shall administer a demonstration and training program for the purpose of developing the capability of disadvantaged businesses to participate in construction projects funded under s. 20.395 (3) (bq), (bv), (bx), (cq), (cv), (cx), (dv), (dx), (fq), (fv), (fx), (hq), (hv) and (hx). Beginning in fiscal year 1988-89, from the amounts appropriated under s. 20.395 (3) (bq), (bv), (bx), (cq), (cv), (cx), (dq), (dv), (dx), (fq), (fv), (fx), (hq), (hv) and (hx), the secretary shall allocate $4,000,000 each fiscal year for the awarding of contracts under this section. The secretary shall attempt to ensure that 75% of the amount so allocated each fiscal year is for the awarding of contracts under this section to minority businesses. The secretary may award 100% of the amount so allocated each fiscal year to one disadvantaged business.
(b) The secretary shall establish requirements for programs of preapprenticeship training and management and technical assistance designed to develop the expertise of disadvantaged individuals and disadvantaged businesses in transportation construction.

(3) BIDS, CONTRACTS. Section 84.06 (2) applies to bids and contracts under this section, except that the secretary shall reject low bids that do not satisfy the requirements under sub. (4). The secretary shall establish a list of disadvantaged businesses that are eligible to submit bids for contracts awarded under this section and subcontractors who meet the requirements under sub. (4) (b). Each bid submitted under this section shall include the agreement specified under sub. (4) and all of the following conditions:
(a) A goal that at least 25% of the total number of workers in all construction trades employed on the project will be disadvantaged individuals.
(b) A subcontracting plan that provides sufficient detail to enable the secretary to determine that the prime contractor has made or will make a good faith effort to award at least 20% of the total contract...
amount to bona fide independent disadvantaged business subcontractors.

(4) CONTRACTOR RESPONSIBILITIES. Each contractor shall agree to do one of the following in its bid submitted under sub. (3):

(a) 1. Assure that the contractor has developed a program of preapprenticeship training that satisfies the requirements established by the secretary under sub. (2) (b) and has experience in providing the training to disadvantaged individuals; and

2. Assure that the contractor has developed and has experience in providing a program of management and technical assistance to disadvantaged business subcontractors. The management and technical assistance program shall satisfy the requirements established by the secretary under sub. (2) (b) and shall include all of the following:

a. On-site administrative support.

b. Assistance with managing scheduling, finances and property.

c. The provision of other management services necessary to assist disadvantaged businesses in developing construction capabilities and opportunities for participation in construction projects.

(b) Obtain from a subcontractor that has experience in providing training to disadvantaged individuals, a program of preapprenticeship training that satisfies the requirements established by the secretary under sub. (2) (b), and assure that the subcontractor has experience in providing a program of management and technical assistance to disadvantaged business contractors, and that the subcontractor's management and technical assistance program satisfies the requirements established by the secretary under sub. (2) (b) and includes all of the requirements of par. (a) 2. A subcontractor under this paragraph need not be a disadvantaged business, but if the subcontractor is not a disadvantaged business, it may not be included within the goal established under sub. (3) (b).

SECTION 305rh. 84.076 of the statutes is repealed.

SECTION 305s. 84.076 of the statutes is renumbered 84.075.

SECTION 305t. 84.075 (1) of the statutes is renumbered 84.075 (1) (am). The department may acquire by gift, devise or purchase and consolidate, appropriate or expenditure, or otherwise develop, construct, maintain, improve and operate landing, loading and unloading facilities, including all of the necessary buildings and appurtenant structures, roads, piers, docks, wharves, and other transportation related facilities, required in connection with and around and along and leading to the banks of the Fox River and other water bodies, for the development and protection of the state's and the interests of the state and of the state's citizens in the health, safety, welfare and the general interest of the state and its citizens.

SECTION 305u. 84.075 (1) (am) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

"Ferry service assistance" means financial assistance for the purpose of reimbursing an eligible applicant for not more than 50% of monies expended to acquire a vessel for ferry service on any river within or forming a boundary of the state.
SECTION 306n. 85.20 (1) (g) of the statutes is amended to read:

85.20 (1) (g) "Operating expenses" mean costs accruing to an urban mass transit system by virtue of its operations, including costs to subsidize fares paid by handicapped persons for transportation within the urban area of the eligible applicant. For a publicly owned system, operating expenses do not include profit, return on investment or depreciation as costs. For a privately owned system, operating expenses may include profit, return on investment or depreciation as costs if the local public body contracts for the services provided by the publicly owned system on the basis of competitive bids. Operating expenses may include costs to subsidize reasonable fares paid by all users for transportation within the urban area of the eligible applicant.

SECTION 306nm. 85.20 (1) (k) of the statutes is amended to read:

85.20 (1) (k) "Urban area" means any area that includes a city or village having a population of 2,500 or more that is appropriate, in the judgment of the department, for an urban mass transit system. A county without a city of 2,500 or more may be an urban area if it has a population of 10,000 or more.

SECTION 306o. 85.20 (3) (c) of the statutes is amended to read:

85.20 (3) (c) To Except as provided in par. (cm), to audit the operating revenues and expenses of all urban mass transit systems participating in the program in accordance with generally accepted accounting principles and practices. The exceptions as provided in par. (cm), the audits shall be the basis for computing the maximum share of state and federal aids each eligible applicant can apply against operating deficits for each state aid contract period.

SECTION 306p. 85.20 (3) (cm) of the statutes is created to read:

85.20 (3) (cm) To audit the performance, as shown by service provided, of a privately owned system with which a local public body contracts for services on the basis of competitive bids. The audit shall be the basis for computing the maximum share of state and federal aids that an eligible applicant that contracts with a privately owned system on the basis of competitive bids may apply against operating deficits for each state aid contract period.

SECTION 306q. 85.20 (4m) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

85.20 (4m) (a) From the amount appropriated under s. 20.001 (1m) (b) an amount equal to 100% of the projected operating expenses of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.

SECTION 306r. 85.20 (4m) (e) of the statutes is amended to read:

85.20 (4m) (e) Eligible applicants shall repay the department any overpayments in state aids under this section which are made because of differences between projected financial data and audited financial data or because of differences between projected financial data and contract compliance audits.

SECTION 307. 85.25 of the statutes is created to read:

85.25 Disadvantaged business mobilization assistance program. (1) FINDINGS AND PURPOSE. The legislature finds that the lack of working capital is a major barrier to the participation of certain businesses in construction contracts with the department. This problem is most acute for newer, less experienced businesses, and, in particular, for disadvantaged businesses, many of which lack the assets necessary to obtain financing under normal business lending standards. The disadvantaged business mobilization assistance program is created to assist disadvantaged businesses in obtaining working capital in order to participate in construction contracts with the department and to increase the representation of disadvantaged businesses among contractors performing on construction projects for the department.

(2) DEFINITIONS. In this section:

(a) "Business development organization" means the Wisconsin housing and economic development authority under s. 234.02 or any private, nonprofit organization which prepares business and loan plans for and provides other financial, management and technical assistance to disadvantaged businesses.

(b) "Deficiency" means the unpaid principal amount of a defaulted mobilization loan guaranteed under sub. (4). "Deficiency" does not include any interest, any origination fees or other charges relating to the guaranteed loan or any expenses incurred by the lender in enforcing the security interest taken in the capital equipment or other asset resulting from the proceeds of the guaranteed loan.

(c) "Disadvantaged business" means a sole proprietorship, partnership, joint venture or corporation that fulfills all of the following requirements:
1. It is at least 51% owned, controlled and actively managed by a minority group member or members, as defined in s. 560.036 (1) (f), or a woman or women, who are U.S. citizens or persons lawfully admitted to the United States for permanent residence, as defined under 8 USC 1101 (a) (20).

2. It is currently performing a useful business function as defined in s. 560.036 (1) (h).

(d) “Guaranteed loan” means a mobilization loan which is guaranteed by a business development organization under a grant under sub. (3).

(e) “Mobilization loan” means a short-term loan, as specified by the department by rule, to a disadvantaged business to provide working capital in order to finance the purchase of capital equipment, insurance or any other service or consumable good necessary to enable the disadvantaged business to participate in transportation-related construction contracts with the department.

(f) “Participating lender” means a bank, credit union, savings and loan association or other person who makes mobilization loans.

(3) ADMINISTRATION. The department shall administer the disadvantaged business mobilization assistance program. Subject to sub. (4), the department may make grants for the purpose specified in sub. (1) to a business development organization in order to provide funding for the guarantee by the business development organization of a mobilization loan made by a participating lender to a disadvantaged business certified by the department.

(4) RULE MAKING. The department shall promulgate rules to implement the disadvantaged business mobilization assistance program. The rules shall specify all of the following:

(a) Conditions for eligibility of a business development organization for a grant under sub. (3).

(b) Conditions for eligibility of a disadvantaged business for a guaranteed loan. The conditions may include requirements relating to certification of a disadvantaged business by the department.

(c) Conditions for the guarantee of a mobilization loan by a business development organization applying for a grant under sub. (3). The conditions shall include requirements relating to the term of a mobilization loan. The conditions may include a requirement for execution of a guarantee agreement between the business development organization and the participating lender and review of such an agreement by the department. The conditions may specify a percentage of principal of any mobilization loan which must be guaranteed by a business development organization applying for a grant under sub. (3). The conditions may include requirements relating to the rate of a mobilization loan. The conditions may include requirements relating to defaulted mobilization loans and deficiencies.

(d) Conditions relating to the total principal amounts of all mobilization loans which may be guaranteed by business development organizations at one time, not to exceed $1,500,000.

(e) Conditions under which a business development organization may not guarantee additional mobilization loans. The conditions shall include a prohibition on the guarantee of additional mobilization loans by a business development organization if the amount of the grant to the business development organization not yet expended under the disadvantaged business mobilization assistance program is equal to or less than $100,000.

(f) Conditions under which a grant made under sub. (3) to a business development organization may be required to be repaid.

(5) MORAL OBLIGATION. Recognizing its moral obligation to do so, the legislature expresses its expectation and aspiration that, if ever called upon to do so, it shall make an appropriation from the transportation fund to meet all demands for funds relating to defaulted mobilization loans and deficiencies under this section.

SECTION 307g. 91.01 (1) of the statutes is amended to read:

91.01 (1) “Agricultural use” means beekeeping; commercial feedlots; dairying; egg production; floriculture; fish or fur farming; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing land in federal programs in return for payments in kind; owning land, at least 35 acres of which is enrolled in the conservation reserve program under 16 USC 3831 to 3836; participating in the milk production termination program under 7 USC 1446 (d); and vegetable raising.

SECTION 307h. 91.01 (6) of the statutes is amended to read:

91.01 (6) “Eligible farmland” means a parcel of 35 or more acres of contiguous land which is devoted primarily to agricultural use which during the year preceding application for a farmland preservation agreement produced gross farm profits, as defined in s. 71.09 (1) (a) 3m, of not less than $6,000 or which, during the 3 years preceding application produced gross farm profits, as defined in s. 71.09 (11) (a) 3m, of not less than $18,000, or a parcel of 35 or more acres of which at least 35 acres, during part or all of the year preceding application, were enrolled in the conservation reserve program under 16 USC 3831 to 3836.

SECTION 307m. 91.11 (3m) of the statutes is created to read:

91.11 (3m) Notwithstanding sub. (3), in any county with a population density of 100 or more persons per square mile, an owner may apply for a farmland preservation agreement under this subchapter from July 1, 1988, to June 30, 1991. Any owner who signs an agreement which was applied for under this subsection is eligible to apply for another agreement prior to the expiration of that agreement.
SECTION 307mb. 91.13 (10) of the statutes is amended to read:

91.13 (10) Agreements under this subchapter shall be for not less than 10 years nor more than 25 years. An owner of eligible farmland which is subject to an agreement with a term of less than 25 years may extend the term of the agreement to 25 years with the approval of the department and of the local governing body having jurisdiction in which the eligible farmland is located.

SECTION 307mc. 91.17 (3) of the statutes is created to read:

91.17 (3) A residence or structure located on a parcel of 5 acres or less which is subject to an agreement and which, for purposes of farm consolidation and in compliance with the ordinances of the city, village or town and county in which it is located, is separated from other land subject to that agreement is not subject to a lien under s. 91.19 when that agreement expires if the residence or structure existed prior to the effective date of that agreement.

SECTION 307md. 91.19 (10) of the statutes is amended to read:

91.19 (10) The lien may be paid and discharged at any time and shall become payable to the state by the owner of record at the time the land or any portion of it is sold by the owner of record to any person except the owner's child or if the land is converted to a use prohibited by the former farmland preservation agreement. Upon reentry in an agreement under this subchapter or upon zoning for exclusively agricultural use under an ordinance certified under subch. V, the portion of the lien on the land reentered or so zoned shall be discharged. The discharge of a lien does not affect the calculation of any subsequent lien under sub. (7) or (8). The proceeds from the payment shall be paid into the general fund.

SECTION 307me. 91.37 (4) of the statutes is amended to read:

91.37 (4) If at the end of an agreement under this subchapter, the farmland is not eligible for an agreement under subch. II because s. 91.11 (2), (3) or (4) is applicable, the lien shall apply, without interest, to the credit received under s. 71.09 (11) for the last 2 years the land was eligible for such credit. If, after the expiration of an agreement but prior to January 1, 1983, the land or any portion of the land is zoned for exclusive agricultural use under an ordinance certified under subch. V, all or any portion of a lien filed under this subsection against such land shall be discharged. The discharge of a lien under this subsection does not affect the calculation of any subsequent lien under s. 91.77 (2).

SECTION 307mg. 91.73 (1) of the statutes is amended to read:

91.73 (1) Except as otherwise provided, exclusive agricultural zoning ordinances shall be adopted and administered in accordance with ss. 59.97 to 59.99, 61.35 or 62.23 or subch. VIII of ch. 60. No such ordinance may be rescinded from the effective date of this subsection .... [revisor inserts date, to June 30, 1991, in any county with a population density of 100 or more persons per square mile.

SECTION 307mm. 91.75 (6) of the statutes is amended to read:

91.75 (6) For purposes of farm consolidation and if permitted by local regulation, farm residences or structures which existed prior to the adoption of the ordinance may be separated from a larger farm parcel. Farm residences or structures with up to 5 acres of land which are separated from a larger farm parcel under this section are not subject to the lien under s. 91.19 (8) to (10), as required in s. 91.77 (2) or 91.79.

SECTION 307mp. 93.07 (22) (title) of the statutes is created to read:

93.07 (22) [title] PLAT ADMINISTRATION.

SECTION 308. 93.41 of the statutes, as created by 1987 Wisconsin Act 27, is repealed and recreated to read:

93.41 Stray voltage. (1) The department shall participate in the stray voltage program established under s. 196.857. The department shall assess fees not to exceed $100 per farm for the services provided to farmers under s. 196.857. Any fees collected under this subsection shall be credited to the appropriation under s. 20.115 (8) (j).

(2) The department shall develop informational and educational materials on stray voltage and provide those materials to the public in cooperation with the university of Wisconsin system extension program and the board of vocational, technical and adult education and shall study the need for any other state action not in effect under this section or s. 196.857 necessary to protect the public health and welfare from the harmful effects of stray voltage.

(3) This section does not apply after August 31, 1991.
SECTION 308. 97.27 (4) of the statutes is amended to read:

97.27 (4) Subject to sub. (5), the department shall indemnify from state or federal funds the owner of breeding swine over 6 months of age that have been condemned and destroyed under this section. The department shall pay to the owner $25 for each registered animal and $10 for each grade animal. State payments shall be made from the appropriation under s. 20.115 (2) (b).

SECTION 309. 97.20 of the statutes, as affected by 1987 Wisconsin Act 27, is repealed and recreated to read:

97.20 Dairy plants. (1) DEFINITIONS. In this section:

(a) “Dairy plant” means any place where a dairy product is manufactured or processed for sale or distribution, and includes a receiving station or transfer station.

(b) “Dairy product” means milk or any product or by-product of milk, or any commodity in which milk or any milk product or by-product is a principal ingredient.

(c) “Fluid milk product” has the meaning given under s. 97.24 (1) (ar).

(d) “Grade A dairy plant” means a dairy plant required to hold a permit under sub. (3).

(e) “Grade A milk” has the meaning given under s. 97.24 (1) (b).

(f) “Grade A milk product” has the meaning given under s. 97.24 (1) (c).

(g) “Milk” has the meaning given under s. 97.22 (1) (e).

(h) “Processing plant” means a dairy plant engaged in pasteurizing, processing or manufacturing milk or dairy products.

(i) “Receiving station” means a facility which is designed for the receipt and bulk storage of milk, and which is used to receive or store milk in bulk. “Receiving station” does not include a processing plant or a facility used to distribute pasteurized milk in bottled or packaged form to consumers.

(j) “Transfer station” means a facility which is designed and used solely to transfer milk from one bulk transport vehicle to another without intervening storage.

(2) DAIRY PLANT LICENSE. (a) License requirement. Except as provided in par. (c), no person, including this state, may operate a dairy plant without a valid license issued by the department for that dairy plant. A dairy plant license expires on April 30 annually and is not transferable between persons or locations.

(b) License application. An application for a dairy plant license shall be made on a form provided by the department and shall be accompanied by any applicable fee required under par. (c) or (cm). The application shall include all information reasonably required by the department for purposes of licensing. The application shall state whether the dairy plant is a processing plant, receiving station or transfer station, and shall describe the nature of any processing operations conducted at the dairy plant.

(c) Fees. 1. ‘Dairy plant license fee.’ An applicant for a dairy plant license shall pay the license fee specified under par. (cm).

2. ‘Dairy plant reinspection fees.’ If the department reinspects a dairy plant because the department has found a violation of this chapter or rules promulgated under this chapter, the department shall charge the dairy plant operator the reinspection fee specified under par. (cm). A 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 renewal application form to the dairy plant operator.

3. ‘Producer fees.’ A dairy plant operator shall pay milk producer license, permit and reinspection fees on behalf of milk producers, as provided under s. 97.22. A milk producer reinspection fee is payable by the dairy plant operator when a dairy farm 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 renewal application to the dairy plant operator.

4. ‘Surcharge for operating without license.’ An applicant for a dairy plant license shall pay a license fee surcharge of $500 if the department determines that within one year prior to submitting the license application, the applicant operated the dairy plant without a license in violation of this subsection. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability which results from the unlicensed operation of the dairy plant, but does not constitute evidence of any violation of law.

(cm) Fee amounts. The annual fees required under par. (c), beginning with the license year which ends on April 30, 1989, are:
1. For a processing plant, an annual dairy plant license fee of $275 and a reinspection fee of $115.
2. For a receiving station, an annual dairy plant license fee of $180 and a reinspection fee of $65.
3. For a transfer station, an annual dairy plant license fee of $175 and a reinspection fee of $65.

(d) Issuance or renewal of license. The department may not issue or renew a dairy plant license unless all of the following conditions are met prior to licensing:
1. The license applicant pays all fees which are due and payable by the applicant under par. (c), 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 licensing under this subsection.
2. The license applicant is in compliance with s. 100.06. If an applicant is not in compliance with s. 100.06, the department may issue a conditional dairy plant license under s. 93.06 (8) which prohibits the licensed operator from purchasing milk or fluid milk products from milk producers or their agents, but allows the operator to purchase milk or fluid milk products from other sources.
3. If the dairy plant is a new dairy plant, the department has inspected the dairy plant for compliance with this chapter and rules promulgated under this chapter.

(e) License exemptions. A dairy plant license under this section is not required for:
1. A farm manufacturing or processing dairy products solely for consumption by the owner or operator of the farm, or members of the household or nonpaying guests or employees.
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 issued under s. 50.51.
3. Cheese and related cheese products.

(f) Added operations. No dairy plant may add a new category of dairy plant operations during the time period for which a dairy plant license was issued unless the dairy plant first notifies the department and obtains written authorization for the new category of operations. In this paragraph, “new category of operations” includes the manufacture or processing of any of the following which was not identified on the dairy plant’s most recent license application:
1. Fluid milk products.
2. Cheese and related cheese products.

(3) Grade A Dairy Plant; Permit. (a) Permit Requirement. No person operating a dairy plant at which milk or fluid milk products are received, transferred, manufactured or processed may sell or distribute that milk or those fluid milk products as grade A milk or grade A milk products unless the person holds a valid Grade A dairy plant permit issued by the department for that dairy plant. A grade A dairy plant permit expires on April 30 annually and is not transferable between persons or locations. A grade A dairy plant permit may be issued in the form of an endorsement on a dairy plant license under sub. (2). An application for a grade A dairy plant permit shall be made on a form provided by the department and shall be accompanied by the fee required under par. (c).

(b) Grade A Standards. A grade A dairy plant shall comply with standards applicable to the receipt, transfer, manufacture, processing and distribution of grade A milk and grade A milk products under this chapter or rules of the department. A grade A dairy plant may not receive, transfer or process milk that is not grade A milk unless the department provides written authorization. Except as provided by the department by rule, the department may not grant that authorization unless the grade A dairy plant maintains separate facilities for the receipt, transfer and processing of milk that is not grade A milk.

(c) Fees. In addition to any fee required under sub. (2) (c), an applicant for a grade A dairy plant permit shall pay the following separate fee:
1. For a processing plant, an annual grade A dairy plant permit fee of $320 and a reinspection fee of $20.
2. For a receiving station, an annual grade A dairy plant permit fee of $125.

(d) Surcharge for operating without a permit. An applicant for a grade A dairy plant permit shall pay a grade A dairy plant permit surcharge of $100 if the department determines that, within one year prior to submitting the permit application, the applicant operated the dairy plant as a grade A dairy plant without a grade A permit, in violation of par. (a). Payment of this surcharge does not relieve the applicant of any other civil or criminal liability which results from a violation of par. (a), but does not constitute evidence of a violation of any law.

(e) Permit contingent on payment of fees. The department may not issue or renew a grade A dairy plant permit until the permit applicant pays all applicable fees under this subsection. The department shall refund a fee paid under protest if the department determines that the fee was not required as a condition of the issuance of a grade A dairy plant permit under this subsection.

(4) Rule Making. The department may promulgate rules to govern the operation of dairy plants. The rules may include standards for the safety, wholesomeness and quality of dairy products; the construction, maintenance and sanitary operation of dairy plants; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; storage and handling of milk and fluid milk products; pasteurization and processing procedures; sampling and testing; and reports and recordkeeping. The rules may also set forth the duties of dairy plants to inspect
dairy farms, collect and test producer milk samples and make reports to the department.

SECTION 310. 97.21 of the statutes is created to read:

97.21 Milk haulers and milk distributors. (1) Definitions. In this section:

(a) "Bulk milk tanker" means a mobile bulk container used to transport bulk milk from a dairy farm, or to or from a dairy plant in this state. "Bulk milk tanker" includes a mobile bulk container which is permanently mounted on a motor vehicle or which is designed to be towed by a motor vehicle. "Bulk milk tanker" does not include a mobile bulk container which is used by a milk producer solely to transport that producer's own milk.

(2) BULK MILK TANKER; LICENSE; GRADE A PERMIT.

(a) License. 1. Except as provided in subd. 2, no person may operate a bulk milk tanker in this state without a valid license issued by the department for that bulk milk tanker. That license expires on April 30 annually and is not transferable between persons or bulk milk tankers. An application for a license shall be made on a form provided by the department and shall be accompanied by applicable fees under sub. (4). The application shall include all information reasonably required by the department for purposes of issuing the license.

(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. (4). 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 renewal application to the bulk milk tanker operator or milk distributor.

(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 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 subsection. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability which results from a violation of sub. (2) or (3), but does not constitute evidence of any violation of law.

License fee. The annual fees required under sub. (4), beginning with the license year which ends on April 30, 1989, are:

(a) For a bulk milk tanker license under sub. (2), an annual license fee of $25 and a reinspection fee of $25.

(b) For a milk distributor license under sub. (3), an annual license fee of $70 and a reinspection fee of $35.

(5) LICENSING CONTINGENT ON PAYMENT OF FEES. The department may not issue or renew a bulk milk tanker or milk distributor license unless the license applicant pays all fees which 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 licensing under this section.

(6) RULE MAKING. The department may promulgate rules to regulate bulk milk tanker operators and milk distributors. The rules may include standards for the construction, maintenance and sanitary operation of bulk milk tankers, milk distribution vehicles and milk distribution facilities; the design, installation,
cleaning and maintenance of equipment and utensils; personnel sanitation; storage and handling of milk and fluid milk products; identification of bulk milk tankers and milk distribution vehicles; and recordkeeping.

SECTION 311. 97.22 of the statutes, as affected by 1987 Wisconsin Act 27, is repealed and recreated to read:

97.22 Milk producers. (1) Definitions. In this section:

(a) "Dairy farm" means any place where one or more cows or goats are kept for the production of milk.

(b) "Dairy plant" has the meaning given under s. 97.20 (1) (a).

(c) "Fluid milk product" has the meaning given under s. 97.24 (1) (ar).

(d) "Grade A milk" has the meaning given under s. 97.24 (1) (b).

(e) "Milk" means the lacteal secretion of cows or goats, and includes skim milk and cream.

(f) "Milk producer" means any person who owns or operates a dairy farm, and sells or distributes milk produced on that farm.

(2) LICENSE. (a) License required. No person may operate a dairy farm as a milk producer without a valid license issued by the department for that dairy farm. A license expires on April 30 annually and is not transferable between persons or dairy farms. Every milk producer shall comply with standards applicable to the production of milk and fluid milk products under this chapter and rules promulgated under this chapter.

(b) License fee. The fee for a milk producer license under par. (a), beginning with the license year which ends on April 30, 1989, is $22, except that the fee is $7 if a producer of grade A milk is properly inspected at least once annually by a special dairy farm inspector certified under sub. (7).

(c) Dairy plant to pay license fee for milk producer. The operator of a dairy plant licensed under s. 97.20 shall pay the milk producer license fee under this subsection for every dairy farm from which the dairy plant receives milk at the time the fee payment is due.

(3) Grade A dairy farm permit. (a) Permit required. No milk producer may sell or distribute milk from his or her dairy farm as grade A milk without a valid grade A dairy farm permit issued by the department for that dairy farm. A grade A dairy farm permit expires on April 30 annually and is not transferable between persons or dairy farms. A grade A dairy farm permit may be issued in the form of an endorsement on a milk producer license under sub. (2). Every milk producer holding a grade A dairy farm permit shall comply with standards applicable to the production of grade A milk under this chapter or rules promulgated under this chapter.

(b) Permit fee. The annual fee for a grade A dairy farm permit under par. (a), beginning with the license year which ends on April 30, 1989, is $13.

(c) Dairy plant to pay permit fee for milk producer. The operator of a dairy plant licensed under s. 97.20 shall pay the grade A dairy farm permit fee under this subsection for every dairy farm from which the dairy plant receives milk at the time the fee payment is due.

(4) Reinspection fees. (a) Fee required. If the department reinspects a dairy farm because the department or a special dairy inspector finds a violation of this chapter or rules promulgated under this chapter, the department shall charge the reinspection fee specified under par. (am). A reinspection fee is payable when the reinspection is completed, and is due upon written demand from the department.

(b) Dairy plant to pay reinspection fee for milk producer. The operator of a dairy plant licensed under s. 97.20 shall pay the dairy farm reinspection fee under this subsection for every milk producer who was shipping milk from the reinspected dairy farm to that
dairy plant at the time the dairy farm was reinspected. The department may issue an annual statement of reinspection fees payable by the dairy plant, and may demand payment from the dairy plant on an annual basis, when it issues an application form for the renewal of the dairy plant's license under s. 97.20. A dairy plant operator who pays a dairy farm reinspection fee shall charge that fee back to the milk producer.

(5) **FEES PAYABLE BY MILK PRODUCER IF NOT PAID BY DAIRY PLANT.** If a milk producer ships milk to a dairy plant which is not subject to licensure under s. 97.20, the unlicensed dairy plant may voluntarily pay the fees required under this section on behalf of the milk producer if the dairy plant is authorized by the milk producer to pay the fees. If no dairy plant pays the fees required under this section on behalf of a milk producer, the milk producer shall pay the fees.

(6) **DAIRY FARM INSPECTION; FREQUENCY.** The department shall inspect every dairy farm at least once annually, and shall inspect every grade A dairy farm more frequently if required by the department by rule under s. 97.24.

(7) **SPECIAL DAIRY FARM INSPECTORS.** The department may certify a dairy plant employee or agent to inspect dairy farms on behalf of the department as a special dairy farm inspector. A special dairy farm inspector shall inspect dairy farms and make written reports to the department according to procedures prescribed by the department. The department may promulgate rules governing the certification of special dairy farm inspectors; defining the authority and responsibilities of those inspectors; establishing inspection and reporting requirements; and establishing procedures by which the department will review inspector performance.

(8) **RULE MAKING.** The department may promulgate rules to govern the operation of dairy farms by milk producers. The rules may include standards for any of the following:

(a) The safety, wholesomeness and quality of milk.

(b) The sanitary construction and maintenance of dairy farm facilities used in milk production.

(c) The availability of safe and adequate water supplies for milk production.

(d) The sanitary construction, maintenance and cleaning of equipment and utensils used in milk production.

(e) Personnel sanitation related to milk production.

(f) Sanitary procedures for the production of milk, including but not limited to the handling, transfer and storage of milk on a dairy farm.

**SECTION 311m.** 97.24 (1) (d) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.24 (1) (d) "Milk distributor" means a grade A milk distributor as defined in s. 97.22 has the meaning given under s. 97.21 (1) (e).
department for the food warehouse. A food warehouse license expires on June 30 annually. Every food warehouse shall have a separate license. A license is not transferable between persons or food warehouse locations. Application for a license shall be made on a form provided by the department and shall be accompanied by applicable fees required under sub. (3). An application shall include information reasonably required by the department for licensing purposes.

(3) Fees. (a) License fee. An applicant for a food warehouse license shall pay the license fee specified under sub. (3m).

(b) Reinspection fee. If the department reinspects a food warehouse because the department finds a violation of this chapter or rules promulgated under this chapter on a regularly scheduled inspection, the department shall charge the food warehouse operator the reinspection fee specified under sub. (3m). A reinspection fee is payable by the food warehouse operator 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 renewal application form to the food warehouse operator.

(c) Surcharge for operating without a license. An applicant for a food warehouse license shall pay a license fee surcharge of $100 if the department determines that, within one year prior to submitting the license application, the applicant operated a food warehouse without a license in violation of this subsection. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability which results from the unlicensed operation of the food warehouse, but does not constitute evidence of a violation of law.

(3m) Fee amounts. The annual fees required under sub. (3), beginning with the license year which ends on June 30, 1989, are:

(a) For a food warehouse having fewer than 10,000 square feet of floor area, an annual food warehouse license fee of $20 and a reinspection fee of $20.

(b) For a food warehouse having at least 10,000 square feet but less than 50,000 square feet of floor area, an annual food warehouse license fee of $40 and a reinspection fee of $40.

(c) For a food warehouse having at least 50,000 square feet but less than 100,000 square feet of floor area, an annual food warehouse license fee of $60 and a reinspection fee of $60.

(d) For a food warehouse having at least 100,000 square feet but less than 150,000 square feet of floor area, an annual food warehouse license fee of $80 and a reinspection fee of $80.

(e) For a food warehouse having at least 150,000 square feet of floor area, an annual food warehouse license fee of $100 and a reinspection fee of $100.

(4) Licensing contingent on payment of fees. The department may not issue or renew a food warehouse license unless the license applicant pays all fees which are due and payable under sub. (3), 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 licensing under this section.

(5) Rule making. The department may promulgate rules to govern the sanitary operation of food warehouses. Rules may include standards for the construction and maintenance of food storage facilities; standards for the storage, identification and handling of food; recordkeeping requirements to show the length of time that food is kept in storage; and freezing and temperature requirements applicable to frozen food warehouses, frozen food locker plants and cold storage warehouses.

SECTION 322. 97.28 of the statutes, as affected by 1987 Wisconsin Acts 27 and ... (this act), is repealed.

SECTION 323. 97.28 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.28 (1) Except as provided in sub. (2m), no person may operate a retail food processing plant without a license from the department or a village, city or county granted agent status under s. 97.41. The license shall be granted under any reasonable rules or ordinances the department or village, city or county granted agent status under s. 97.41 prescribes pertaining to the proper handling and storing of food and the construction and sanitary condition of the building and equipment to be used for food processing.

SECTION 324. 97.28 (2) (a) of the statutes is repealed.

SECTION 325. 97.29 of the statutes is created to read:

97.29 Food processing plants. (1) Definitions. In this section:

(a) “Alcohol beverage” has the meaning given under s. 125.02 (1).

(b) “Bakery” means any place where bread, crackers, pasta or pies, or any other food product for which flour or meal is the principal ingredient, are baked, cooked or dried, or prepared or mixed for baking, cooking or drying, for sale as food.

(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 or other permit issued under s. 50.51.

(d) “Canning” means the preservation and packaging in hermetically sealed containers of low-acid or acidified foods.

(e) “Confectionary” means any place where candy, fruit, nut meats or any other food product is manufactured, coated or filled with saccharine substances for sale as food.
(f) "Drinking water" means water used or intended for use for human consumption. "Drinking water" includes distilled water, artesian water, spring water and mineral water, whether carbonated or uncarbonated, if consumed by humans or intended for human consumption.

(g) "Food processing" means the manufacture or preparation of food for sale through the process of canning, extracting, fermenting, distilling, pickling, freezing, baking, drying, smoking, grinding, cutting, mixing, coating, stuffing, packing, bottling or packaging, or through any other treatment or preservation process. "Food processing" includes the activities of a bakery, confectionary or bottling establishment, and also includes the receipt and salvaging of distressed food for sale or use as food. "Food processing" does not include any of the following:

1. Activities covered under a dairy plant license issued under s. 97.20.
2. Activities covered under a meat or poultry establishment license issued under s. 97.42.
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 issued under s. 50.51.
4. Activities inspected by the federal department of agriculture under 21 USC 451 to 695 and 21 USC 1031 to 1056.
5. The extraction of honey from the comb, or the production and sale of raw honey or raw bee products by a beekeeper.
6. The washing and packaging of fresh fruits and vegetables if the fruits and vegetables are not otherwise processed at the packaging establishment.
7. The receipt and salvaging of distressed food for sale or use as food if the food is received, salvaged and used solely by a charitable organization and if contributions to the charitable organization are deductible by corporations in computing net income under s. 71.02 (1) (c) (intro.).
8. Any other activity exempted by the department by rule.

(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 establishment holding a permit under s. 50.51, to the extent that the activities of that establishment are covered by s. 97.30 or the permit under s. 50.51.

(i) "Soda water beverage" means all beverages commonly known as soft drinks or soda water, whether carbonated, uncarbonated, sweetened or flavored.

(2) LICENSE. (a) Requirement. Except as provided under par. (b), no person may operate a food processing plant without a valid license issued by the department for that food processing plant. A license expires on March 31 annually. Each food processing plant shall have a separate license. A license is not transferable between persons or locations. Application for a license shall be made on a form provided by the department and be accompanied by the applicable fees required under sub. (3) and the sworn statement required under s. 100.03 (2). An applicant shall identify the categories of food processing activities which the applicant proposes to conduct at the food processing plant. An application shall include additional information which may reasonably be required by the department for licensing purposes.

(b) Exemptions. If a dairy plant licensed under s. 97.20 or a meat establishment licensed under s. 97.42 is incidentally engaged in the operation of a food processing plant at the same location, the department may exempt by rule the dairy plant or meat establishment from licensing under this section.

(c) Added operations. No food processing plant may add a new category of food processing operations during the time period for which a food processing plant license was issued unless the operator of the food processing plant first notifies the department and obtains written authorization for the new category of operations. "New category of food processing operations" may include any of the following operations which were not identified on the most recent license application for the food processing plant:

1. Bakery operations.
2. Confectionary operations.
3. Bottling establishment operations.
4. Canning operations.
5. Freezing, smoking or other food preservation operations which constitute a significant departure from the operations described in the most recent license application.
6. Any other category of food processing operations which constitutes a significant departure from the operations described in the most recent license application.

(3) FEES. (a) Annual license fee; all food processing plants. An applicant for a food processing plant license shall pay the license fee specified under par. (am), based on the dollar volume of production by the food processing plant during the previous license year. The annual dollar volume of production shall be determined by gross sales of the product processed during the license year, plus the inventory value of any portion of the product not sold. If the food processing plant was not licensed during the previous license year, the license applicant shall pay an estimated license fee based on projected annual production in the license year for which application is made. At the end of the license year for which an estimated fee has been paid, the licensee shall report to the department the actual production during the license year, and the license fee for that year shall be recomputed based on the actual production. If the license fee based on actual production differs from the estimated license fee, the licensee shall pay the balance due or receive a
credit from the department on the next year’s license fee.

    (am) Fee amounts. The annual fees required under par. (a), beginning with the license year which ends on March 31, 1989, are:

    1. For a food processing plant with an annual production of less than $250,000, a food processing plant license fee of $40.

    2. For a food processing plant with an annual production of $250,000 or more, a food processing plant license fee of $80.

    (b) Canning operations; license fee surcharge. If a food processing plant is engaged in canning operations, a license applicant shall pay a license fee surcharge of $195, beginning with the license year which ends on March 31, 1989, which shall be added to the license fee under par. (a).

    (c) Reinspection fee. If the department reinspects a food processing plant because the department finds a violation of this chapter or rules promulgated under this chapter, the department shall charge the food processing plant operator the reinspection fee specified under par. (cm). The reinspection fee shall be based on the dollar volume of production by the food processing plant during the previous license year, and may include a reinspection fee surcharge for a food processing plant engaged in canning operations. 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 renewal application form to the food processing plant operator.

    (cm) Fee amounts. The reinspection fee required under par. (c), beginning with the license year which ends on June 30, 1989, is:

    1. For a food processing plant with an annual production of less than $250,000, the reinspection fee is $40.

    2. For a food processing plant with an annual production of $250,000 or more, the reinspection fee is $80.

    (d) Surcharge for operating without a license. An applicant for a food processing plant license shall pay a license fee surcharge if the department determines that, within one year prior to submitting a license application, the applicant operated the food processing plant without a license in violation of this subsection. The amount of the surcharge is $100, or $500 in the case of a food processing plant buying farm products from producers. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability which results from the unlicensed operation of the food processing plant, but does not constitute evidence of a violation of any law.

    (e) Licensing contingent on payment of fees. The department may not issue or renew a food processing plant license unless the license applicant pays all fees which are due and payable under this subsection, 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 licensing under this subsection.

    (4) Food processing plants buying farm products from producers. If a food processing plant buys farm products from producers, no license to operate the food processing plant may be issued or renewed until the applicant complies with s. 100.03.

    (5) Rule Making. The department may promulgate rules to govern the operation of food processing plants. Rules may include standards for the construction and maintenance of facilities; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; food handling and storage; sanitary production and processing; and food sources and food labeling.

SECTION 326. 97.30 of the statutes is created to read:

97.30 Retail food establishments. (1) Definitions. In this section:

    (a) “Agent city or county” means a city or county granted agent status by the department under s. 97.41.

    (b) “Food processing” has the meaning given under s. 97.29 (1) (g).

    (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, or any permanent facility from which food is regularly sold to consumers at retail.

    “Retail food establishment” includes a grocery store operated at a permanent facility, whether or not the grocery store is engaged in food processing. “Retail food establishment” does not include a restaurant or other establishment holding a permit under s. 50.51, to the extent that the activities of the establishment are covered by that permit.

    (2) License. (a) Requirement. Except as provided under par. (b), no person may operate a retail food establishment without a valid license issued by the department or an agent city or county. Licenses expire on June 30 annually. Each retail food establishment shall have a separate license. A license is not transferable between persons or establishments. Application for a license shall be made on a form provided by the department, or by the agent city or county, and be accompanied by the applicable fees required under sub. (3) or s. 97.41. An application shall indicate whether food processing is conducted at the establishment and shall specify the nature of any food processing activities. An application shall include other information reasonably required by the department, or by the agent city or county, for licensing purposes.

    (b) Exemptions. 1. A license is not required under this section for any of the following:
a. A retail food establishment which has gross food sales of less than $10,000 per year and is not engaged in food processing.

b. A retail food establishment which is primarily engaged in selling fresh fruits and vegetables, honey, cider or maple syrup produced by the operator of the retail food establishment, if that retail food establishment is not engaged in other food processing activities.

c. A retail food establishment which is exempted from licensing by the department by rule. If a restaurant or other establishment for which a permit has been issued under s. 50.51 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 subdiv. 1. c shall conform to a memorandum of understanding between the department and the department of health and social services, under which the department of health and social services agrees to inspect the retail food establishment operations on behalf of the department.

2. If a food processing plant, as defined in s. 97.29 (1) (h), is incidentally engaged in the operation of any retail food establishment subject to the requirements of this section at the same location, the department may exempt by rule that establishment from licensing under this section.

(3) FEES; RETAIL FOOD ESTABLISHMENTS LICENSED BY DEPARTMENT. (a) License fee. An applicant for a retail food establishment license shall pay the license fee specified under sub. (3m), based on gross receipts from food sales at the retail food establishment during the previous license year. If a retail food establishment was not licensed during the previous license year, a license applicant shall pay an estimated license fee based on projected gross receipts from food sales in the license year for which application is made. At the end of the license year for which an estimated fee has been paid, the licensee shall submit a report to the department stating the actual gross receipts from food sales during the license year. The license fee for that year shall be recomputed based on actual gross receipts. If the license fee based on actual gross receipts differs from the estimated license fee which was paid, the licensee shall pay the balance due or receive a credit from the department on the next year's license fee.

(b) Reinspection fee. If the department reinspect a retail food establishment because the department finds a violation of this chapter or rules promulgated under this chapter, the department shall charge the retail food establishment operator the reinspection fee specified under sub. (3m). A 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 renewal application form to the retail food establishment operator.

c. Surcharge for operating without a license. An applicant for a retail food establishment license shall pay a license fee surcharge of $100 if the department determines that, within one year prior to submitting a license application, the applicant operated the retail food establishment without a license in violation of this subsection. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability which results from the unlicensed operation of the retail food establishment, but does not constitute evidence of a violation of any law.

(d) Licensing contingent on payment of fees. The department may not issue or renew a retail food establishment license unless the license applicant pays all fees which are due and payable under this subsection and sub. (3m), 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 licensing under this subsection.

(3m) Fee amounts. The annual fees required under sub. (3), beginning with the license year which ends on June 30, 1989, are:

(a) For a retail food establishment with annual food sales of less than $100,000, an annual retail food establishment license fee of $40 and a reinspection fee of $40.

(b) For a retail food establishment with annual food sales of at least $100,000 but less than $250,000, an annual retail food establishment license fee of $60 and a reinspection fee of $60.

(c) For a retail food establishment with annual food sales of $250,000 or more, an annual retail food establishment license fee of $80 and a reinspection fee of $80.

(4) Fees; retail food establishment licensed by agent city or county. Subsection (3) does not apply to any retail food establishment licensed by an agent city or county under s. 97.41. An applicant for a retail food establishment license issued by an agent city or county shall pay fees established by the agent city or county under s. 97.41.

(5) Rule making. The department may promulgate rules to govern the operation of retail food establishments. Rules may include standards for the construction and maintenance of facilities; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; food handling, display and storage; and food sources and food labeling.

SECTION 327. 97.34 (title) of the statutes is amended to read:

97.34 (title) Bottled drinking water and soda water beverage; standards; sampling and analysis.

SECTION 328. 97.34 (2) of the statutes is repealed.

SECTION 329. 97.34 (3) of the statutes is renumbered 97.34 (2).

SECTION 330. 97.34 (4) of the statutes is repealed.

SECTION 331. 97.34 (5) of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.
SECTION 332. 97.34 (6) to (11) of the statutes are repealed.

SECTION 333. 97.36 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

**97.36 Bakery license.** No person may operate a bakery without obtaining a license under s. 97.40 from the department or a village, city or county granted agent status under s. 97.41. “Bakery” means any place where bread, crackers, pies, macaroni, spaghetti, or any other food product for which flour or meal is the principal ingredient are baked, cooked or dried, or prepared or mixed for baking, cooking or drying, for sale at retail as food. “Bakery” does not include a restaurant, hotel or other place where such products are prepared and sold exclusively with meals or lunches.

SECTION 334. 97.36 of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed.

SECTION 335. 97.38 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

**97.38 Confectionary license.** No person may operate a confectionary without obtaining a license under s. 97.40 from the department or a village, city or county granted agent status under s. 97.41. “Confectionary” means any place where candy, fruit, nut meats or any other food product, except a bakery product defined in s. 97.36, is manufactured, coated or filled with saccharine substances for sale at retail as food.

SECTION 336. 97.38 of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed.

SECTION 337. 97.40 of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed.

SECTION 338. 97.40 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.40 (1) An applicant for a license to operate a retail bakery or a retail confectionary shall complete the application prepared by the department or a village, city or county granted agent status under s. 97.41 and provide, in writing, any additional information the department or village, city or county issuing the license requires. If the license is issued by the department, the application shall be accompanied by a graduated fee based on dollar volume of output for the preceding licensing year, as follows: For less than $50,000, a fee of $35; for $50,000 or more but less than $150,000, a fee of $50; and for $150,000 or more, a fee of $75. Dollar volume of output shall be determined by gross sales of product processed plus inventory value of any portion of the product not sold. Fees applicable to bakeries and confectionaries not operated during the preceding licensing year shall be determined in the manner prescribed for food processing plants under s. 97.28 (3) (b). If the department conducts a reinspection of any facility used by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that facility, the department shall charge for that reinspection the holder of a license for output of less than $50,000, $35; of a license for output of $50,000 or more but less than $150,000, $50; and of a license for $150,000 or more, $75.

SECTION 339. 97.41 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.41 (1) In the administration of this chapter, the department may enter into a written agreement with a village, city or county, if the village, city or county has a population greater than 5,000, which designates the village, city or county as its agent for issuing licenses to and making investigations or inspections of counter freezers under s. 97.26, retail food processing plants as defined in s. 97.28 (2) (b), bakeries as defined in s. 97.36, and confectionaries as defined in s. 97.38 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 village, city or county under this section may be required by the department, the village, the city or the county for the same operations. The department shall coordinate the designation of agents under this section with the department of health and social services to ensure that, to the extent feasible, the village, same city and county agencies are granted agent status under this section and under s. 50.535 (2). Except as otherwise provided by the department, a village, city or county granted agent status shall regulate all types of establishments for which this subsection permits the department to delegate regulatory authority. No village or city may be designated on or after August 1, 1987, as an agent under this subsection if the county in which the village or city is located is designated as an agent. If a county is designated before, on or after August 1, 1987, as an agent under this subsection, the designation only applies to those cities, villages and towns in the county which are not designated as an agent under this subsection.

SECTION 340. 97.41 (4) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.41 (4) (a) Except as provided in par. (b), a village, city or county granted agent status under this section shall establish and collect the license fee for each type of establishment retail food establishments, as defined in s. 97.30 (1) (c). The village, city or county may establish separate fees for preinspections of new establishments, for preinspections 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 village’s, city’s or county’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 village, city or county which is granted agent status under this section or under s. 50.535, 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. 50.335 (2).

SECTION 341. 97.41 (5) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.41 (5) The department shall establish state fees for its costs related to setting standards for counter freezers, retail food processors, bakeries and confectionaries retail food establishments, as defined in s. 97.30 (1) (e), setting standards for agents under this section and monitoring and evaluating the activities of, and providing education and training to, agent villages, cities and counties. Agent villages, cities and counties shall include the state fees in the license fees established under sub. (4) (a), collect the state fees and reimburse the department for the state fees collected.

For each type of establishment, the state fee may not exceed 20% of the license fees charged under ss. 97.26 (2), 97.28 (3) and 97.40 (1) in villages, cities and counties where the department issues licenses s. 97.30 (3) for a license issued by the department.

SECTION 342. 97.41 (7) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

97.41 (7) Except as provided in s. 97.28 (9), a city or county may impose regulations on licensees and premises for which it is the designated agent under this section, which are stricter than this chapter or rules adopted promulgated by the department under this chapter. No such regulation may conflict with this chapter or rules adopted promulgated by the department.

SECTION 343. 97.41 (9) (intro.) of the statutes is amended to read:

97.41 (9) (intro.) The department shall hold a hearing under ch. 227 if any interested person, in lieu of proceeding under ch. 68, appeals to the department alleging any of the following:

SECTION 344. 97.41 (9) (c) of the statutes is created to read:

97.41 (9) (c) That a license fee for a retail food establishment license issued by an agent city or county under this section exceeds the reasonable costs of that agent city or county for issuing the license, investigating and inspecting the establishment, and providing education, training and technical assistance to the establishment.

SECTION 345. 97.415 of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 346. 97.42 (1) (d) 1 and (2) (a) of the statutes are amended to read:

97.42 (1) (d) 1. Establishments subject to the federal meat inspection act (21 U.S.C. 71 et seq.) or the federal poultry products inspection act (21 U.S.C. 451 et seq.) to 695.

(2) (a) No person shall operate an establishment as defined in sub. (1) (d) without an annual valid license issued by the department for each such establishment. Licenses shall expire That license expires on June 30 of each year annually. No license shall may be issued unless the applicant has complied with the requirements of this section. The annual license fee is $100, except the annual license fee shall be $40 annually for those establishments engaged only in slaughtering uninspected animals or poultry or processing uninspected meat as a custom service, and not in other operations subject to a license under this section. No person shall may be required to obtain a license under s. 97.28 or 99.30, 97.29 or 97.30 for operation of any establishment which is licensed under this section or which is inspected under the federal meat or poultry inspection acts 21 USC 451 to 695.

SECTION 347. Chapter 99 (title) of the statutes is repealed and recreated to read:

CHAPTER 99
PUBLIC WAREHOUSES

SECTION 348. Subchapter I (title) of chapter 99 of the statutes is repealed.

SECTION 349. 99.01 (1) to (4) of the statutes are repealed.

SECTION 350. 99.01 (5) of the statutes is renumbered 99.01 (1).

SECTION 351. 99.01 (6) to (10) of the statutes are repealed.

SECTION 352. 99.01 (11) and (12) of the statutes are renumbered 99.01 (2) and (3) and amended to read:

99.01 (2) “Property” means goods as defined in s. 407.102 (1) (f) and includes, without limitation because of enumeration, “Property” includes food; agricultural and commercial products, commodities or equipment; household furnishings; automobiles, boats, snowmobiles or other vehicles and conveyances; and all other items of a personal, family, household, agricultural, business or commercial nature which may be the subject of a contract of storage.

(3) “Public warehouse” means a warehouse that is operated by a public warehouse keeper for the storage for hire of the property of others. “Public warehouse” includes a food warehouse, as defined in s. 97.27 (1) (b), if the warehouse is operated by a public warehouse keeper on a storage for hire basis. “Public warehouse” does not include a frozen food locker plant as defined in s. 97.27 (1) (c).

SECTION 353. 99.01 (13) of the statutes is renumbered 99.01 (4).

SECTION 354. 99.01 (14) to (16) of the statutes are repealed.

SECTION 355. 99.01 (17) of the statutes is renumbered 99.01 (5).

SECTION 356. 99.015 of the statutes is amended to read:

99.015 Warehouses classified. For the purposes of this chapter, public and cold storage warehouses are classified as follows: Class 1 warehouses have less than 10,000 square feet of floor space; Class 2 warehouses have 10,000 square feet or over but less than 50,000; Class 3 warehouses have 50,000 square feet or
over but less than 100,000; Class 4 warehouses have 100,000 square feet or over but less than 150,000; and Class 5 warehouses have 150,000 square feet or over.

SECTION 357. Subchapter II (title) of chapter 99 of the statutes is repealed.

SECTION 358. 99.04 (1) of the statutes is amended to read:

99.04 (1) FACILITIES. All public warehouse facilities shall be suitable for the type of storage operations to be conducted and shall be maintained and operated in a manner which will reasonably protect property to be stored against loss or damage. No public warehouse keeper license may be issued or continued in effect if facilities used are unsuitable for the type of storage operation to be conducted or adequate safeguards are not taken for the protection of property against loss or damage while in storage. A public warehouse used for the storage of food is subject to ch. 97.

SECTION 359. Subchapter III of chapter 99 of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 360. Subchapter IV of chapter 99 of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 361. Subchapter V (title) of chapter 99 of the statutes is repealed.

SECTION 362. 99.40 to 99.42 of the statutes are renumbered 99.06 to 99.08.

SECTION 363. 100.03 (1) (k), (2) (intro.), (3) (a) 1 and (4) (a) of the statutes are amended to read:

100.03 (1) (k) "Food processing plant" has the meaning specified in s. 97.28 (2) (a). "Food processing plant" does not include "retail food processing plant", as defined in s. 97.28 (2) (b) 97.29 (1) (h).

(2) ANNUAL STATEMENTS. (intro.) An applicant for an original or renewal food processing plant operator's license to operate a food processing plant under s. 97.28 97.29 shall include with the application a sworn statement as to all of the following, and shall notify the department whenever he or she knows or has reason to believe that any of the information reported is no longer correct:

(3) (a) 1. An applicant for an original food processing plant operator's license to operate a food processing plant under s. 97.28 97.29 shall file a financial statement with the department.

(4) (a) The department may not grant or renew a food processing plant operator's license to operate a food processing plant under s. 97.28 97.29 unless the applicant certifies that all producers who have supplied or contracted to supply farm products to the applicant or any subsidiary or affiliate of the applicant on or before December 31 of the current license year have been paid in cash at the agreed price under par. (b) or (c).

SECTION 364. 100.03 (5) (intro.) of the statutes is amended to read:

100.03 (5) PAYMENT ON DELIVERY; MINIMUM FINANCIAL STANDARDS; SECURITY. (intro.) No person may operate a food processing plant, and the department may not, under s. 97.28 97.29, grant or renew the license of any food processing plant operator, that does not make payment on delivery unless the operator meets the minimum financial standards under par. (a) or files security with the department under par. (c):

SECTION 365. 100.06 (6) of the statutes is amended to read:

100.06 (6) Compliance with this section shall be an additional requirement for the license and noncompliance shall be ground for denial, suspension or revocation of license, under s. 97.20. Section 97.20 (9) and (10) shall apply to this section. This subsection does not apply to any dairy plant, as defined in s. 97.20 (1) (a), operated by this state.

SECTION 366. 100.201 (6) (a) of the statutes is amended to read:

100.201 (6) (a) For the purpose of administering and enforcing this section the first person who processes or manufactures any selected dairy product for sale at wholesale or sale at retail (except sales at retail by counter freezer operators licensed as retail food establishments under s. 97.26 97.30 or 97.41) within this state, or the wholesaler or retailer who first receives any such product already processed from outside the state for sale within the state, shall pay to the department on or before the 25th day of each month following the month in which such wholesaler receives, processes or sells such selected dairy products, a fee as determined by the department, but not to exceed 5 mills per hundredweight of 3.5% butterfat.

raw milk equivalent on all selected dairy products defined in sub. (1) (c) 1 sold within the state in final consumer package or container to retailers or consumers or sold in such packages or containers to other wholesalers of selected dairy products for further sale within the state to retailers or consumers, and not to exceed 3.5 mills per gallon on all ice cream mix and ice milk mix made for freezing into ice cream and ice milk and ultimately sold within the state, whether in the form of mix or finished ice cream and ice milk. Products upon which fees have been paid shall be exempt from further fees in successive transactions. Any person claiming that products sold by the person are not subject to assessment under this subsection by reason of the fact that they were not sold or resold within the state shall have the burden of so proving, and shall be obligated to pay assessment on such products unless and until the person produces records satisfying the department that such products are not subject to assessment.

SECTION 366c. 101.09 (3) of the statutes is renumbered 101.09 (3) (a) and amended to read:

101.09 (3) (a) The department shall promulgate by rule construction, maintenance and abandonment standards applicable to tanks for the storage, han-
dling or use of flammable and combustible liquids, and to the property and facilities where the tanks are located, for the purpose of protecting the waters of the state from harm due to contamination by flammable and combustible liquids. The rule shall comply with ch. 160. The rule may include different standards for new and existing tanks, but all standards shall provide substantially similar protection for the waters of the state. The rule shall include maintenance requirements related to the detection and prevention of leaks. The rule may require any person supplying heating oil to any noncommercial storage tank for consumptive use on the premises to submit to the department, within 30 days after the department requests, the location, contents and size of any such tank.

SECTION 366d. 101.09 (3) (b) of the statutes is created to read:

101.09 (3) (b) The department may transfer any information which the department receives under par. (a) to any other agency or governmental unit. Notwithstanding s. 19.35, the department and any such agency shall treat the name of the owner and the location of any noncommercial storage tank which stores heating oil for consumptive use on the premises, required to be submitted to the department under par. (a), as confidential.

SECTION 366dg. 101.122 (2) (a) 3. The department may not include any requirement for interior or exterior foundation insulation or basement ceiling insulation.

SECTION 366sd. 101.14 (2) (b) of the statutes is repealed and recreated to read:

101.14 (2) (b) The chief of every fire department shall provide for the inspection of every public building and place of employment to determine and cause to be eliminated any fire hazard or any violation of any law relating to fire hazards or to the prevention of fires.

SECTION 366sdc. 101.14 (2) (c) of the statutes, as affected by 1987 Wisconsin Act ... (Senate Bill 349), is amended to read:

101.14 (2) (c) Except as provided under subd. 2, such inspection shall be made by the chief of every fire department and by the chief of every fire department, and not less than once in 3 months in any territory as which the common council has designated or thereafter designates as within the fire limits or as a congested district subject to conflagration, and oftener as the chief of the fire department orders. Each 6-month period shall begin on January 1 and July 1, and each 3-month period on January 1, April 1, July 1, October 1 and July 1 of each year.

SECTION 366sde. 101.14 (2) (cm) of the statutes is amended to read:

101.14 (2) (cm) A fire department is not subject to par. (c) if it does all of the following:
1. Completes at least 80% of the total required fire prevention inspections specified in par. (c).
2. Completes at least 50% of the required number of fire prevention inspections specified in par. (c) for each public building and place of employment occupancy subject to inspection.
3. Provides public fire education services prescribed by the department by rule, in consultation with the fire prevention council.

SECTION 366sdg. 101.14 (2) (d) of the statutes is amended to read:

101.14 (2) (d) The chief of every fire department in every city of the 1st, 2nd and 3rd classes department, or, in 1st class cities, the building inspector appointed by the department under par. (a), shall designate a sufficient number of inspectors to carry out this section make the inspections required under pars. (b) to (cm).

SECTION 366sdm. 101.14 (2) (f) of the statutes is amended to read:

101.14 (2) (f) Such Every inspection shall be required under pars. (b) to (cm) is subject to the supervision and direction of the department, which shall upon examination, after audit, certify to the commissioner of insurance after the expiration of each calendar year each such city, village or town where the inspections for such the year have been made, and where records thereof have been made and kept on file as required by law under par. (e) and s. 101.575 (3) (a) 5.

SECTION 366sd. 101.14 (2) (g) of the statutes is repealed.

SECTION 366sg. 101.143 of the statutes is created to read:

101.143 Petroleum storage remedial action. (1) Definitions. In this section:

(a) “Commercial petroleum product storage system” means an underground petroleum product storage tank system used to store petroleum products for resale. The term does not include pipeline facilities.
(b) “Discharge” has the meaning designated under s. 144.76 (1) (a).
(c) “Groundwater” has the meaning designated under s. 144.027 (1) (c).
(cm) “Home oil tank” means an underground home heating oil tank used for consumptive use on the premises.
(d) “Operator” means any of the following:
1. A person who operates a commercial petroleum product storage system, regardless of whether the system remains in operation and regardless of whether the person operates or permits the use of the system at the time environmental pollution occurs.
2. A subsidiary or parent corporation of the person specified under subd. 1.
(e) “Owner” means any of the following:
   (f) “Petroleum product” means gasoline, gasoline-alcohol fuel blends, kerosene, fuel oil, burner oil, diesel fuel oil or used motor oil.
   (g) “Precision testing” means a testing method capable of detecting a release rate of at least 0.10 gallon per hour from any portion of a commercial petroleum product storage system or home oil tank determined with a probability of detection of 0.99 and a probability of false alarms of 0.01 and that controls or minimizes through proper design and test procedures the effects of product temperature changes, trapped vapor pockets, condensation, evaporation and tank deflection.
   (h) “Subsidiary or parent corporation” means a business entity, including a subsidiary, parent corporation or other business arrangement, that has elements of common ownership or control or that uses a long-term contractual arrangement with a person to avoid direct responsibility for conditions at a commercial petroleum product storage system site.
   (i) “Underground petroleum product storage tank system” means an underground storage tank used for storing petroleum products that is required to be registered under 42 USC 6991 and the regulations promulgated under that section or registered under this chapter and the rules promulgated under this chapter together with any on-site integral piping or dispensing system.

(2) Duties of the department. (a) The department shall set the additional oil inspection fee under s. 168.12 (1m) at a level sufficient, considering funds in the petroleum storage environmental cleanup fund, to fund actual and projected awards and administrative costs under this section and administrative costs paid from the appropriation under s. 20.370 (2) (dw), but not more than $7,500,000 in a fiscal year.

(b) The department shall promote the program under this section to persons who may be eligible for awards under this section.

(c) The department shall keep records and statistics on the program under this section and shall periodically evaluate the effectiveness of the program.

(3) Claims for petroleum product investigation, remedial action planning and remedial action activities. (a) Who may submit a claim. An owner or operator or a person owning a home oil tank 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 commercial petroleum product storage system or home oil tank if all of the following apply:

1. The owner or operator or the person is able to document that the source of a discharge is from a commercial petroleum product storage system or home oil tank that was installed before the effective date of this subdivision .... [revisor inserts date].
2. The remedial action activities are not eligible for funding under 42 USC 6991.
3. The owner or operator or the person notifies the department, before conducting a site investigation or remedial action activity, of the discharge and the potential for submitting a claim under this section, except as provided under par. (g).
4. The owner or operator registers the commercial petroleum product storage system or the home oil tank is registered with the department under s. 101.09.
5. The owner or operator or the person reports the discharge in a timely manner to the division of emergency government in the department of administration or to the department of natural resources, according to the requirements under s. 144.76.
6. The owner or operator or the person investigates the extent of environmental damage caused by the commercial petroleum product storage system or home oil tank.
7. The owner or operator or the person recovers any recoverable petroleum products from the commercial petroleum products storage system or home oil tank.
8. The owner or operator or the person disposes of any residual solid or hazardous waste in a manner consistent with local, state and federal laws, rules and regulations.
9. The owner or operator or the person follows standards for groundwater restoration in the groundwater standards in the rules promulgated by the department of natural resources under ss. 160.07 and 160.09 and restores the environment, to the extent practicable, according to those standards at the site of the discharge from a commercial petroleum product storage system or home oil tank.

(b) Claims submitted by owners or operators who were not owners or operators, or a person owning a home oil tank when a petroleum product discharge occurred. An owner or operator who was not the owner or operator, or a person who owns a home oil tank who did not own the home oil tank, when a petroleum product discharge occurred and who meets the requirements of this section may submit a claim for an award under sub. (4) unless the owner or operator or the person knew or should have known of the ineligibility of the previous owner or operator or of the person who previously owned the home oil tank as a result of actions under sub. (4) (g) 4, 5 or 6.

(c) Investigations, remedial action plans and remedial action activities. Before submitting an application under par. (f), except as provided under par. (g), an owner or operator or the person shall do all of the following:
1. Complete an investigation to determine the extent of environmental damage caused by a discharge from a commercial petroleum product storage system or home oil tank.
2. Prepare a remedial action plan that identifies specific remedial action activities proposed to be conducted under subd. 3.
3. Conduct all remedial action activities at the site of the discharge from the commercial petroleum product storage system or home oil tank necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge as required under s. 144.76.
4. Receive written approval from the department of natural resources that the remedial action activities performed under subd. 3 meet the requirements of s. 144.76.
(d) Review of site investigations, remedial action plans and remedial action activities. The department of natural resources shall, at the request of the claimant, review the site investigation and the remedial action plan and advise the claimant on the adequacy of proposed remedial action activities in meeting the requirements of s. 144.76. The advice is not an approval of the remedial action activities. The department of natural resources shall complete a final review of the remedial action activities within 60 days after the claimant notifies the department of natural resources that the remedial action activities are completed.

(c) Notifications. The department of natural resources shall notify the department when it gives the claimant written approval under par. (c) 4. The department shall notify the department of natural resources of all notifications that it receives under par. (a) 3.
(f) Application. A claimant shall submit a claim on a form provided by the department. The claim shall contain all of the following documentation of activities, plans and expenditures associated with the eligible costs incurred because of a petroleum products discharge from a commercial petroleum product storage system:
1. A record of investigation results and data interpretation.
2. A remedial action plan.
3. Contracts for eligible costs incurred because of the discharge and records of the contract negotiations.
4. Accounts, invoices, sales receipts or other records documenting actual eligible costs incurred because of the discharge.
5. The written approval of the department of natural resources under par. (c) 4.
6. Other records and statements that the department determines to be necessary to complete the application.
(g) Emergency situations. Notwithstanding pars. (a) 3 and (c) 1 and 2, an owner or operator or the person may submit a claim for an award under sub. (4) after notifying the department under par. (a) 3, without completing an investigation under par. (c) 1 and without preparing a remedial action plan under par. (c) 2 if any of the following apply:

1. An emergency existed which made the investigation under par. (c) 1 and the remedial action plan under par. (c) 2 inappropriate.
2. The owner or operator or the person acted in good faith in conducting the remedial action activities and did not wilfully avoid conducting the investigation under par. (c) 1 or the remedial action plan under par. (c) 2.

(h) Initial eligibility review. When an owner or operator or the person notifies the department under par. (a) 3, the department shall provide the owner or operator or the person with information on the program under this section and the department's estimate of the eligibility of the owner or operator or of the person for an award under this section.

(4) Awards for petroleum product investigation, remedial action planning and remedial action activities. (a) Awards. 1. If the department finds that the claimant meets all of the requirements of this section and any rules promulgated under this section, the department shall issue an award to reimburse a claimant for eligible costs incurred because of a petroleum products discharge from a commercial petroleum product storage system or home oil tank.
2. The department may not issue an award before all eligible costs have been incurred and written approval is received under sub. (3) (c) 4, unless the department determines that the delay in issuing the award would cause a financial hardship to the owner or operator or the person.
3. If the department issues an award at the time specified under subd. 2, the department may not reimburse the claimant at that time for more than 75% of the eligible costs.
4. Except as provided in subd. 5, if the department projects that the funds available for awards under this subsection will be insufficient to pay all awards under this subsection, the department shall issue awards according to a priority system. The department shall consider all of the following in developing a priority system:
   a. The severity of the environmental contamination.
   b. The impact of the discharge on public health.
   c. The estimated number of people adversely affected by the environmental contamination.
   d. The timeliness and thoroughness of the remedial action activities conducted by the claimant.
   e. The financial condition of the claimant.
5. The department shall allocate $500,000 in each fiscal year to make awards for home oil tank discharges, and shall make awards in the order that applications are received. The department may conditionally approve awards which exceed the total of $500,000 in any fiscal year, and make those awards first in the following fiscal year.
(b) Eligible costs. Eligible costs for an award under par. (a) include actual costs for the following items only:
1. Precision testing to determine tightness of tanks and lines.
2. Removal of petroleum products from commercial petroleum product storage systems and home oil tanks, surface waters, groundwater or soil.
3. Investigation and assessment of contamination caused by a commercial petroleum product storage system or a home oil tank.
4. Preparation of remedial action plans.
5. Removal of contaminated soils.
6. Soil treatment and disposal.
7. Environmental monitoring.
8. Laboratory services.
9. Maintenance of equipment for petroleum product recovery or remedial action activities.
10. Restoration or replacement of a private or public potable water supply.
11. Restoration of environmental quality.
12. Contractor costs for remedial action activities.
13. Inspection and supervision.
14. Other costs identified by the department as necessary for proper investigation, remedial action planning and remedial action activities to meet the requirements of s. 144.76.
(c) Exclusions from eligible costs. Eligible costs for an award under par. (a) do not include the following:
2. Costs of retrofitting or replacing a commercial petroleum product storage system or home oil tank.
3. Other costs that the department determines to be associated with, but not integral to, the eligible costs incurred because of a petroleum products discharge from a commercial petroleum product storage system or home oil tank.
4. Costs which the department determines to be unreasonable or unnecessary to carry out the remedial action activities as specified in the remedial action plan.
(d) Awards for applicants who complete investigations, remedial action plans and remedial action activities during the grace period. 1. The department shall issue an award for a claim filed before August 1, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987, and before August 1, 1989, by an owner or operator.
2. The department shall issue the award under this paragraph without regard to fault for each commercial petroleum product storage system in an amount equal to 75% of the amount of the eligible costs that
exceeds a deductible amount of $5,000. An award issued under this paragraph may not exceed $146,250.

(c) Awards for claims filed after the grace period. 1. The department shall issue an award for a claim filed after July 31, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987, by an owner or operator.

2. The department shall issue the award under this paragraph without regard to fault for each commercial petroleum product storage system in an amount equal to 50% of the amount of the eligible costs that exceeds a deductible amount of $5,000. An award issued under this paragraph may not exceed $97,500.

(e) Awards for claims filed after the grace period. 1. The department shall issue an award for a claim filed after the effective date of this subdivision .... [revisor inserts date], for eligible costs, under par. (b), incurred on or after August 1, 1987, by a person who owns a home oil tank.

2. The department shall issue the award under this paragraph without regard to fault for each home oil tank in an amount equal to 75% of the amount of the eligible costs. An award issued under this paragraph may not exceed $7,500.

(f) Contributory negligence. Contributory negligence shall not be a bar to submitting a claim under this section and no award under this section may be diminished as a result of negligence attributable to the claimant or any person who is entitled to submit a claim.

(g) Denial of claims, limits on awards. The department shall deny a claim under par. (a) if any of the following applies:

1. The claim is not within the scope of this section.
2. The claimant submits a fraudulent claim.
3. The claimant has been grossly negligent in the maintenance of the commercial petroleum product storage system or home oil tank.
4. The claimant intentionally damaged the commercial petroleum product storage system or home oil tank.
5. The claimant falsified storage records.
6. The claimant wilfully failed to comply with laws or rules of this state concerning the storage of petroleum products.

(5) Recovery of awards. (a) Right of action. A right of action under this section shall accrue to the state against an owner, operator or other person only if the owner, operator or other person submits a fraudulent claim or does not meet the requirements under this section and if an award is issued under this section to the owner, operator or other person for eligible costs under this section.

(b) Action to recover awards. The attorney general shall take action as is appropriate to recover awards to which the state is entitled under par. (a). The department shall request that the attorney general take action if the department discovers a fraudulent claim after an award is issued.

(c) Disposition of funds. If an award is made from the petroleum storage environmental cleanup fund, the net proceeds of the recovery under par. (b) shall be paid into the petroleum storage environmental cleanup fund.

(6) Requirement for proof of financial responsibility. (a) If after July 1, 1988, an owner or operator fails to pay for an investigation or remedial action planning or remedial action activity for a commercial petroleum product storage system that the owner or operator used in a business operation, the owner or operator may not continue to conduct business at that business operation or start a new business that uses a commercial petroleum product storage system unless all of the following requirements and conditions are met:

1. The owner or operator establishes proof of financial responsibility in the amount of $100,000 by obtaining a bond or irrevocable letter of credit, making a deposit or establishing an escrow account made payable to or established for the benefit of the department, or by giving a financial commitment satisfactory to the department.

2. The department approves the owner’s or operator’s proof of financial responsibility under subd. 1.

3. The owner or operator maintains the proof of financial responsibility under subd. 1.

(b) The department shall enforce this subsection by the revocation of any existing petroleum storage tank use permit issued by the department or by the refusal to issue a new petroleum storage tank use permit under s. 101.09.

(7) Liability. (a) No common law liability, and no statutory liability which is provided in a statute other than this section, for damages resulting from a commercial petroleum product storage system or home oil tank is affected by this section. The authority, power and remedies provided in this section are in addition to any authority, power or remedy provided in any statute other than this section or provided at common law.

(b) If a person conducts a remedial action activity for a discharge at a commercial petroleum product storage system or home oil tank site, whether or not the person files a claim under this section, the claim and remedial action activity conducted are not evidence of liability or an admission of liability for any potential or actual environmental pollution.

(8) Petroleum storage environmental cleanup council. The petroleum storage environmental cleanup council shall do all of the following:

(a) Advise the secretary on any rules which may be promulgated under this section.

(b) Review and advise the secretary and the secretary of natural resources on the implementation of the petroleum product remedial action program established under this section.

SECTION 366t. 101.245 of the statutes is repealed.
Vetoed in Part

SECTION 367. 101.28 (2) of the statutes is amended to read:

101.28 (2) Any company which receives a loan or grant from a state agency, as defined in s. 20.001 (1), or an authority under ch. 231, 233 or 234 shall notify the department and the area private industry council under the job training partnership act, 29 USC 1501 to 1798, of any position in the company to be filled in this state within one year after receipt of the loan or grant. The company shall provide this notice at least 2 weeks prior to advertising the position.

SECTION 368. 101.28 (3) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

101.28 (3) A state agency, as defined in s. 20.001 (1), or an authority under ch. 231, 233 or 234 shall notify the department of development if it makes a loan or grant to a company.

SECTION 368c. 101.35 of the statutes is created to read:

101.35 Pilot Wisconsin job opportunity business subsidy program. (1) DEFINITIONS. In this section:

(a) “Business” means any person engaged in a business enterprise for profit in this state.

(b) “Eligible county” means a county described in sub. (2) (a) or designated under sub. (2) (b).

(c) “Eligible job applicant” means an individual who the department determines meets the requirements of sub. (9).

(d) “Local service agency” means an organization designated under sub. (3).

(e) “Minority business” has the meaning given in s. 560.036 (1) (e).

(f) “Small business” has the meaning given in s. 227.485 (2) (c).

(g) “Urban county” means a county located in a federal standard metropolitan statistical area.

(h) “Wisconsin job opportunity business subsidy program” means the program administered under this section.

(2) DESIGNATED COUNTIES. (a) The department shall provide funds under sub. (4) for wage and training subsidies to a local service agency located in an urban county with the most unemployed persons in this state.

(b) The department shall designate, in addition to the county described in par. (a), one urban and one rural county where the department shall provide funds under sub. (4) for wage and training subsidies to a local service agency. The department shall designate the 2 counties under this paragraph after considering all of the following:

1. The number of unemployed persons in the county.

2. The county’s unemployment rate and the change in the unemployment rate during the preceding 12 months.

3. Major plant or business closings or announced closings.

3m. Closing of a major production line by a business, causing a significant negative impact on the county’s economy.

4. The number of persons who are laid off as a result of a closing, or may be laid off as a result of announced plant closings, under subd. 3.

5. The percentage of the workforce made up of individuals who are, or may be, laid off under subd. 4.

(c) The department shall give greatest emphasis to the factors in par. (b) 3 to 5 when it designates the 2 counties under par. (b). The department shall base its consideration of the factors in par. (b) on the most recent information available to it.

(3) LOCAL SERVICE AGENCIES. (a) The department shall request proposals for the administration of the Wisconsin job opportunity business subsidy program from organizations described in pars. (c) and (d) and job service offices located in an eligible county. A proposal submitted by a job service office shall be submitted jointly with an organization described in par. (c) or (d). A proposal shall include an estimate of the cost of administering the Wisconsin job opportunity business subsidy program and a plan for at least the following activities:

1. Marketing and promoting the Wisconsin job opportunity business subsidy program, including recruiting participation from qualified businesses.

2. Coordinating with a county social services agency to meet the guidelines under sub. (10) (c).

3. Any other activities the department considers relevant.

(b) After reviewing the proposals submitted under par. (a), the department shall designate a local service agency for an eligible county from among the organizations submitting proposals. The department shall give emphasized consideration to cost estimates when reviewing proposals submitted under par. (a). The department may select a job service office in an eligible county to provide administrative services together with the designated local service agency.

(c) A nonprofit organization may be designated a local service agency if the nonprofit organization is organized primarily to do one or more of the following:

1. Recruit low-income clients for participation in employment and training programs.

2. Vocational counseling or training.

3. Job training or development.
4. Any other activity the department considers appropriate.

(d) The department may designate an organization which is a private industry council under the federal job training partnership act, 29 USC 1501 to 1781, as a local service agency.

(4) ALLOCATION AMONG COUNTIES. (a) Subject to par. (b), the department shall distribute funds to local service agencies in eligible counties as follows:

1. Fifty percent of the amount appropriated under s. 20.445 (1) (e) in each year to the local service agency for the county described in sub. (2) (a) to create at least 300 new jobs.

2. Thirty-three percent of the amount appropriated under s. 20.445 (1) (e) in each year to the local service agency in the urban county designated under sub. (2) (b) to create at least 200 new jobs.

3. Seventeen percent of the amount appropriated under s. 20.445 (1) (e) in each year to the local service agency in the rural county designated under sub. (2) (b) to create at least 100 new jobs.

(b) The department shall provide to each local service agency not less than 10% of the funds allocations under this subsection (a), and of any funds reallocated under this subsection (b).

(c) If a local service agency in any eligible county has not fully expended, encumbered or otherwise committed the funds allocated to it under par. (b) by March 31 of any year, the department may reallocate the funds among the local service agencies in the other eligible counties.

(d) A local service agency may retain not more than 10% of the funds distributed to it under this subsection for administrative expenses associated with the Wisconsin job opportunity business subsidy program.

(5) WAGE AND INCENTIVE SUBSIDIES. A local service agency may subsidize wages and/or incentives paid to an eligible job applicant by a business, as provided under sub. (6).

(6) CONDITIONS OF SUBSIDY. A local service agency may subsidize wages and/or incentives paid to an eligible job applicant by a business, as provided under sub. (5) if all of the following apply:

(a) The wage or incentive subsidy is for an eligible job applicant hired for a position described in sub. (8) by a business that qualifies under sub. (7).

(b) 1. Except as provided in subd. 2, the amount of the subsidy for a wage does not exceed $4 per hour.

2. For an eligible job applicant in the urban county designated under sub. (2) (b) who receives aid to families with dependent children and participates in grant diversion under s. 49.50 (7g) (em), the amount of the subsidy for a wage does not exceed $6 per hour.

(c) The position is a new position and results in an increase in the number of jobs provided by the business.

(d) The position does not displace a current employee or reduce the number of hours, other than overtime, worked by or available to a current employee.

(e) The position does not include duties which are the same as, or substantially similar to, the duties of any employee whom the business has laid off.

(f) The position is a new position that is substantially different from the position performed by a current employee.

(g) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(h) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(i) The position is a new position that is substantially different from the position performed by a current employee.

(j) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(k) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(l) The position is a new position that is substantially different from the position performed by a current employee.

(m) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(n) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(o) The position is a new position that is substantially different from the position performed by a current employee.

(p) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(q) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(r) The position is a new position that is substantially different from the position performed by a current employee.

(s) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(t) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(u) The position is a new position that is substantially different from the position performed by a current employee.

(v) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(w) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(x) The position is a new position that is substantially different from the position performed by a current employee.

(y) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(z) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(ll) The position is a new position that is substantially different from the position performed by a current employee.

(mm) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(nn) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(oo) The position is a new position that is substantially different from the position performed by a current employee.

(pp) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(qq) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(rr) The position is a new position that is substantially different from the position performed by a current employee.

(ss) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(tt) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

( uu) The position is a new position that is substantially different from the position performed by a current employee.

(vv) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(ww) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(xx) The position is a new position that is substantially different from the position performed by a current employee.

(yy) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(zz) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(lll) The position is a new position that is substantially different from the position performed by a current employee.

(mmm) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(nnn) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(ooo) The position is a new position that is substantially different from the position performed by a current employee.

(ppp) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(qqq) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(rrr) The position is a new position that is substantially different from the position performed by a current employee.

(sss) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(ttt) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

( uuu) The position is a new position that is substantially different from the position performed by a current employee.

(vvv) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(www) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(xxx) The position is a new position that is substantially different from the position performed by a current employee.

(yyy) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

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(xxx) The position is a new position that is substantially different from the position performed by a current employee.

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(www) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(xxx) The position is a new position that is substantially different from the position performed by a current employee.

(yyy) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.

(www) The position is a new position for which the business has not filed a report with the department pursuant to sub. (7) (a).

(xxx) The position is a new position that is substantially different from the position performed by a current employee.

(yyy) The position is a new position that is substantially similar to, or the same as, a position that has been vacant for at least 90 days.
(9) **Eligible Job Applicant.** The local service agency shall determine that an individual is an eligible job applicant if all of the following apply:

(a) The individual has been a resident of this state for at least one month.

(b) The individual is unemployed.

(c) The local service agency determines that the individual will likely be available to fill a position with a business qualified under sub. (7) for the duration of the position, or at least 12 months after the subsidy ends, whichever is longer.

(10) **Priorities.** (a) When allocating funds among businesses qualified for wage subsidies under sub. (7), a local service agency shall give priority to a business if the local service agency determines any of the following:

1. That the business is an existing business with low employee turnover.

2. That the business is a small business with a high potential for growth.

3. That the positions for which the business is seeking a subsidy are likely to be long-term.

4. That the business is at least 51% owned, controlled and actively managed by a woman or women.

5. That the business is a minority business.

6. That the position for which the business is seeking a subsidy will pay at least $4 per hour and provide fringe benefits.

(b) A local service agency shall expend at least 80% of the funds allocated to it under sub. (4) for wage subsidies to eligible job applicants to whom any of the following applies:

1. The eligible job applicant lives in a household with no source of earned income.

2. The eligible job applicant is eligible for general relief administered under s. 49.02.

3. The eligible job applicant is eligible for aid to families with dependent children under s. 49.19.

4. The person lives in a farm household and demonstrates severe financial need under a standard promulgated by the department by rule.

(c) A local service agency shall try to obtain grant diversion funding under s. 49.50 (7g) for at least 30% of the individuals whose wages it subsidizes under this section.

(d) A local service agency shall emphasize subsidizing wages for positions in areas of an eligible county with the greatest unemployment.

(11) **Repayment.** (a) If an eligible job applicant leaves the employ of a business that received funds to subsidize the wages of the eligible job applicant under sub. (5), the business shall repay the following percentage of the funds:

1. If the eligible job applicant leaves while the position is subsidized, 70%.

2. If the eligible job applicant leaves less than 12 months after the subsidy ended, a percentage between 70% and 0%, decreasing proportionally to 0% 12 months after the subsidy has ended.

3. If the eligible job applicant leaves 12 months or more after the subsidy ended, 0%.

(b) A business need not repay funds under par. (a) if the business replaces the departing eligible job applicant with another eligible job applicant who remains employed with the business for at least 12 months after the subsidy paid to the departing eligible job applicant would have ended.

(c) The secretary may waive all or part of a repayment required under par. (a) if the secretary determines that waiving the repayment is in the best interests of the state.

(d) The local service agency shall use the amounts repaid under this subsection for additional wage subsidies.

(12) **Annual Report.** On or before April 1 of each year, beginning in 1989, the department shall submit a report concerning the Wisconsin job opportunity business subsidy program to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). The report shall include all of the following information for the period covered by the report:

(a) The average wage paid to an eligible job applicant when hired and 60 days after the subsidy for the eligible job applicant ends.

(b) The number of qualified businesses and eligible job applicants participating in each eligible county.

(c) The age, education level, family status, gender, race and work experience of each eligible job applicant.

(d) The number of eligible job applicants meeting the criteria in subs. (10) (b) and (c).

(e) Any other information the department considers relevant.

(13) **Final Report.** On or before September 1, 1991, the department shall submit a final report concerning the Wisconsin job opportunity business subsidy program to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). The report shall include all of the following information for the period covered by the report:

(a) The average wage paid to an eligible job applicant at the following times:

1. When hired.

2. Sixty days after the subsidy for the eligible job applicant ends.

3. Fourteen months after the subsidy for the eligible job applicant ends.

(b) The number of qualified businesses and eligible job applicants that participated in each eligible county.

(c) The age, education level, family status, gender, race and work experience of each eligible job applicant.
(d) The number of eligible job applicants who met the criteria in sub. (10) (b) and (c).

(e) Any other information the department considers relevant.

(14) SunSet. Subsections (1) to (12) do not apply after June 30, 1991.

SECTION 368dbt. 103.155 (2) (b) 1 of the statutes, as created by 1987 Wisconsin Act .... (Assembly Bill 247), is repealed and recreated to read:

103.155 (2) (b) 1. a. Before July 1, 1990, a laboratory certified by the department of health and social services under s. 146.25 (1).

b. After June 30, 1990, a laboratory certified by the department of health and social services under s. 146.25 (1m).

SECTION 368dxc. 111.70 (1) (a) of the statutes, as affected by 1987 Wisconsin Act 153, is amended to read:

111.70 (1) (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representatives of its employees, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours and conditions of employment, and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 61.66, except as provided in s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to municipal employees under ch. 164. The duty to bargain, however, does not compel either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document. The employer shall not be required to bargain on subjects reserved to management and direction of the governmental unit except insofar as the manner of exercise of such functions affects the wages, hours and conditions of employment of the employees. In creating this subchapter the legislature recognizes that the public employer must exercise its powers and responsibilities to act for the government and good order of the municipality, its commercial benefit and the health, safety and welfare of the public to assure orderly operations and functions within its jurisdiction, subject to those rights secured to public employees by the constitutions of this state and of the United States and by this subchapter.
Vetoed in Part

SECTION 368f. 114.31 (5m) of the statutes is created to read:

114.31 (5m) PROMOTION OF AIR SERVICES. In recognition of the importance of effective scheduled air service in the southeastern region of the state and the impact of that service on statewide economic development, the secretary shall, in cooperation with the appropriate airport governing bodies, promote expanded and improved air services, help provide information on available air services for potential users, develop efficient ground access to air services, monitor changes in air services and charges to passengers, and develop other programs as he or she considers advisable for the overall improvement of air services for residents of this state.

Vetoed in Part

SECTION 368u. 115.343 (1) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

115.343 (1) The department shall establish a morning milk program which shall provide for the payment under sub. (3) for beverages for all children who meet the criteria specified in sub. (2) and who are enrolled in a school in kindergarten to grade 5. The program shall offer each eligible child a pint half-pint of Wisconsin-produced whole milk, 2% milk, one percent milk, skim milk or chocolate milk on each day in which school is in session. If a child is allergic to milk or has metabolic disorders or other conditions which prohibit him or her from drinking milk, the child shall be offered juice as a substitute. Any school which participates in the morning milk program under this section is encouraged to consider bids from local milk producers suppliers. Any such school shall keep all information related to the identity of the pupils who receive a beverage under the morning milk program confidential. In this subsection, "Wisconsin-produced" means that all or part of the raw milk used by the milk processor was produced in this state.

Vetoed in Part

SECTION 369. 118.019 (6) (a) (intro.) of the statutes is amended to read:

118.019 (6) (a) (intro.) The department shall establish a morning milk program which shall provide for the payment under sub. (3) for beverages for all children who meet the criteria specified in sub. (2) and who are enrolled in a school in kindergarten to grade 5. The program shall offer each eligible child a pint half-pint of Wisconsin-produced whole milk, 2% milk, one percent milk, skim milk or chocolate milk on each day in which school is in session. If a child is allergic to milk or has metabolic disorders or other conditions which prohibit him or her from drinking milk, the child shall be offered juice as a substitute. Any school which participates in the morning milk program under this section is encouraged to consider bids from local milk producers suppliers. Any such school shall keep all information related to the identity of the pupils who receive a beverage under the morning milk program confidential. In this subsection, "Wisconsin-produced" means that all or part of the raw milk used by the milk processor was produced in this state.
118.019 (6) (a) (intro.) From the appropriation under s. 20.255 (4) (2) (fm), the department may award grants to any of the following:

SECTION 369e. 118.15 (1) (c) of the statutes is repealed and recreated to read:

118.15 (1) (c) 1. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age may be excused by the school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under par. (b) or (d) leading to the child's high school graduation.

2. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 17 years of age or over may be excused by the school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under par. (b) or (d) leading to the child's high school graduation.

3. Prior to a child's admission to a program leading to the child's high school graduation or a high school equivalency program, the child, his or her parent or guardian, the school board and a representative of the high school equivalency program or program leading to the child's high school graduation shall enter into a written agreement. The written agreement shall state the services to be provided, the time period needed to complete the high school equivalency program or program leading to the child's high school graduation and how the performance of the pupil will be monitored. The agreement shall be monitored by the school board on a regular basis, but in no case shall the agreement be monitored less frequently than once per semester.

If the school board determines that a child is not complying with the agreement, the school board shall notify the child, his or her parent or guardian and the high school equivalency program or program leading to the child's high school graduation that the agreement may be modified or suspended in 30 days.

SECTION 369n. 118.29 (1) (d) of the statutes is amended to read:

118.29 (1) (d) "High degree of negligence" means conduct which demonstrates ordinary negligence to a high degree, consisting of an act which the person should realize creates a situation of unreasonable risk and high probability of death or great bodily harm to another criminal negligence, as defined in s. 939.25 (1).

SECTION 369p. 118.30 (3) (c) 1 and 2 of the statutes are amended to read:

118.30 (3) (c) 1. The department shall pay reimbursement the school district for the cost of printing the tests required under par. (a), but payments the reimbursement may not exceed the cost of printing the tests developed under s. 115.28 (10) (b).

2. The department shall pay reimbursement the school district for the cost of machine-scoring the tests required under par. (a) if the tests are constructed so that they may be machine-scored, but payments the reimbursement may not exceed the cost of machine-scoring the tests developed under s. 115.28 (10) (b).

SECTION 369q. 118.30 (3) (d) of the statutes is created to read:

118.30 (3) (d) Costs of printing and scoring the tests under par. (c) shall be reimbursed from the appropriation under s. 20.255 (2) (f). If the amount in the appropriation in any year is insufficient to fully reimburse the costs, the amount shall be prorated among school districts entitled to reimbursement.

SECTION 369r. 118.42 (1) (c) of the statutes is amended to read:

118.42 (1) (c) The school board may arrange for the school to be the principal of the school and the board may permit an attempt to represent the board in any matter if the board determines that requires specialized legal expertise for the benefit of the students.

SECTION 369s. 118.43 (1) (a) of the statutes is amended to read:

118.43 (1) (a) The board or other entity responsible for the processing of the board's application for a substitute teacher permit shall not be included in the list of boards or other entities permitted to process substitute teacher permits.

SECTION 369t. 118.49 (4) (d) of the statutes is amended to read:

118.49 (4) (d) "High degree of negligence" means conduct which demonstrates ordinary negligence to a high degree, consisting of an act which the person should realize creates a situation of unreasonable risk and high probability of death or great bodily harm to another criminal negligence, as defined in s. 939.25 (1).
SECTION 371d. 119.71 of the statutes is created to read:

119.71 Five-year-old kindergarten programs. (1) In this section, “full-day” has the meaning given in s. 121.004 (7) (c) 2.

(2) From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the board $2,400,000 in the 1988-89 school year.

(3) (a) The board shall use the funds received under sub. (2) 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). The board shall select pupils for the expanded program based on the order in which the pupils register for the program.

(b) The board shall use the funds received under sub. (2) to pay the costs of teachers, aides and other support staff, transportation of staff to pupils' homes, in-service programs, parental involvement programs and instructional materials. The board may not use the funds to supplant or replace funding otherwise available for full-day 5-year-old kindergarten or to provide facilities to house the program or to pay pupil transportation or indirect administrative costs associated with the program.

SECTION 371h. 119.72 of the statutes is created to read:

119.72 Early childhood education; contracts with day care centers. (1) The board shall contract with private, nonprofit, nonsectarian day care centers located in the city to provide early childhood education to 4-year-olds and 5-year-olds who are residents of the city. The board may not contract with any day care center under this section unless the day care center:

(a) Is licensed under s. 48.65 or certified under s. 48.651.

(b) Offers developmental child day care and early childhood education through age 6 at least 10 hours each day for at least 260 days each year.

(c) Employs or utilizes only persons appropriately licensed by the state superintendent under s. 115.28 (7) for pupils in the program, or ensures that only such persons supervise the individuals providing instruction and support services to the pupils in the program.

(d) Maintains a pupil to staff ratio of no more than 12 to 1 for the pupils in the program.

(e) Offers opportunities for parental participation in the program, including:

1. Direct involvement in decision making in program planning and analysis.

2. Participation in classroom and program activities.

3. Participation in training sessions on child growth and development.

(f) Records and periodically reports to the board pupil attendance data and parental involvement activities under par. (e).

(g) Provides activities that support and enhance the parents' role as the principal influence in their child's education and development.

(2) The board shall ensure that at least 50% of the children participating in each day care center's program under this section fall into one or more of the following categories:

(a) Children with a parent eligible for day care funds under s. 46.98 (4) (a) 1 to 3.

(b) Children with a parent in need of child care services under s. 46.98 (4) (a) 4.

(c) Children with a parent who is a school age parent, as defined under s. 115.91 (1).

(d) Children who have language, psychomotor development, social, behavioral or educational problems that warrant intervention, as determined by the board, other than children with exceptional educational needs, as defined under s. 115.76 (3).

(3) The board shall pay each contracting day care center, for each full-time equivalent pupil served by the center under the contract, an amount equal to at least 80% of the average per pupil cost for kindergarten pupils enrolled in the school district, adjusted to a full-time equivalent basis.

(4) The board shall evaluate the success of the program under this section through the use of standardized basic educational skills tests and by collecting data on the appropriate placements for the pupils at the end of the first grade.

(5) (a) In this subsection, “state aid” means the amount determined by dividing the aid received by the board under ss. 121.08 and 121.085 by the district's membership, as defined in s. 121.004 (5), and multiplying the quotient by the number of full-time equivalent pupils served by the day care centers under this section.

(b) From the appropriation under s. 20.255 (2) (ec), the state superintendent annually shall pay to the board an amount equal to the amount paid by the board under sub. (3) less the amount of state aid received by the board in the same school year.

(c) The amount paid to the board under par. (b) shall not exceed $600,000 annually.

SECTION 371m. 119.73 of the statutes is created to read:

119.73 Kindergarten and early childhood programs. The board shall evaluate the effectiveness of the
expanded 5-year-old kindergarten programs under s. 119.71 and the early childhood education programs under s. 119.72 in meeting the needs of disadvantaged children. By January 1, 1990, and annually thereafter by January 1, the board shall submit a report summarizing its findings to the state superintendent and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.72 (3).

SECTION 371mp. 119.74 of the statutes is created to read:

119.74 Mentor program for educationally disadvantaged pupils. (1) The board shall contract with a private, nonprofit, nesectarian organization to provide volunteer mentors for economically or educationally disadvantaged 6th and 7th grade pupils. The mentors shall work with the pupils at least 2 hours each week to help them learn to read, write and express themselves and to develop self-discipline.

(2) The contract under sub. (1) shall be contingent upon approval by the state superintendent of the private organization's plan for selecting and training the mentors.

(3) The contract under sub. (1) shall provide for one program coordinator for each school in which pupils enrolled are participating in the program. The program coordinators shall:

(a) Link educationally disadvantaged 6th and 7th grade pupils with volunteer mentors.

(b) Monitor the attendance and academic performance of the pupils participating in the program.

(c) Actively seek the involvement of each pupil's parent or guardian in the formulation of educational goals for the pupil.

(d) Work with school personnel and the pupil's parent or guardian to resolve problems that are negatively affecting the pupil's school performance.

(e) Inform each pupil and the pupil's parent or guardian about special opportunities available to the pupil.

(f) Promote the program to neighborhood groups.

(g) Develop an after-school and weekend activity program for participating pupils.

(4) If the state superintendent approves the training plan under sub. (2), he or she shall award a grant to the board for the mentor program in an amount equal to the amount of private contributions supporting the program, but not exceeding $100,000 in any school year. Amounts shall be awarded from the appropriation under s. 20.255 (2) (ec).

SECTION 371mp. 120.10 (6) of the statutes is amended to read:

120.10 (6) The annual audit of the board that is conducted under sub. 3 shall be an independent examination that is conducted by an independent certified public accountant. All findings, conclusions and recommendations of the independent certified public accountant shall be included in the annual audit report, including an audit of the municipal election, to the extent that the audit of the schools of the school district has been held in the current or last audit year.

SECTION 371mp. 120.12 (9) (a) of the statutes is amended to read:

120.12 (9) (a) On or before the 3rd Monday in October, the school board determines the amount necessary to be raised to operate and maintain the schools of the district and shall provide a report of the amount necessary to be raised to operate the school district under s. 119.71 and the early childhood education programs under s. 13.72 (3).
section 374g. 121.85 (6) (f) of the statutes is amended to read:

121.85 (6) (f) Exception. A pupil enrolled in a kindergarten program or in a preschool program under subch. V of ch. 115 shall be counted under par. (a) and (b) 1 as a number equal to the result obtained by multiplying 1.325 by the appropriate fraction under s. 121.004 (7) (c) or (d), and under par. (b) 1 as a number equal to the result obtained by multiplying 1.0 by the appropriate fraction under s. 121.004 (7) (c) or (d).

section 374h. 121.85 (6) (g) 1. a of the statutes is amended to read:

121.85 (6) (g) 1. a. “Base year enrollment” means the number of pupils enrolled in the non-specialty public schools located in minority census tracts in the 1984-85 school year.

section 374j. 121.86 (3) of the statutes is amended to read:

121.86 (3) State aid exception. Pupils under sub. (2) who are enrolled in a kindergarten program or in a preschool program under subch. V of ch. 115 shall be counted under sub. (2) as a number equal to the result obtained by multiplying 1.325 by the appropriate fraction under s. 121.004 (7) (c) or (d).

section 374k. 125.04 (3) (g) (intro.) of the statutes is amended to read:

125.04 (3) (g) Publication of intoxicating liquor application. (intro.) The municipal clerk shall publish each application for a Class B license to sell intoxicating liquor, except temporary “Class B” licenses under s. 125.51 (4m), prior to its issuance in a newspaper according to the following conditions:

section 374l. 125.06 (5) of the statutes is amended to read:

125.06 (5) Railroads, aircraft. The sale of alcoholic beverages on any railroad dining, buffet or cafe car or aircraft, while in transit. Alcohol Except as authorized under s. 125.26 (3m) or 125.51 (3) (dm), alcoholic beverages may be consumed in a railroad dining, buffet or cafe car or aircraft only while it is in transit.

section 374m. 125.26 (6) of the statutes is amended to read:

125.26 (6) Glass temporary “Class B” licenses may also be issued to bona fide clubs, to state, county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least 6 months before the date of application and to posts of veterans' organizations authorizing the sale of fermented malt beverages and wine containing not more than 6% alcohol by volume at a particular picnic or similar gathering, at a meeting
of the post, or during a fair conducted by the fair association or agricultural society. The amount of the fee for the license shall be determined by the municipal governing body issuing the license but may not exceed $10. A license issued to the state fair or to a county or district fair licenses the entire fairgrounds where the fair is being conducted and all persons engaging in retail sales of fermented malt beverages or wine containing not more than 6% alcohol by volume from leased stands on the fairgrounds. The state fair or county or district fair to which the license is issued may lease stands on the fairgrounds to persons who may engage in retail sales of fermented malt beverages or wine containing not more than 6% alcohol by volume from the stands while the fair is being held. No such person is required to obtain an operator's license in order to engage in retail sales of fermented malt beverages or wine containing not more than 6% alcohol by volume on the grounds of the state fair or other fairs receiving state aid.

SECTION 374s. 125.51 (3) (dm) of the statutes is created to read:

125.51 (3) (dm) A municipality may issue a “Class B” license authorizing retail sales of intoxicating liquor on a railroad car while the railroad car is standing in a specified location in the municipality.

SECTION 374tc. 125.51 (4) (a) 2 and (b) 1 and 3 of the statutes are amended to read:

125.51 (4) (a) 2. “Population” means the number of inhabitants in the previous year determined by the last decennial federal census or special census conducted under contract with the U.S. bureau of the census, or, in the case of newly incorporated cities or villages, determined under s. 66.013 (2) (b), less, in either case, inmates of charitable, mental and penal institutions in the municipality department of administration under s. 16.96 (2) for purposes of revenue sharing distribution.

(b) 1. One license per 500 population or fraction thereof. A municipality’s population, for purposes of determining its quota, may be adjusted on the basis of a special census only once during the period between decennial censuses.

3. The number of licenses lawfully issued and in force within the municipality in the previous year of the decennial federal census immediately prior to the most recent decennial federal census.

SECTION 374tg. 125.51 (4) (e) of the statutes is repealed.

SECTION 374tj. 125.51 (4) (r) of the statutes is created to read:

125.51 (4) (r) Notwithstanding its quota, a village may issue a license to a post of a veteran’s organization for a building that was rebuilt after being destroyed by a tornado.

SECTION 374tm. 125.51 (4m) of the statutes is repealed.

SECTION 374vd. 125.58 (title) and (1) of the statutes are amended to read:

125.58 (title) Out-of-state shippers’ permit; exception to requirement. (1) The department shall issue out-of-state shippers’ permits which authorize persons located outside this state to sell or ship intoxicating liquor into this state. Intoxicating liquor may be shipped into this state only to a person holding a manufacturer’s, rectifier’s, wholesaler’s, industrial alcohol or medicinal alcohol permit. A permit as provided under sub. (4), a separate out-of-state shipper’s permit is required for each location from which any intoxicating liquor is sold or shipped into this state, including the location from which the invoices are issued for the sales or shipments. Any person holding an out-of-state shipper’s permit issued under this section may solicit orders for sales or shipments by the permittee without obtaining the sales solicitation permit required by s. 125.65, but every agent, salesperson or other representative who solicits orders for sales or shipments by an out-of-state shipper shall first obtain a permit for soliciting orders under s. 125.65.

SECTION 374vh. 125.58 (4) of the statutes is created to read:

125.58 (4) A person located outside of this state may ship wine into this state to an individual who does not hold a license or permit issued under this chapter unless consigned to a person holding a permit for the sale of intoxicating liquor, other than a retail “Class B” permit.

(b) No Except as provided in par. (bm), no intoxicating liquor may be shipped into this state unless consigned to a person holding a permit for the sale of intoxicating liquor, other than a retail “Class B” permit. Any common carrier violating this paragraph shall forfeit $100 for each violation.

SECTION 374vp. 125.68 (10) (a) and (b) of the statutes are amended to read:

125.68 (10) (a) No Except as provided in par. (bm), no intoxicating liquor may be shipped into this state unless consigned to a person holding a permit for the sale of intoxicating liquor, other than a retail “Class B” permit.

(b) No Except as provided in par. (bm), no common carrier or other person may transport into and deliver within this state any intoxicating liquor unless it is consigned to a person holding a permit for the sale of intoxicating liquor, other than a retail “Class B” permit. Any common carrier violating this paragraph shall forfeit $100 for each violation.

SECTION 374vt. 125.68 (10) (bm) and (bs) of the statutes are created to read:

125.68 (10) (bm) A person may ship wine into this state from a state which has a reciprocal agreement with this state under s. 139.035, but every agent, salesperson or other representative who solicits orders for sales or shipments by an out-of-state shipper shall first obtain an out-of-state shipper’s permit which authorize persons located outside this state to sell or ship intoxicating liquor into this state. Intoxicating Liquor Except as provided under sub. (4), a separate out-of-state shipper’s permit is required for each location from which any intoxicating liquor is sold or shipped into this state, including the location from which the invoices are issued for the sales or shipments. Any person holding an out-of-state shipper’s permit issued under this section may solicit orders for sales or shipments by the permittee without obtaining the sales solicitation permit required by s. 125.65, but every agent, salesperson or other representative who solicits orders for sales or shipments by an out-of-state shipper shall first obtain a permit for soliciting orders under s. 125.65.

SECTION 374ve. 125.68 (10) (bs) of the statutes are created to read:

125.68 (10) (bs) A person located outside of this state may ship wine into this state to an individual who does not hold a license or permit issued under this chapter unless consigned to a person holding a permit for the sale of intoxicating liquor, other than a retail “Class B” permit.
(bs) No individual may resell wine received under par. (bm) or receive more than 9 liters of wine annually under par. (bm).

SECTION 374x. 125.69 (2) (b) of the statutes is amended and renumbered to read:

125.69 (2) (b) Notwithstanding par. (a) a person who is a wholesaler may give a sign, clock, or other thing of value to a patron at Class B licensed premises to the extent permitted by s. 968.30 (1). [revisor inserts date] Repealed.

SECTION 374w. 134.345 of the statutes is created to read:

134.345 Form retention and disposal. (1) In this section:

(a) “Customer” means any person who causes a molder to make a form or to use a form to make a product.

(b) “Form” means an object in or around which material is placed to make a mold for pouring plastic or casting metal, and includes a mold, die or pattern.

(c) “Molder” means any person who makes a form or who uses a form to make a product.

(2) Unless a customer and a molder otherwise agree in writing a molder may, as provided in sub. (3), dispose of a form possessed by a customer if the customer does not take from the molder physical custody of the form within 3 years after the molder's last prior use of the form.

(3) A molder who wishes to dispose of a form shall send written notice by registered mail with return receipt requested to the customer's last-known address and to any address set forth in the agreement under which the molder obtained physical custody of the form. The notice shall state that the molder intends to dispose of the form. The molder may dispose of the form without liability to the customer if, within 120 days after the molder receives the return receipt of the notice or within 120 days after the molder sends notice if no return receipt is received within that period, the customer does not take physical custody of the form or enter into an agreement with the molder for taking possession or physical custody of the form.

SECTION 374wm. 134.43 (3) of the statutes is amended to read:

134.43 (3) Any person who is the victim of an intrusion of privacy under this section is entitled to relief under s. 985.50 (1) and (4) unless the act is permissible under ss. 968.27 to 968.33 and 968.37.

SECTION 374x. 134.85 (title) of the statutes, as created by 1987 Wisconsin Act 95, is amended to read:

134.85 (title) Motor fuel dealerships; rights of survivorship; hours of business.

SECTION 374xg. 134.85 (3) (a) of the statutes, as created by 1987 Wisconsin Act 95, is amended to read:

134.85 (3) (a) The department of justice on behalf of the state or any person who claims injury as a result of a violation of this section sub. (2) may bring an action for temporary or permanent injunctive relief in any circuit court for any violation of this section. It is no defense to an action under this paragraph that an adequate remedy exists at law.

SECTION 374xr. 134.85 (4) of the statutes is created to read:

134.85 (4) Hours of business. (a) No motor vehicle fuel grantor may require a motor vehicle fuel dealer, who has a dealership with the motor vehicle fuel grantor on the effective date of this paragraph ..., [revisor inserts date], to keep his or her business open for more than 16 hours per day.

(b) Paragraph (a) applies to a motor fuel dealer after he or she renews or extends a motor fuel dealership agreement with a motor fuel grantor on or after the effective date of this paragraph .... [revisor inserts date].

SECTION 374xs. 139.03 (2m) of the statutes is amended to read:

139.03 (2m) The rate of that tax is 85.86 cents per liter on intoxicating liquor, except wine containing not in excess of 21% of alcohol by volume and intoxicating liquor taxed under sub. (2t), containing 0.5% or more of alcohol by volume. The department of revenue may, by rule, set the amount of the taxes imposed under this section for various sizes of containers if the amounts set are in the same proportion to the size of the containers as the rate per liter under this subsection.

SECTION 374xt. 139.03 (2t) of the statutes is repealed.

SECTION 374y. 139.035 of the statutes is created to read:

139.035 Reciprocal agreements. The department shall negotiate and, if possible, enter into reciprocal agreements with the appropriate officials of other states concerning the shipping of wine to individuals in this state under ss. 125.58 (4) and 125.68 (10) (bm). The purpose of the agreements shall be to permit those shipments while ensuring that the fiscal impact of shipments of wine to individuals in other states, and from this state to individuals in other states, is fair to this state. An agreement under this section may include the provision that this state will tax wine shipped from this state to individuals in another state and the other state will tax wine shipped to individuals in this state.

SECTION 375. 139.05 (6) of the statutes is repealed.

SECTION 376. 139.05 (7) (e) of the statutes is amended to read:

139.05 (7) (e) The conditions and requirements of this subsection are in addition to, and not in lieu of, the conditions and requirements of subs. (1) to (6) (d).

SECTION 376b. 139.06 (1) (a) and (b) of the statutes are amended to read:

139.06 (1) (a) The taxes imposed under s. 139.03 (intro.) on intoxicating liquor at the rates under s.
139.03 (2m) or (2t) shall be paid 4 times annually on an estimated basis. The estimated payment shall be made, and a return filed, on February 15, May 15, August 15 and November 15 for calendar quarters beginning on the first day of the month before the month during which the payment is due. The estimated payment shall be based on the expected actual tax liability for the calendar quarter for which the payment is made. An administrative fee of 3 cents per gallon on intoxicating liquor taxed at the rates under s. 139.03 (2m) or (2t) is imposed, shall be paid along with estimated taxes and shall be deposited in the appropriation under s. 20.566 (1) (ha). The taxpayer shall adjust the amount of each payment to reflect the amount by which the payment for the previous quarter is greater than or less than the actual tax liability and administrative fee liability for that previous quarter.

(b) Liability for taxes at the rates under s. 139.03 (2m) or (2t) on intoxicating liquor is incurred by a shipper when intoxicating liquor is shipped into this state, except that liability on liquor produced or bottled in this state or imported directly from a foreign country into this state by a Wisconsin permittee is incurred at the time of the first sale in this state and except that liability for liquor under sub. (3) or (4) is incurred when a Wisconsin permittee receives that liquor.

SECTION 376d. 139.06 (2) (c) of the statutes is amended to read:

139.06 (2) (c) Further to secure the payment of the taxes at the rates under s. 139.03 (2m) and (2t) on intoxicating liquor, the department shall require all persons liable for the return and payment of such taxes in either of the 2 previous fiscal years to maintain a deposit of the department's estimate of tax liabilities in an amount equal to 20% of the estimated tax liability for fiscal year 1985-86 or an amount specified by the department. Such deposit payment shall be paid to the department on July 15, 1986, or according to an arrangement specified by the department. This deposit shall be deposited in the general fund. On August 15, 1987, the department shall credit 25% of the deposit against taxes due for the quarter beginning on the first day of the month before the month when the taxes are due or a later quarter. At the end of each succeeding 12-month period the department shall credit 25% of the original deposit until 100% of each deposit has been refunded. If any permittee has an unpaid tax liability at the time that a credit would be allowed the permittee, the department shall not allow the credit until the liability is paid in full.

SECTION 377. 139.07 of the statutes is repealed.

SECTION 378. 139.08 (4) of the statutes is amended to read:

139.08 (4) Inspection for enforcement. Duly authorized employees of the department of justice and the department of revenue and any sheriff, police officer, marshal or constable, within their respective jurisdictions, may at all reasonable hours enter any licensed premises, and examine the books, papers and records of any brewer, manufacturer, bottler, rectifier, wholesaler or retailer, for the purpose of inspecting the same and determining whether the tax and fee imposed by ss. 139.01 to 139.25 have been fully paid, and may inspect and examine, according to law, any premises where fermented malt beverages or intoxicating liquors are manufactured, sold, exposed for sale, possessed or stored, for the purpose of inspecting the same and determining whether the tax imposed by ss. 139.01 to 139.25 has been fully paid, and whether ss. 139.01 to 139.25 and ch. 125 are being complied with. Any refusal to permit such examination of such premises is sufficient grounds under s. 125.12 for revocation or suspension of any license or permit granted for the sale of any fermented malt beverages or intoxicating liquors and is punishable under s. 139.25 (5) (10).

SECTION 379. 139.092 of the statutes is amended to read:

139.092 (title) Right to assess and refund. The department shall examine each return and correct it, if necessary, according to its best judgment and information. If within 4 years after a return is filed and reconciled on the next return filed the department finds that any amount of tax is due from the taxpayer and is unpaid, it shall notify the taxpayer of the deficiency, stating that it proposes to assess the amount due together with interest and penalties. The department also may allow refunds or credits for overpayments due to errors discovered during its examination of the return.

SECTION 380. 139.098 of the statutes is repealed.

SECTION 381. 139.25 (1) and (1m) of the statutes are created to read:

139.25 (1) Interest and penalties. Unpaid taxes bear interest at the rate of 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes bear interest at the rate of 9% per year from the due date of the return to the date on which the refund is certified on the refund roll.

(1m) Order of application. All nondelinquent payments of additional amounts owed shall be applied in the following order: penalties, interest, tax principal.

SECTION 382. 139.25 (2) and (3) of the statutes are repealed and recreated to read:

139.25 (2) Delinquent returns. Delinquent beverage tax returns are subject to a $10 late filing fee. Delinquent beverage taxes bear interest at the rate of 1.5% per month until paid. The taxes imposed by this subchapter shall become delinquent if not paid:

(a) In the case of a timely filed return, no return or a late return, on or before the due date of the return; or

(b) In the case of a deficiency determination of taxes, within 2 months after the date of demand.
(3) Incorrect return. If due to neglect an incorrect return is filed, the entire tax finally determined is subject to a penalty of 25% of the tax exclusive of interest or other penalty. A person filing an incorrect return has the burden of proving that the error or errors were due to good cause and not due to neglect.

SECTION 383. 139.25 (4), (5) and (6) of the statutes are renumbered 139.25 (9), (10) and (11).

SECTION 384. 139.25 (4) to (8) of the statutes are created to read:

139.25 (4) Failure to file return. In case of failure to file any return required under s. 139.05, 139.06 or 139.11 by the due date, unless it is shown that that failure was due to reasonable cause and not due to neglect, there shall be added to the amount required to be shown as tax on that return 5% of the amount of that tax if the failure is for not more than one month, and an additional 5% of the tax for each additional month or fraction thereof during which that failure continues, not exceeding 25% of the tax in the aggregate. For purposes of this subsection, the amount of tax required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the due date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return.

(5) False or fraudulent return. If a person fails to file a return when due or files a false or fraudulent return with intent in either case to defeat or evade the tax imposed by this subchapter, a penalty of 50% of the tax shall be added to the tax required to be paid, exclusive of interest and other penalties.

(6) Furnish data or return. Any person who fails to furnish any return required to be made or who fails to furnish any data required by the department may be fined not more than $500 or imprisoned for not more than 30 days or both.

(7) Report or return verification. Any person, including an officer of a corporation, who is required to make, render, sign or verify any report or return required by this subchapter and who makes a false or fraudulent report or return or who fails to furnish a report or return when due with the intent, in either case, to defeat or evade the tax imposed by this subchapter may be fined not more than $500 or imprisoned for not more than 30 days or both.

(8) Assisting false or fraudulent return. No person may aid, abet or assist another in making a false or fraudulent report or false statement in any return required by this subchapter, with intent to defraud the state or evade payment of the tax, or any part thereof, imposed by this subchapter. Anyone who violates this subsection may be fined not more than $500 or imprisoned for not more than 30 days or both.

SECTION 385. 139.32 (7) of the statutes is repealed.

SECTION 386. 139.44 (title) of the statutes is amended to read:

139.44 (title) Interest and penalties.

SECTION 387. 139.44 (9) to (12) of the statutes are created to read:

139.44 (9) Unpaid taxes bear interest at the rate of 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes bear interest at the rate of 9% per year from the due date of the return to the date on which the refund is certified on the refund rolls.

(10) All nondelinquent payments of additional amounts owed shall be applied in the following order: penalties, interest, tax principal.

(11) Delinquent cigarette taxes bear interest at the rate of 1.5% per month until paid. The taxes imposed by this subchapter shall become delinquent if not paid:

(a) In the case of a timely filed return, no return filed or a late return, on or before the due date of the return; or

(b) In the case of a deficiency determination of taxes, within 2 months after the date of demand.

(12) If due to neglect an incorrect return is filed, the entire tax finally determined is subject to a penalty of 25% of the tax exclusive of interest or other penalty. A person filing an incorrect return has the burden of proving that the error or errors were due to good cause and not due to neglect.

SECTION 388. 139.77 (5) of the statutes is amended to read:

139.77 (5) All taxes are due not later than the 15th day of the month following the calendar month in which they were incurred, and thereafter shall bear interest at the annual rate of 12%. If the amount of tax due for a given period is assessed without allocating it to any particular month, the interest shall begin with the date of the assessment.

SECTION 389. 139.77 (6) of the statutes is repealed.

SECTION 390. 139.85 of the statutes is amended to read:

139.85 (title) Interest and penalties. The interest and penalties under s. 139.44 (2) to (7) and (9) to (12) apply to this subchapter.

SECTION 390cb. 140.05 (16) (b) of the statutes is amended to read:

140.05 (16) (b) Any student admitted to any elementary, middle, junior or senior high school or into any day care center or nursery school shall present written evidence to the school of having completed the first immunization for each vaccine required for the student's grade and being on schedule for the remainder of the basic and recall (booster) immunization series for the diseases identified in par. (a) or shall present a written waiver under par. (c). The student shall present the written evidence or written waiver within 30 school days after being admitted to school. This subsection does not require any female age 12 or over to be immunized against rubella.
SECTION 390g. 140.53 (1) (h) of the statutes is created to read:

140.53 (1) (h) With respect to radon, do all of the following:

1. Develop and disseminate current radon information to the news media, builders, realtors and the general public.

2. Coordinate a program of measuring radon gas accumulation, including use of the radon canister counting system, in educational institutions, nursing homes, low-income housing, public buildings, homes, private industries and public service organizations.

3. Work with staff of county, city-county or multiple-county health departments, county health committees or commissions or city, village or town boards of health under ch. 141; to perform home surveys and diagnostic measurements and develop mitigation strategies for homes with elevated radon gas levels.

4. Develop training materials and conduct training of staff of county, city-county or multiple-county health departments, county health committees or commissions or city, village or town boards of health under ch. 141; building contractors; and others in radon diagnosis and mitigation methods.

SECTION 390gm. 140.53 (4) of the statutes is created to read:

140.53 (4) From the appropriation under s. 20.435 (1) (ed), the department shall allocate funds to provide radon protection information dissemination from regional radon centers in Marathon and Waukesha counties.

SECTION 390r. 140.56 (3) (intro.) of the statutes is amended to read:

140.56 (3) (intro.) The council shall monitor the development and implementation of private and local, state and federal government radiation-related policies and programs which may affect the health or well-being of the citizens of the state. These policies and programs include those involving ionizing radiation from X-rays or radioactive materials, nonionizing radiation such as lasers and microwaves, radioactive waste handling and disposal, the transportation of radioactive materials, radioactive air and water pollutants, radiation emergency response planning, the contamination of drinking water supplies by radioactive materials and the environmental monitoring of radioactive materials and radon or its products of radioactive decay. As a result of monitoring these policies and programs, the council may:

SECTION 391. 140.82 (1) (intro.) of the statutes is amended to read:

140.82 (1) (intro.) The department is designated the state health planning and development agency as provided under 42 USC 300k to 300n 5, in effect on April 30, 1980, and shall:

SECTION 392. 140.82 (1) (a) of the statutes is amended to read:

140.82 (1) (a) Initiate, conduct and periodically evaluate a process for planning to use the resources of the state and meet the health needs of its residents and to implement in conjunction with other state agencies those parts of the state health plan and plans of the health systems agencies that relate to state government.

SECTION 393. 140.82 (1) (b) of the statutes is amended to read:

140.82 (1) (b) Prepare, review at least triennially and revise as necessary a preliminary state health plan that identifies health service and resource goals and priorities. The department shall develop the plan from the plans of the health systems agencies in the state as required under 42 USC 300k to 300n 5, in effect on April 30, 1980. The department shall submit the preliminary plan to the health policy council for review under s. 14.25 (1) (f). In addition to coordinating the preparation of health-related federal plans, the department shall coordinate the preparation of public and private state health and health-related plans.

SECTION 394. 140.82 (1) (e) of the statutes is repealed.

SECTION 395. 140.82 (1) (f) of the statutes is repealed.

SECTION 396. 140.82 (1) (i) of the statutes is amended to read:

140.82 (1) (i) Serve as the single state agency for federally assisted health facility modernization and construction and administer the regulation of health care institutions. If the department acts under this paragraph, it shall consider recommendations from health systems agencies as required under 42 USC 300m 2 (a) (4), in effect on April 30, 1980.

SECTION 397. 140.82 (1) (k) of the statutes is amended to read:

140.82 (1) (k) Periodically review all institutional and home health services offered in the state for which the state plan establishes goals and publicize its findings, after considering recommendations concerning the appropriateness of the services from health systems agencies under 42 USC 300k to 300n 5, in effect on April 30, 1980. In reviewing the appropriateness of a health service under this paragraph, the department shall at least consider the need for the service, its accessibility, availability, financial viability and cost effectiveness and the quality of service provided.

SECTION 398. 140.82 (1) (L) of the statutes is amended to read:

140.82 (1) (L) Prepare an inventory of the health care facilities other than federal health care facilities located in the state. The department shall report the inventory to the health systems agencies within the state to assist the agencies in performing their functions, as required under 42 USC 300L 2, in effect on April 30, 1980.

SECTION 398b. 140.82 (1) (m) of the statutes is repealed.
SECTION 398bm. 140.83 (title), (1) and (2) of the statutes are repealed.

SECTION 398c. 140.83 (3) of the statutes is renumbered 140.83, and 140.83 (title) and (1), as renumbered, are amended to read:

**140.83** (title) Emergency service classification.

(1) Provide technical assistance to the health systems agencies in the development of emergency medical service plans.

SECTION 398cab. 144.025 (2) (s) of the statutes is amended to read:

144.025 (2) (s) In cases of noncompliance with any order issued under par. (d) or (r), the department may take the action directed by the order, and collect the costs thereof from the owner to whom the order was directed. The department shall have all the necessary powers needed to carry out this paragraph including powers granted municipalities under ss. 66.076 and 66.20 to 66.26. It shall also be eligible for financial assistance under ss. 144.21 and 144.24 and 144.241.

SECTION 398e. 144.025 (1) (m) of the statutes is amended to read:

144.025 (1) (m) Principal residence means a residence which is occupied at least 21% of the year by the owner.

SECTION 398f. 144.027 (1) (b) of the statutes is amended to read:

144.027 (1) (b) Well means an excavation or opening in the ground made by boring, drilling or digging for the purpose of obtaining a supply of ground water. "Well" does not include dug wells.

SECTION 398g. 144.027 (2) (a) (b) of the statutes are renumbered and renumbered to read:

144.027 (2) (a) Establish by rule procedures for the submission, review and determination of private water supply applications under this section.

(b) Assist applicants in submitting applications for compensation under this section.

(c) Issue grants under this section.

SECTION 398h. 144.027 (3) of the statutes is renumbered and renumbered to read:

144.027 (3) Wells for which application may be submitted. An application may be submitted for a private water supply which:

(a) Is contaminated at the time of submitting the application;

(b) Was contaminated before the application is submitted, if the application meets the requirements of sub. (1) (b),

SECTION 398i. 144.027 (4) (title) and (a) of the statutes are renumbered and renumbered to read:

144.027 (4) (title) Who are eligible to submit an application. (a) Except as provided in par. (b), any of the following persons may submit an application under this section:

1. The owner of a principal residence which is served by a communal water supply.

2. The owner of property which is served by a communal water supply.

3. The owner of a principal residence which is served by a communal water supply.

4. The owner of a principal residence which is served by a communal water supply.

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Vetoed in Part

SECTION 92. (a) The department may supplement a grant under this section by an additional amount or amounts to ensure that the total amount of grants awarded under this section does not exceed the total amount of funds available or needed for the overall development of a well project. The department shall use a formula to allocate the additional amount of grants to the areas of the state that have the greatest need for assistance. The department shall provide written notice of the allocation of grants to each grantee. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(b) The department may also provide technical assistance to grantees to ensure that the grants are used for the intended purposes.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.

SEC. 94. Grants to municipalities for the development of new water supplies shall be made in accordance with the provisions of this section. The department shall promulgate rules and regulations to implement the provisions of this section. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall also ensure that the grantees comply with all applicable laws and regulations.

Vetoed in Part

SECTION 98. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.

Vetoed in Part

SEC. 96. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.

Vetoed in Part

SECTION 99. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.

Vetoed in Part

SEC. 100. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.

Vetoed in Part

SEC. 101. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.

Vetoed in Part

SEC. 102. The department shall ensure that the grants are used to fund the development of new water supplies or the replacement of existing water supplies.

(c) The department shall ensure that the grantees comply with all applicable laws and regulations.
Vetoed in Part

Wis. Act 399

Vetoed in Part

Wis. Act 399

Vetoed in Part

Wis. Act 399

Vetoed in Part

Wis. Act 399

Vetoed in Part

Wis. Act 399
SECTIONS 398 et seq., 144-077 (1) (a) a. "A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

SECTIONS 398 et seq., 144-077 (1) (b) "A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

SECTIONS 398 et seq., 144-077 (1) (c) A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

SECTIONS 398 et seq., 144-077 (1) (d) A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

SECTIONS 398 et seq., 144-077 (1) (e) A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

SECTIONS 398 et seq., 144-077 (1) (f) A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

SECTIONS 398 et seq., 144-077 (1) (g) A person who has been injured or damaged by the conduct of another, whether intentional or not, may recover damages in an action for assault, battery, negligence, or other similar tort if the plaintiff can prove that the defendant's conduct caused the plaintiff's injuries.

b. In a action for personal injury, the plaintiff must prove that the defendant's conduct was negligent and that such conduct was a proximate cause of the plaintiff's injuries.

1. The term "proximate cause" means that the defendant's conduct was a foreseeable cause of the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.

2. The plaintiff must also prove that the defendant's conduct was a substantial factor in causing the plaintiff's injuries and that the plaintiff's injuries would not have occurred but for the defendant's conduct.
Vetoed in Part

Section 389. 144.086 (4) of the statutes is amended to read:

144.086 (4) A municipality may apply to the department on behalf of a private water utility for a municipal water supply grant if all of the following conditions are satisfied:

1. Three or more private water supplies in the area to be served by the private water utility are

2. The private water utility agrees to provide a public water supply to replace contaminated private water supplies.

Section 389. 144.086 (5) of the statutes is amended to read:

144.086 (5) (a) Within 60 days after receipt of a grant application under sub. (1), the department shall make a preliminary determination of eligibility. In determining eligibility, the department shall consider the risk of future contamination to the public water supplies of the area and the needs of a municipal water supply replacing the private water supplies. If the municipality has not yet received a municipal water supply grant, the application shall include the project to be undertaken as a part of the municipal water supply system.

(b) If the department determines that the conditions under sub. (1) are satisfied and that a municipal water supply is the most feasible solution to the problem of contaminated private water supplies in the area, the department shall consider the risk of future contamination to the public water supplies, the cost of the project in relation to the cost of replacing private water supplies, and the need for additional water supplies that are large enough to serve the needs of a municipal water supply system.
Vetoed in Part

SECTION 398exg. 144.21 (6) (c) of the statutes is renumbered 144.21 (6) (c) 1 and amended to read:

144.21 Well contamination assessment. (1) In any action by the state against a person for a violation of any provision of this chapter or any administrative rule promulgated under this chapter, the department shall proceed in the manner provided under s. 20.370 (4) (eb) (ca) to provide direct financial assistance for smaller projects for sewage treatment facilities, including but not limited to chlorination treatment.

(2) In any action by the state against a person for a violation of any provision of this chapter or any administrative rule promulgated under this chapter, the department shall proceeding in the manner provided under s. 20.370 (4) (eb) (ca) to provide direct financial assistance for smaller projects for sewage treatment facilities, including but not limited to chlorination treatment.

(3) A well contamination assessment imposed under subsection (1) shall be in addition to any other penalty, assessment, restitution, or penalty to which the person is subject and is in addition to any other penalty which is available to the county, the department, or any other person.

(4) A well contamination assessment imposed under subsection (1) shall be in addition to any fine or forfeiture to which the person is subject.

(5) If a fine or forfeiture is imposed in whole or in part in any other proceeding against the person, the well contamination assessment shall be reduced or proportioned to the reduction in the fine or forfeiture in the other proceeding.

(6) The amount of money generated by the well contamination assessment imposed under subsection (1) shall be in addition to any other penalty, assessment, or penalty to which the person is subject and is in addition to any other penalty which is available to the county, the department, or any other person.

(7) A well contamination assessment imposed under subsection (1) shall be in addition to any fine or forfeiture to which the person is subject.

(8) If a fine or forfeiture is imposed in whole or in part in any other proceeding against the person, the well contamination assessment shall be reduced or proportioned to the reduction in the fine or forfeiture in the other proceeding.
treatment, phosphate removal and other improvements to sewage treatment capabilities.

SECTION 398cexr. 144.21 (6) (c) 2 to 4 of the statutes are created to read:

144.21 (6) (c) 2. After June 30, 1988, and before July 1, 1990, the department may enter into agreements with municipalities to provide grants under this section from the appropriation under s. 20.370 (4) (ca) for planning for projects that the department determines are necessary to prevent a municipality from significantly exceeding an effluent limitation, as defined in s. 147.015 (6).

3. A grant under subd. 1 or 2 may not exceed 25% of the eligible costs provided in subd. 1 or 2, or $15,000, whichever is less.

4. After June 30, 1988, and before July 1, 1990, the department shall give priority to payments required under sub. (8) over agreements for grants under subd. 1 or 2, and shall give priority for grants under subd. 2 over grants under subd. 1.

SECTION 398czr. 144.24 (4) (c) 2 of the statutes is amended to read:

144.24 (4) (c) 2. If sources of funding for the facility planning prescribed under this paragraph are not available for these activities, grants provided under this section may pay 75% 50% of the cost of facility planning.

SECTION 398czmr. 144.24 (4) (c) 2m of the statutes is created to read:

144.24 (4) (c) 2m. Amendments or applications for facility planning grants received after March 1, 1987, shall be funded at 50% of the cost of the facility planning.

SECTION 398d. 144.24 (7) (a) of the statutes is renumbered 144.24 (7) (a) 1 and amended to read:

144.24 (7) (a) 1. Upon the completion by an applicant of all application requirements, the department may enter into an agreement with a municipality for a grant of up to 60% of the eligible costs of a project, except as provided under sub. (4) (c), if the municipality is awarded a grant before July 1, 1989.

SECTION 398e. 144.24 (7) (a) 2 of the statutes is created to read:

144.24 (7) (a) 2. Upon the completion by an applicant of all application requirements, the department may enter into an agreement with a municipality for a grant of up to 55% of the eligible costs of the project, except as provided under sub. (4) (c), if the municipality is awarded a grant after June 30, 1989, but before July 1, 1990.

SECTION 398f. 144.24 (7) (c) 1 of the statutes is amended to read:

144.24 (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 appropriations under s. 20.370 (4) (cb) and (cf) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balances at the end of the preceding fiscal year for the appropriation under s. 20.370 (4) (cb) and the amount authorized under sub. (10). This subdivision is not applicable to grant awards provided during fiscal years 1985-86 and, 1986-87, 1988-89 and 1989-90.

SECTION 398g. 144.24 (7) (c) 2 of the statutes is amended to read:

144.24 (7) (c) 2. Metropolitan sewerage districts that serve 1st class cities are limited to new project grant awards of not more than $29,900,000 in fiscal year 1985-86 and, of not more than $35,300,000 in fiscal year 1986-87, of not more than $70,000,000 in fiscal year 1988-89 and of not more than $45,600,000 in fiscal year 1989-90 from the amounts authorized under sub. (10), plus any unallocated balances from the previous fiscal year as listed in this subdivision which the department determines, in accordance with its rules establishing a priority funding list under sub. (6), will be available for obligation during the succeeding fiscal year.

SECTION 398h. 144.24 (7) (c) 3 of the statutes is created to read:

144.24 (7) (c) 3. Sewerage districts that do not serve 1st class cities are limited to new project grant awards that, in the aggregate for all those sewerage districts, are not more than $70,500,000 in fiscal year 1988-89 and not more than $36,400,000 in fiscal year 1989-90 from the amounts authorized under sub. (10), plus any unallocated balances from the previous fiscal year as listed in this subdivision which the department determines, in accordance with its rules establishing a priority funding list under sub. (6), will be available for obligation during the succeeding fiscal year.

SECTION 398i. 144.24 (9) (c) of the statutes is amended to read:

144.24 (9) (c) The maximum state assistance the department may commit in each fiscal year before fiscal year 1989-90 for future reimbursement under this subsection is an amount equal to the amount authorized under sub. (10) plus any unallocated balances from the previous fiscal year as listed in this subdivision which the department determines, in accordance with its rules establishing a priority funding list under sub. (6), will be available for obligation during the succeeding fiscal year.

SECTION 398im. 144.24 (9m) (a) of the statutes is amended to read:

144.24 (9m) (a) The For fiscal year 1989-90, the advance commitment shall include a provision making the reimbursement of engineering design costs conditional on the award or making of a construction grant under this section or a loan under s. 144.241. If the financial assistance that the municipality receives for construction of a treatment work is a loan, the engineering design cost reimbursement shall be a loan. After June 30, 1990, and before September 1, 1990, the department may enter into an agreement with a municipality to provide engineering design costs under this subsection if the department makes an advance commitment for the reimbursement of those costs before July 1, 1990, and the municipality receives financial assistance under this section for construction.
SECTION 398k. 144.24 (10) of the statutes is amended to read:

144.24 (10) EXPENDITURE AUTHORIZATION. From the appropriation under s. 20.866 (2) (tn), the department is authorized an additional $49,400,000 in fiscal year 1985-86 and an additional $62,800,000 in fiscal year 1986-87 total amount which is authorized under that paragraph to be contracted for public debt and has not been expended, for new grants under this section for engineering design costs, construction costs and other costs which can be funded from bond revenue.

SECTION 398L. 144.24 (12) of the statutes is created to read:

144.24 (12) SUNSET. (a) Notwithstanding sub. (6), the department may not issue a grant award under the state program for a municipality that has not submitted to the department by January 2, 1989, a facility plan which meets the requirements of this section and is approvable by the department under this chapter.

(b) Notwithstanding sub. (6), the department may not issue a grant award under the state program for planning or construction work after June 30, 1990.

SECTION 398Ld. 144.241 of the statutes is created to read:

144.241 Clean water fund program. (1) DEFINITIONS. In this section:

(a) "Effluent limitation" has the meaning designated in s. 147.015 (6).

(b) "Enforceable requirement" means any of the following:

1. Those conditions or limitations of a permit under ch. 147 which, if violated, could result in the initiation of a civil or criminal action under s. 147.29.

2. Those provisions of s. 144.025 (2) (r) which, if violated could result in a departmental order under s. 144.025 (2) (s).

3. If a permit under ch. 147 has not been issued, those conditions or limitations which, in the department’s judgment, would be included in the permit when issued.

4. If no permit under ch. 147 applies, any requirement which the department determines is necessary for the best practicable waste treatment technology to meet applicable criteria.

(c) "Industrial user" means any of the following:

1. Any nongovernmental, nonresidential user of a publicly owned treatment work which discharges more than the equivalent of 25,000 gallons per day of sanitary wastes, other than domestic wastes or discharges from sanitary conveniences, or discharges a volume that has the weight of biochemical oxygen demand or suspended solids at least as great as the weight found in 25,000 gallons per day of sanitary waste from residential users, and which is identified in the standard industrial classification manual, 1972, federal office of management and budget, as amended and supplemented as of October 1, 1978, under one of the following divisions:

   a. Division A: agriculture, forestry, and fishing.

   b. Division B: mining.

   c. Division D: manufacturing.

   d. Division E: transportation, communications, electric, gas, and sanitary services.

   e. Division I: services.

2. Any nongovernmental user of a publicly owned treatment work which discharges wastewater to the treatment work which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal system, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

3. All commercial users of an individual system constructed with grant assistance under s. 144.24.

(d) “Treatment work” has the meaning designated in s. 147.015 (18).

(e) “Violator of an effluent limitation” means a person or municipality that after the effective date of this paragraph .... [revisor inserts date], is not in substantial compliance with the enforceable requirements of its permit issued under ch. 147 for a reason that the department determines is or has been within the control of the person or municipality.

(2) RULES. The department shall promulgate rules that are necessary for the proper execution of this section.

(3) ACCEPTANCE OF FEDERAL CAPITALIZATION GRANTS. The department may enter into an agreement under 33 USC 1382 with the administrator of the U.S. environmental protection agency to receive a capitalization grant under 33 USC 1381 to 1387. The agreement may contain any provision required by 33 USC 1382 with the administrator of the U.S. environmental protection agency.

(4) ANNUAL FINANCE PLAN. (a) By August 1 of each year, the department shall develop an annual finance plan. The department shall submit the annual finance plan to the building commission under s. 13.48 (26), to the joint committee on finance and to the chief clerk of each house of the legislature, for distribution under s. 13.172 (3) to the appropriate legislative standing committees generally responsible for legislation related to environmental issues. Within 30 days after receipt of the proposal, the joint committee on finance and each standing committee may submit to the building commission its recommendations and comments regarding whether the annual finance plan should be approved or disapproved. If the building commission disapproves an annual finance plan, the department shall submit a different annual finance plan to the building commission.
(b) The department may, under s. 20.370 (4) (je) and (jr) for the purposes specified in s. 25.43 (3). The pledge shall provide that the transfers be made at least twice yearly, that the transferred amounts be deposited in the clean water fund and that the transferred amounts are free of any prior pledge.

(d) The department shall have all other powers necessary and convenient to distribute the pledged revenues and to distribute the proceeds of the revenue obligations issued under this subsection.

(e) The department may enter into agreements with the federal government or its agencies, political subdivisions of this state, individuals or private entities to insure or in any other manner provide additional security for the revenue obligations issued under this subsection.

(f) Revenue obligations may be contracted by the department when it reasonably appears to the department that all obligations incurred under this subsection can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued under this subsection shall not exceed $1,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes. Not more than $900 of the $1,000 may be used for transfers to the clean water fund.

(g) Unless otherwise expressly provided in resolutions authorizing the issuance of revenue obligations or in other agreements with the holders of revenue obligations, each issue of revenue obligations under this subsection shall be on a parity with every other revenue obligation issued under this subsection and in accordance with subch. II of ch. 18.

(6) PURPOSES OF FINANCIAL ASSISTANCE. (a) The department may approve financial assistance under this section to municipalities for any of the following:

1. Planning, designing and constructing or replacing a treatment works.

2. Developing a management program established under 33 USC 1329 (b).

3. Developing and implementing a conservation and management plan under 33 USC 1330.

(b) In approving financial assistance, the department may use the following methods of providing financial assistance:

1. Purchasing or refinancing the debt obligation of a municipality if the debt was incurred to finance the cost of constructing a water pollution control project located in this state and the debt was initially incurred on or after the effective date of this subdivision .... [revisor inserts date].

2. Purchasing or refinancing the debt obligation of a municipality if the debt was incurred to finance the cost of constructing a water pollution control project located in this state and the debt was initially incurred after March 7, 1985, and before the effective date of this subdivision .... [revisor inserts date], if after giving
3. Guaranteeing, or purchasing insurance for, municipal obligations for the construction or replacement of a treatment work if the guarantee or insurance would improve credit market access or reduce interest rates.

4. Making loans at or below the market interest rate.

5. Providing financial hardship assistance under sub. (13) from the account under s. 25.43 (2) (b).

6. Making loans under sub. (20) for the purposes of that subsection.

(7) ELIGIBILITY. (a) The department shall, by rule, establish criteria for determining which applicants and which projects are eligible to receive financial assistance under this section. The primary criteria for eligibility shall be water quality and public health. The rules for projects funded from the account under s. 25.43 (2) (a) shall be consistent with 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations promulgated thereunder. The rules for projects funded from the account under s. 25.43 (2) (b) may be consistent with 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations promulgated thereunder.

(b) The department may approve financial assistance under this section for any of the following types of projects:

1. Projects that the department determines are necessary to prevent a municipality from significantly exceeding an effluent limitation contained in a permit issued under ch. 147.

2. Projects needed to provide treatment to achieve compliance with an enforceable requirement changed or established after the effective date of this subdivision .... [revisor inserts date], if the project is for a municipality that is in substantial compliance with its permit, issued under ch. 147, in regard to the changed or established enforceable requirements.

3. Projects for treatment work planning and design, except the planning and design listed under subd. 6.

4. Projects for unsewered municipalities.

5. Projects for the treatment of nonpoint source pollution and urban storm water runoff.

6. Projects for the planning, design, construction or replacement of treatment works that violate effluent limitations contained in a permit issued under ch. 147.

(8) INELIGIBILITY FOR AND LIMITATIONS ON FINANCIAL ASSISTANCE. (a) The following are not eligible for financial assistance under this section:

1. A person or municipality that has failed to substantially comply, as specified by the rules promulgated under sub. (2), with the terms of a federal or state grant or loan used to pay the costs of studies, investigations, plans, designs or construction associated with wastewater collection, transportation, treatment or disposal.

2. Connection laterals and sewer lines that transport wastewater from structures to municipally owned or individually owned wastewater systems.

(b) The amount of reserve capacity for a project eligible for loans with interest rates below the market rate, financial hardship assistance or financial assistance of a method specified under sub. (6) (b) 1, 2 or 3 is limited to that future capacity required to serve the users of the project expected to exist within the service area of the project 10 years after the project is estimated to become operational. The department, in consultation with the demographic services center in the department of administration under s. 16.96, shall promulgate rules defining procedures for projecting population used in determining the amount of reserve capacity.

(c) Financial assistance may be provided for the design, planning and construction of a treatment work project in an unsewered municipality or an unsewered area of a municipality, if the department finds that at least two-thirds of the expected flow will be for wastewater originating from residences in existence on October 17, 1972.

(d) An unsewered municipality that is not constructing a treatment work and will be disposing of wastewater in the treatment work of another municipality is not eligible for financial assistance under this section until it executes an agreement under s. 66.30 with another municipality to receive, treat and dispose of the wastewater of the unsewered municipality.

(e) Financial assistance may be provided to a municipality for a project only if the financial assistance is used for a project that is the most cost-effective alternative for the municipality without regard to financial assistance from the federal government and this state.

(f) Loans with interest rates below the market interest rate, financial hardship assistance or a method of financial assistance specified under sub. (6) (b) 1, 2 or 3 may not be provided for the portion of a project for the treatment of industrial wastes.

(g) The sum of all of the financial assistance to a municipality approved under this section for a project may not result in the municipality paying less than 10% of the cost of the project.

(9) APPLICATION. (a) A municipality which desires to participate in the program under this section shall submit an application for participation to the department. The application shall be in such form and include such information as the department prescribes. The department shall review applications for participation in the program under this section. The department shall determine which applications meet the requirements and criteria under subs. (4), (6), (7), (8), (10) and (13).

(b) A municipality seeking financial assistance for a project under this section shall complete a staged facility plan, design plans and specifications and an envi-
environmental analysis sequence as required by the department by rule.

(c) If a municipality is serviced by more than one sewerage district for wastewater pollution abatement, each service area of the municipality shall be considered a separate municipality for purposes of obtaining financial assistance under this section.

(d) The department 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.

(10) PRIORITY. (a) The department shall establish a priority list under 33 USC 1381 to 1387 which ranks each project. The ranking on the priority list shall be based on all of the following:

1. The type of project and the order in which it is listed under sub. (7) (b) 1 to 6.
2. The impact of the project on groundwater and surface water quality.
3. The impact of the project on public health.
4. Any other factor determined by the department.

(b) Each municipality shall, in a writing postmarked no later than December 31, notify the department of its intent to apply for financial assistance under this section in the next state fiscal year. Only those municipalities that so notify the department and that before July 1 of the next year submit a complete application meeting the requirements under sub. (9) (a), design plans and specifications if required under s. 144.04, which are approvable by the department under this chapter and a sequence meeting the requirements of sub. (9) (b) may be included on the funding list under par. (c) and considered for financial assistance under this section in the next state fiscal year.

(c) The department shall annually establish a funding list for each fiscal year that ranks projects of municipalities that submit a financial assistance application under sub. (9) and meet the requirements specified in par. (b) in the same order as they appear on the priority list established under par. (a).

(d) If sufficient funds are not available to fund all applications for financial assistance under this section in any fiscal year, the department shall allocate available funding to projects in the order in which they appear on the funding list under par. (c) for that year. The department may not issue a notice of commitment for financial assistance for a project that is on the funding list if the municipality is not ready to begin construction of the project within 3 months after the department is ready to issue a notice of commitment for financial assistance.

(e) If funds remain available for a fiscal year after providing financial assistance to all municipalities on the funding list under par. (c), the department may issue a notice of commitment for financial assistance to a municipality that meets all of the requirements under this section, except the requirement under par. (b) to submit a complete application and design plans and specifications, if required under s. 144.04, before July 1.

(f) Before July 1, 1991, the department may not approve applications for treatment work projects specified under sub. (7) (b) 4 for which financial assistance would total, for all of those treatment work projects, more than 5% of the total capital dollar amount established under s. 13.48 (26) for that fiscal year, unless all other applications on the funding list are approved first. Before July 1, 1991, the department may not approve applications for projects not specified under sub. (7) (b) 4 for which financial assistance would total, for all of those projects, more than 95% of the total capital dollar amount established under s. 13.48 (26) for that fiscal year, unless all applications under sub. (7) (b) 4 on the funding list are approved first.

(g) The requirements under pars. (b), (c), (d) and (f) do not apply to projects under sub. (7) (b) 3.

(11) APPROVAL. (a) The department shall specify the method by which financial assistance is to be provided for each application that it approves. The methods by which the department may provide financial assistance are the methods specified under sub. (6) (b).

(b) For municipalities meeting the financial hardship assistance requirements under sub. (13), the department may approve financial hardship assistance and shall specify the method by which it will provide financial hardship assistance, including but not limited to a combination of loans at or below the market rate and grants, deferred payment loans, state payment of the loan for a number of years, or longer amortization periods.

(c) The department may not approve financial assistance under this section for a project that is not on the priority list under sub. (10) (a).

(d) In approving financial assistance under this section, the department shall adhere, to the extent practicable, to the total capital dollar amount, by source, and the composite annual interest rate approved by the building commission under s. 13.48 (26).

(12) LOAN INTEREST RATES. (a) The department shall set the interest rate on loans under this section based on the type of project being funded as specified under sub. (7) (b) 1 to 6 and on any other factor that affects the market value of the loan that the department, by rule, provides. The interest rate may be set at different levels for the different types of projects. If interest rates are set at different levels for the different types of projects, the projects listed higher in order in which they are listed under sub. (7) (b) 1 to 6 shall receive lower interest rates and projects listed lower in the order in which they are listed under sub. (7) (b) 1 to 6 shall receive higher interest rates.

(b) A municipality that is a violator of an effluent limitation at the time that the loan is made may not receive a loan with interest below the market rate for that part of a treatment work project that is needed to correct the violation.
(e) The department may not provide a loan under this section, other than a market rate loan, for a project specified under sub. (8) (b) or for the part of the costs of a project that is for the treatment of industrial waste.

(13) Financial hardship assistance. (a) The department shall rank each municipality applying for financial assistance under this section based on its ability to pay for the construction and operation costs of its project. The department shall establish, by rule, the economic, socioeconomic and other factors it uses to rank the municipalities.

(b) The department shall consider all of the following factors in deciding which financial hardship assistance to approve:

1. The project's placement on the priority funding list under sub. (10) (c).
2. Each municipality's rank under par. (a).
3. The operational and construction costs of each project.
4. The total financial hardship assistance available under this subsection.

(c) The department may approve financial hardship assistance under this subsection only for a municipality for which the department approves financial assistance under sub. (11). A municipality that is a violator of an effluent limitation may not receive financial hardship assistance under this subsection for that part of a treatment work project that is needed to correct the violation.

(d) The department may approve financial hardship assistance under this subsection only for a municipality meeting the requirements of this subsection.

(e) The total amount of financial hardship assistance approved in any year under this subsection may not exceed 15% of the financial assistance approved annually under this section.

(f) The department may not approve financial hardship assistance under this section before January 1, 1991.

(14) Conditions of financial assistance. (a) A loan approved under this section shall be for no longer than 20 years, as determined by the department, be fully amortized not later than 20 years after the completion of the project that it funds except as provided under subs. (11) (b) and (13), as determined by the department, and require the repayment of principal and interest to begin not later than 12 months after the date of completion of the project that it funds, as determined by the department.

(b) As a condition of receiving financial assistance under this section, a municipality shall do all of the following:

1. Establish a dedicated source of revenue for the repayment of any financial assistance.
2. Pledge the security, if any, required by the rules promulgated by the department under this section.

3. Demonstrate to the satisfaction of the department the financial capacity to assure sufficient revenues to operate and maintain the project for its useful life and to pay the debt service on the obligations that it issues for the project.

4. Comply with those provisions of 33 USC 1381 to 1387, this chapter and ch. 147 and the regulations and rules promulgated thereunder that the department specifies.

5. Develop and adopt a program of water conservation as required by the department.

6. Develop and adopt a program of systemwide operation and maintenance of the treatment work, including the training of personnel, as required by the department.

7. Develop and adopt a system of equitable user charges to ensure that each recipient of treatment work services pays its proportionate share of the costs of the operation and maintenance of the treatment work. The user fee system shall be in compliance with 33 USC 1284 (b) and the regulations promulgated thereunder. The department may issue an exemption from the requirement imposed under this subdivision if a city or village imposes a system of equitable dedicated charges based upon assessed property values, if the city or village does not operate a treatment work but is served by a regional wastewater treatment plant operated by a metropolitan sewerage district created under ss. 66.88 to 66.918 and if the user charges imposed by that district are approved by the department and comply with 33 USC 1284 (b).

8. Demonstrate to the satisfaction of the department that the municipality is ready to begin construction within 90 days after it receives a notice of commitment for financial assistance under sub. (15).

(15) Financial assistance commitments. (a) Subject to pars. (b) and (c), the department shall issue a notice of financial assistance commitment to a municipality within 90 days after it approves the application under sub. (9) (a) and plans and specifications under s. 144.04. The notice shall include the conditions that the municipality must meet to secure the financial assistance and shall include the loan payment and repayment schedules and other terms of the financial assistance.

(b) The department may not issue a loan commitment notice to a municipality that the department determines is unlikely to be able to repay the principal and interest on it according to the terms of the financial assistance.

(c) The department may issue a financial assistance commitment notice to a municipality only after the annual finance plan for that year has been approved by the building commission under s. 13.48 (26).

(d) In each state fiscal year the department may issue, before building commission approval under s. 13.48 (26), a provisional notice of commitment for financial assistance for a project. The provisional
notice shall be contingent on approval of the annual finance plan.

(16) **FINANCIAL ASSISTANCE PAYMENTS.** (a) The department may make a financial assistance commitment to a municipality for which the department issues a notice of commitment under this section if the municipality meets the condition under sub. (14) (b) 8 and the other requirements established by the department under this section.

(b) If a municipality fails to make a principal repayment or interest payment within 180 days after its due date, the department shall file a certified statement of all amounts due under this section with the department of administration. After consulting the department, the department of administration may collect all amounts due by deducting those amounts from any state payments due the municipality or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the state treasurer and notify the department of that action.

(c) The department may not make the last payment under a financial assistance agreement until the department determines that the project is completed and the conditions of the financial assistance are met.

(17) **ADVANCED COMMITMENTS.** (a) The department shall, by rule, implement and administer reimbursement funding to municipalities as part of the financial assistance program under this section.

(b) The department shall promulgate rules specifying reimbursement eligibility and procedures for commitments of financial assistance. The rules shall specify that a reimbursement offer shall be made or committed:

1. To municipalities willing to apply for financial assistance conditioned upon capital available in the clean water fund and meeting the requirements of s. 13.48 (26).
2. To municipalities successfully completing all facility planning and design plans and specifications requirements under sub. (9) (b).
3. For all eligible costs consistent with subs. (7) and (8).
4. Before the start of construction of any reimbursable project under this section.
5. Subject to a priority determination system consistent with sub. (10).
6. Subject to the same provisions of payment under sub. (14).
7. Only if all required procedures under this section have been complied with.

(c) The maximum amount of financial assistance that the department may commit in any fiscal year for future financial assistance under this subsection is 25% of the amount approved for that fiscal year.

(18) **INITIAL FINANCIAL ASSISTANCE.** The department shall administer this section so as to permit the first financial assistance to be committed no later than February 1, 1990.

(19) **MUNICIPAL OBLIGATIONS.** The investment board may purchase or refinance debt obligations specified in sub. (6) (b) 1 or 2 and guarantee or purchase insurance for municipal obligations specified in sub. (6) (b) 3 if the department approves the financial assistance under this section and gives a notice of commitment for the financial assistance under this section.

(20) **LOANS FOR TRANSITION PROJECTS.** (a) Notwithstanding any other provision of this section, the municipality that submits to the department by January 2, 1989, a facility plan meeting the requirements of s. 144.24 which is approved under this chapter and that does not receive a grant award before July 1, 1990, only because there is insufficient grant funds under s. 144.24, is eligible to receive financial assistance under this subsection. The form of the financial assistance is a loan with an interest rate of 3.5% per year.

(b) Notwithstanding any other provision of this section, the department shall make all loans under par. (a) to municipalities ready to construct treatment works before the department provides or approves any other financial assistance under this section.

(21) **CONSTRUCTION.** This section shall be liberally construed in aid of the purposes of this section.
SECTION 398q. 144.30 (25) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

144.30 (25) "Volatile organic compound accommodation area" means Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha counties and any other county specified by the department by rule in response to a finding by the federal environmental protection agency that the county is to be included in the volatile organic compound accommodation area.

SECTION 398qm. 144.393 (9) of the statutes is created to read:

144.393 (9) RESTRICTION ON EMISSION REDUCTION OPTION PROGRAMS. (a) No emissions of volatile organic compounds may be used in an emission reduction option program if:

1. The program involves a grantee of emissions of volatile organic compounds that is different than the grantor of emissions of volatile organic compounds; and

2. The emissions of volatile organic compounds specified in the program are from a recorded source.

(b) In this subsection, "recorded source" means a stationary source in the volatile organic compound accommodation area owned or operated by any person who owns or operates on the effective date of this paragraph ... [revisor inserts date], a stationary source whose actual 1980 emissions of volatile organic compounds are recorded as zero in the 1982 plan approved by the U.S. environmental protection agency under 42 USC 7502 (a).

SECTION 398r. 144.40 (1) (e) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

144.40 (1) (e) Net offset credits are the sum of all allowable emissions of volatile organic compounds authorized to date attributable to sources subject to a plan approved by the U.S. environmental protection agency under 42 USC 7502 (a).

SECTION 398s. 144.40 (1) (e) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

144.40 (1) (e) Net offset credits are the sum of all allowable emissions of volatile organic compounds authorized to date attributable to sources subject to a plan approved by the U.S. environmental protection agency under 42 USC 7502 (a) or in reports submitted to the U.S. environmental protection agency under the plan minus the sum of the actual annual emissions of volatile organic compounds for the year 2 years before the specified year attributable to sources subject to a plan approved by the U.S. environmental protection agency under 42 USC 7502 (a) or in reports submitted to the U.S. environmental protection agency under the plan.
approved by the U.S. environmental protection agency under 42 USC 7502 (a) or in reports submitted to the U.S. environmental protection agency under the plan.

SECTION 3906. 144-34.11(41) of the statutes is amended to read:

144-44 (101) (4) Approved battery has the meaning under 144-44 (111) (4).

SECTION 3907. 144-44 (7) (b) and (c) of the statutes are amended to read:

144-44 (101) (6) Hazardous waste disposal facility means a hazardous waste facility as defined under 144-44 (101) (c) (4) (D) for disposal of hazardous waste located within the anticipated service area of the proposed facility.

SECTION 3908. 144-44 (2) (m) 1. of the statutes is amended to read:

144-44 (3) (m) 1. No person may construct a solid waste disposal facility or a hazardous waste facility under all procedures of 144-44 (4) which are applicable to the facility have been completed or until 6 months have passed after the department approves the plan of operation under subsection 1. whichever is later.

SECTION 3909. 144-44 (2) (p) 4. of the statutes is amended to read:

144-44 (2) (p) 4. The department may not approve a feasibility report for a solid waste disposal facility unless the design capacity of that facility does not exceed the expected waste to be disposed of at that facility within 15 years after the facility begins operation.

The department may not approve a feasibility report for a solid or hazardous waste disposal facility unless the design capacity of the facility exceeds the expected waste to be disposed of at that facility within 10 years after the facility begins operation except that this condition does not apply to the expansion of an existing facility.

The department may not approve a feasibility report for a solid or hazardous waste disposal facility unless it shows that the facility will meet sufficient waste from an existing approved solid or hazardous waste facility that the length of operation of the existing facility is expected to be extended by more than 5 years of from an existing approved facility at the location as a result of the operation of the new solid or hazardous waste disposal facility.

SECTION 3910. 144-44 (1) (o) 1. (5) of the statutes are amended to read:

144-44 (1) (o) 1. (5) The department, after considering the following factors to the extent such factors are determinative, of the need for the proposed facility, decides the facility to be approved under this section.

The department shall consider the following factors in establishing the need for the proposed facility:

1. An appropriate service area for the proposed facility which takes into account economic, topographic, and geographic factors.

2. The quantity of waste generated at the proposed facility and the quantity of waste generated within the anticipated service area of the proposed facility.

3. The quantity of waste generated at the proposed facility and the quantity of waste generated within the anticipated service area of the proposed facility.

4. The quantity of waste disposed of by each of the proposed facilities and the quantity of waste disposed of within the anticipated service area of the proposed facility.

5. The need for the proposed facility in the proposed service area.

SECTION 3911. 144-44 (2) (d) 1. of the statutes is amended to read:

144-44 (2) (d) 1. No person may construct a solid waste disposal facility or a hazardous waste facility under all procedures of 144-44 (4) which are applicable to the facility have been completed or until 6 months have passed after the department approves the plan of operation under subsection 1. whichever is later.

144-44 (2) (p) 4. of the statutes is amended to read:

144-44 (2) (p) 4. No person may construct a solid waste disposal facility or a hazardous waste facility under all procedures of 144-44 (4) which are applicable to the facility have been completed or until 6 months have passed after the department approves the plan of operation under subsection 1. whichever is later.

The department may not approve a feasibility report for a solid waste disposal facility unless the design capacity of that facility does not exceed the expected waste to be disposed of at that facility within 15 years after the facility begins operation.

The department may not approve a feasibility report for a solid or hazardous waste disposal facility unless the design capacity of the facility exceeds the expected waste to be disposed of at that facility within 10 years after the facility begins operation except that this condition does not apply to the expansion of an existing facility.

The department may not approve a feasibility report for a solid or hazardous waste disposal facility unless it shows that the facility will meet sufficient waste from an existing approved solid or hazardous waste facility that the length of operation of the existing facility is expected to be extended by more than 5 years of from an existing approved facility at the location as a result of the operation of the new solid or hazardous waste disposal facility.
Vetoed in Part

1. An expansion of or addition to an existing approved facility, which will result in a solid waste disposal facility, by the owner or operator of the approved facility on property which is contiguous to adjoining property which is owned or under option to lease to the owner or operator of the existing approved facility.

2. A proposed solid waste disposal facility owned or operated by a generator of single volume industrial waste in the county in which the proposed solid waste disposal facility is to be located.

3. A proposed solid waste disposal facility when the existing operating solid waste disposal facility is within a mile radius of the proposed disposal facility, which will be a high volume industrial waste disposal facility owned or operated by the generator of wastes to accommodate wastes generated on site.

4. A proposed solid waste disposal facility in a county with a population greater than 250,000.

5. A proposed solid waste disposal facility which is identified in a county solid waste management plan adopted under s. 144.437 (1) which is adopted after January 1, 1983.

SECTION 39. Secs. 144.44 (2) (m) 1 of the statutes is renumbered 144.44 (7) (2) (m) 1.

SECTION 40. Secs. 144.44 (7) (a) 1 and 2 of the statutes are amended by renumbering 144.44 (7) (2) (m) 1 and 2 and enacting to read:

144.44 (7) (a) 1. High volume, high volume, industrial waste, means as defined in subsection 144.44 (7) (a) 2 and 3.

144.44 (7) (a) 2. Municipal, means a city, village, town or any other political subdivision of the state.

SECTION 39. Secs. 144.44 (7) (2) (m) 1 of the statutes is renumbered 144.44 (7) (2).

SECTION 39. Secs. 144.44 (7) (2) (m) 2 of the statutes are amended by renumbering 144.44 (7) (2) (m) 2 and 3.

Vetoed in Part

1. Any expansion of or addition to an existing approved facility which will result in a solid waste disposal facility by the owner or operator of the approved facility on property which is contiguous to adjoining property which is owned or under option to lease to the owner or operator of the existing approved facility.

2. Any proposed solid waste disposal facility owned or operated by the generator of single volume industrial wastes in the county in which the proposed solid waste disposal facility is proposed to be located.

3. Any proposed solid waste disposal facility which is contiguous to an existing solid waste disposal facility, which will be a high volume industrial waste disposal facility owned or operated by the generator of wastes to accommodate wastes generated on site.

4. Any proposed solid waste disposal facility in a county with a population greater than 250,000.

5. Any proposed solid waste disposal facility which is identified in a county solid waste management plan adopted under s. 144.437 (1) which is adopted after January 1, 1983.

SECTION 40. Secs. 144.44 (7) (a) 1 and 2 of the statutes are amended by renumbering 144.44 (7) (a) 1 and 2 and enacting to read:

144.44 (7) (a) 1. High volume, high volume, industrial waste, means as defined in subsection 144.44 (7) (a) 2 and 3.

144.44 (7) (a) 2. Municipal, means a city, village, town or any other political subdivision of the state.

SECTION 39. Secs. 144.44 (7) (2) (m) 1 of the statutes is renumbered 144.44 (7) (2).

SECTION 39. Secs. 144.44 (7) (2) (m) 2 of the statutes are amended by renumbering 144.44 (7) (2) (m) 2 and 3.
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Vetoed in Part

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SECTION 398mrn. 144.445 (7n) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

144.445 (7n) ADDITIONAL MUNICIPAL PARTIES. (a) Agreement to add. Upon the written agreement of all parties to a negotiation and arbitration proceeding commenced under this section, a municipality which does not qualify as an affected municipality under s. 144.43 (1) may be added as a party to the proceeding.

(b) Siting resolution. If a municipality is added to the negotiation and arbitration proceeding under par. (a), it shall adopt a siting resolution under sub. (6) within 30 days of the agreement and otherwise comply with the other provisions of this section.

SECTION 398mrn. 144.445 (7n) of the statutes is created to read:

144.445 (7n) ADDITIONAL MUNICIPAL PARTIES. (a) Agreement to add. Upon the written agreement of all parties to a negotiation and arbitration proceeding commenced under this section, a municipality which does not qualify as an affected municipality under s. 144.43 (1) may be added as a party to the proceeding.

(b) Siting resolution. If a municipality is added to the negotiation and arbitration proceeding under par. (a), it shall adopt a siting resolution under sub. (6) within 30 days of the agreement and otherwise comply with the other provisions of this section.

Vetoed in Part
Vetoed in Part

SECTION 395 et seq. (10) of the statute is enacted to read:

144-445 (10) (a) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (b) of the statute is amended by adding to the end of the section:

144-445 (10) (b) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (c) of the statute is amended to read:

144-445 (10) (c) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (d) of the statute is amended to read:

144-445 (10) (d) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (e) of the statute is amended to read:

144-445 (10) (e) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (f) of the statute is amended to read:

144-445 (10) (f) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (g) of the statute is amended to read:

144-445 (10) (g) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (h) of the statute is amended to read:

144-445 (10) (h) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (i) of the statute is amended to read:

144-445 (10) (i) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (j) of the statute is amended to read:

144-445 (10) (j) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (k) of the statute is amended to read:

144-445 (10) (k) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (l) of the statute is amended to read:

144-445 (10) (l) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (m) of the statute is amended to read:

144-445 (10) (m) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (n) of the statute is amended to read:

144-445 (10) (n) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (o) of the statute is amended to read:

144-445 (10) (o) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (p) of the statute is amended to read:

144-445 (10) (p) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (q) of the statute is amended to read:

144-445 (10) (q) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (r) of the statute is amended to read:

144-445 (10) (r) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (s) of the statute is amended to read:

144-445 (10) (s) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (t) of the statute is amended to read:

144-445 (10) (t) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (u) of the statute is amended to read:

144-445 (10) (u) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (v) of the statute is amended to read:

144-445 (10) (v) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (w) of the statute is amended to read:

144-445 (10) (w) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (x) of the statute is amended to read:

144-445 (10) (x) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (y) of the statute is amended to read:

144-445 (10) (y) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.

SECTION 395 et seq. (10) (z) of the statute is amended to read:

144-445 (10) (z) The board may issue a decision on the appropriateness of the location of the facility and the past performance of the applicant within 40 days after the date of the notice of receipt.
Vetoed in Part

The vetoed in part notice indicates that the section or the entire document was not appropriate or the applicant's past performance is not adequate, the application may not continue to operate the facility.

SECTION 395r. 144.441 (1) (i) of the statutes is amended to read:

144.441 (1) (i) Order for final offers. The Planning Board of a county, or the county board of a county, if a county has only one board, shall give a notice regarding the applicant and the local committee to submit their respective final offers on dates other than those considered under par. (c) to the board within 30 days after the date of the notice.

SECTION 395t. 144.449 (1) (g) of the statutes is amended to read:

144.449 (1) (g) The authority to negotiate a local agreement under s. 144.839 (3).

SECTION 398s. 144.838 (1) (g) of the statutes is created to read:

144.838 (1) (g) Negotiating a local agreement under s. 144.839 (3).

SECTION 398t. 144.839 of the statutes is created to read:

144.839 Local agreements. (1) A county, town, village, city or tribal government which requires an operator to obtain an approval or permit under a zoning or land use ordinance may, individually or in conjunction with other counties, towns, villages, cities, or tribal governments enter into one or more agreements with an operator for the development of a mining operation.

(2) An agreement under sub. (1) shall include all of the following:

(a) A legal description of the land subject to the agreement and the names of its legal and equitable owners.

(b) The duration of the agreement.

(c) The uses permitted on the land.

(d) A description of any conditions, terms, restrictions or other requirements determined to be necessary by the county, town, village, city or tribal government for the public health, safety or welfare of its residents.

(e) A description of any obligation undertaken by the county, town, village, city or tribal government to enable the development to proceed.

(f) The applicability or nonapplicability of county, town, village, city or tribal ordinances, approvals or resolutions.

(g) A provision for the amendment of the agreement.

(h) Other provisions deemed reasonable and necessary by the parties to the agreement.

(3) A county, town, village, city or tribal government may authorize the local impact committee appointed under s. 144.838 to negotiate an agreement under this section, but the agreement may not take effect until approved by the county, town, village, city or tribal government in accordance with sub. (4).

(4) The county, town, village, city or tribal government shall hold a public hearing on an agreement under sub. (1) before its adoption. Notice of the hearing shall be provided as a class 2 notice, under ch. 985. After the public hearing, the governing body of each county, town, village, city or tribal government which is to be a party to the agreement must approve the agreement in a public meeting of the governing body.

SECTION 399s. 146.022 (2) (am) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

146.022 (2) (am) The department shall make grants under s. 20.435 (1) (a) and (am) to the local impact committee authorized under s. 144.838 or 144.839 to hire personnel to provide services to individuals with or at risk of contracting acquired immune deficiency syndrome, as follows:

SECTION 400s. 146.022 (2) (i) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

146.022 (2) (i) Contracts for counseling and laboratory testing services. The department shall contract with organizations to provide, at alternate testing
sites, anonymous counseling services and laboratory
testing services for the presence of HIV.

SECTION 400m. 146.027 of the statutes is created
to read:

**146.027 Cancer control grants. (1) DEFINITIONS. In this section:**

(a) “Institution” means any hospital, nursing
home, county home, county mental hospital, tubercu-
losis sanatorium, community-based residential facility
or other place licensed or approved by the department
under ss. 49.14, 49.16, 49.171, 50.02, 50.03, 50.035,
51.08, 51.09, 58.06, 149.01 and 149.02.

(b) “Nonprofit corporation” means a nonstock,
nonprofit corporation organized under ch. 181.

(c) “Organization” means a nonprofit corporation
or a public agency which proposes to provide services
to individuals.

(d) “Public agency” means a county, city, village,
town or school district or an agency of this state or of
a county, city, village, town or school district.

(2) From the appropriation under s. 20.435 (1) (cc),
the department shall allocate up to $400,000 in state
dependent annual fiscal year 1988-89 to provide grants to applying individu-
als, institutions or organizations for the conduct of projects on cancer control and prevention. Funds
shall be awarded on a matching basis, under which,
for each grant awarded, the department shall provide
50%, and the grantee 50%, of the total grant funding.

(3) The department shall promulgate rules estab-
lishing the criteria and procedures for the awarding of
grants for projects under sub. (2).

SECTION 401e. 146.25 (1) of the statutes, as cre-
ated by 1987 Wisconsin Act .... (Assembly Bill 247), is
repealed and recreated to read:

146.25 (1) Before July 1, 1990, the department shall
initially certify a laboratory or renew certification for
a certified laboratory for performance of chemical analyses, or confirmations of chemical analyses, or both, of urine to detect the presence of a controlled
substance, as defined under s. 161.01 (4), if all of the
following occur:

(a) The department determines that the applicant
laboratory meets or, if certified, continues to meet the
requirements of sub. (5) (a) to (c), (f) and (g).

(b) The applicant laboratory submits an applica-
tion for initial certification or certification renewal,
together with an initial or renewal certification fee.

SECTION 401g. 146.25 (1m) of the statutes is cre-
ated to read:

146.25 (1m) After June 30, 1990, the department
shall initially certify a laboratory or renew certification
for a certified laboratory for performance of chemical analyses and confirmations of chemical analyses
of urine to detect the presence of a controlled sub-
stance, as defined under s. 161.01 (4), if all of the
following occur:

(a) The department determines that the applicant
laboratory meets or, if certified, continues to meet the
requirements of sub. (5) (a) to (c), (f) and (g).

(b) The applicant laboratory submits an applica-
tion for initial certification or certification renewal,
together with an initial or renewal certification fee.

SECTION 401j. 146.25 (2) of the statutes, as cre-
ated by 1987 Wisconsin Act .... (Assembly Bill 247), is
repealed and recreated to read:

146.25 (2) (a) Before July 1, 1990, the initial certifi-
cation or certification renewal under sub. (1) expires
on December 31 of each year.

(b) After June 30, 1990, the initial certification or
certification renewal under sub. (1m) expires on
December 31 of each year.

SECTION 401L. 146.25 (4) of the statutes, as cre-
ated by 1987 Wisconsin Act .... (Assembly Bill 247), is
repealed and recreated to read:

146.25 (4) (a) Before July 1, 1990, the department
shall publish and periodically update a list of labora-
tories certified under sub. (1) that indicates the con-
trolled substances for which the laboratory is certified
to perform analyses, or confirmations of chemical analyses, or both, and shall provide a copy of the list
to an employer, as defined in s. 103.155 (1) (c), upon
request.

(b) After June 30, 1990, the department shall pub-
ish and periodically update a list of laboratories certi-
fied under sub. (1m) that indicates the controlled
substances for which the laboratory is certified to per-
form analyses and confirmations of chemical analyses
and shall provide a copy of the list to an employer, as
defined in s. 103.155 (1) (c), upon request.

SECTION 401n. 146.25 (5) (c) of the statutes, as cre-
ated by 1987 Wisconsin Act .... (Assembly Bill 247), is
repealed and recreated to read:

146.25 (5) (c) 1. Before July 1, 1990, standards for
ensuring the integrity of a urine sample throughout
the collection and analysis process.

2. After June 30, 1990, standards for ensuring the
integrity of a urine sample throughout the collection and analysis process, including the requirement that
performing an analysis, confirming positive results of
an analysis, interpreting analysis results and communicat-
ing analysis results to the employer be under-
taken by the same laboratory for any particular urine
sample.

SECTION 401p. 146.25 (5) (g) of the statutes, as cre-
ated by 1987 Wisconsin Act .... (Assembly Bill 247), is
repealed and recreated to read:

146.25 (5) (g) 1. Before July 1, 1990, the length of
time, and conditions under which, a laboratory is
required to retain a urine sample for which chemical
analysis or confirmation of a chemical analysis is
requested.

2. After June 30, 1990, the length of time, and condi-
tions under which, a laboratory is required to retain
a urine sample for which chemical analysis and, if
analysis results are positive, confirmation of a chemical analysis are requested.

SECTION 401q. 146.25 (6) of the statutes, as created by 1987 Wisconsin Act ..., (Assembly Bill 247), is repealed and recreated to read:

146.25 (6) (a) Before July 1, 1990, no laboratory certified under sub. (1) may provide to an employer information concerning a positive result of a chemical analysis of urine for the presence of a controlled substance for an employee unless the result has been confirmed under the standards established under sub. (5) (b).

(b) After June 30, 1990, no laboratory certified under sub. (1m) may provide to an employer information concerning a positive result of a chemical analysis of urine for the presence of a controlled substance for an employee unless the result has been confirmed under the standards established under sub. (5) (b).

SECTION 401r. 146.35 (6) of the statutes is repealed and recreated to read:

146.35 (6) LICENSE RENEWAL. Every holder of an emergency medical technician — advanced (paramedic) license shall renew it biennially on July 1 by applying to the department on forms provided by the department. As a prerequisite to renewal of an emergency medical technician — advanced (paramedic) license, the licensee shall complete the training, education or examination requirements specified in rules which the department shall promulgate in conjunction with the board of vocational, technical and adult education. Upon receipt of an application for renewal containing documentation acceptable to the department that the requirements of this subsection have been met, the department shall renew the license unless the department finds that the applicant has acted in a manner or under circumstances constituting grounds for suspension or revocation of the license.

SECTION 403b. 146.35 (9) (b) of the statutes, as created by 1987 Wisconsin Act 70, is amended to read:

146.35 (9) (b) Notwithstanding par. (a), a licensed emergency medical technician — advanced (paramedic) who is an authority, as defined in s. 19.32 (1), may make available, to any requester, information contained in a record covered under par. (a) which identifies the emergency medical technician — advanced (paramedic) involved; date of the call; ambulance dispatch and response times; reason for the dispatch; location to which the ambulance was dispatched; and, destination, if any, to which a patient was transported by ambulance; and name, age and gender of the patient. No information disclosed under this paragraph may contain patient names or details of the medical history or condition of or emergency treatment rendered to any patient.

SECTION 403bg. 146.37 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

146.37 (1) No Except as provided in s. 153.85, no person acting in good faith who participates in the review or evaluation of the services of health care providers or facilities or the charges for such services conducted in connection with any program organized and operated to help improve the quality of health care, to avoid improper utilization of the services of health care providers or facilities or to determine the reasonable charges for such services, or who participates in the obtaining of health care information under ch. 153, is liable for any civil damages as a result of any act or omission by such person in the course of such review or evaluation. Acts and omissions to which this subsection applies include, but are not limited to, acts or omissions by peer review committees or hospital governing bodies in censuring, reprimanding, limiting or revoking hospital staff privileges or notifying the medical examining board under s. 50.36 or taking any other disciplinary action against a health care provider or facility.

SECTION 403bm. 146.50 (12) (b) of the statutes, as created by 1987 Wisconsin Act 70, is amended to read:

146.50 (12) (b) Notwithstanding par. (a), a licensed ambulance service provider license or an ambulance attendant license shall renew it biennially on July 1 by applying to the department on forms provided by the department. As a prerequisite to renewal of an ambulance service provider license or an ambulance attendant license, the licensee shall complete the training, education or examination as a prerequisite to renewal of an ambulance service provider license. Upon receipt of an application for renewal containing documentation acceptable to the department that the requirements of this subsection have been met, the department shall renew the license unless the department finds that the applicant has acted in a manner or under circumstances constituting grounds for suspension or revocation of the license.

SECTION 403bk. 146.50 (10) of the statutes is repealed and recreated to read:

146.50 (10) LICENSE RENEWAL. Every holder of an ambulance service provider license or an ambulance attendant license shall renew it biennially on July 1 by applying to the department on forms provided by the department. As a prerequisite to renewal of an ambulance attendant license, the licensee shall complete the training, education or examination requirements specified in rules which the department shall promulgate in conjunction with the board of vocational, technical and adult education. The department may not require training, education or an examination as a prerequisite for renewal of an ambulance service provider license. Upon receipt of an application for renewal containing documentation acceptable to the department that the requirements of this subsection have been met, the department shall renew the license unless the department finds that the applicant has acted in a manner or under circumstances constituting grounds for suspension or revocation of the license.
name, age and gender of the patient. No information disclosed under this paragraph may contain names of details of the medical history, condition or emergency treatment of any patient.

SECTION 403br. 146.81 (1) of the statutes, as affected by 1987 Wisconsin Act 264, is amended to read:

146.81 (1) “Health care provider” means a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, podiatrist or physical therapist licensed or an occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a partnership thereof, a corporation thereof that provides health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employees in its own facility, or an inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) or 140.86.

SECTION 403c. 146.817 (title) and (1) of the statutes, as created by 1987 Wisconsin Act 27, are amended to read:

146.817 (title) Preservation of fetal monitor tracings and microfilm copies. (1) In this section, “fetal monitor tracings tracing” means documentation of the heart tones of a fetus during labor and delivery of the mother of the fetus that are recorded from an electronic fetal monitor machine.

SECTION 403d. 146.817 (2) of the statutes, as created by 1987 Wisconsin Act 27, is repealed and recreated to read:

146.817 (2) (a) Unless a health care provider has first made and preserved a microfilm copy of a patient’s fetal monitor tracing, the health care provider may delete or destroy part or all of the patient’s fetal monitor tracing only if 35 days prior to the deletion or destruction the health care provider provides written notice to the patient.

(b) If a health care provider has made and preserved a microfilm copy of a patient’s fetal monitor tracing and if the health care provider has deleted or destroyed part or all of the patient’s fetal monitor tracing, the health care provider may delete or destroy part or all of the microfilm copy of the patient’s fetal monitor tracing only if 35 days prior to the deletion or destruction the health care provider provides written notice to the patient.

(c) The notice specified in pars. (a) and (b) shall be sent to the patient’s last-known address and shall inform the patient of the imminent deletion or destruction of the fetal monitor tracing or of the microfilm copy of the fetal monitor tracing and of the patient’s right, within 30 days after receipt of notice, to obtain the fetal monitor tracing or the microfilm copy of the fetal monitor tracing from the health care provider.

(d) The notice requirements under this subsection do not apply after 5 years after a fetal monitor tracing was first made.

SECTION 403e. 146.82 (2) (a) 9 of the statutes is amended to read:

146.82 (2) (a) 9. To staff members of the protection and advocacy agency designated under s. 51.62 (2) or to staff members of the private, nonprofit corporation with which the agency has contracted under s. 51.62 (3) (a) 3, if any, for the purpose of protecting and advocating the rights of a person with development disabilities, as defined under s. 51.62 (1) (a), who resides in or who is receiving services from an inpatient health care facility, as defined under s. 51.62 (1) (b), or a person with mental illness, as defined under s. 51.62 (1) (bm), except that if the patient has a guardian information concerning the patient obtainable by staff members of the agency or nonprofit corporation with which the agency has contracted is limited to the name, birth date and county of residence of the patient, information regarding whether the patient was voluntarily admitted, involuntarily committed or protectively placed and the date and place of admission, placement or commitment, and the name and address of any guardian of the patient and the date and place of the guardian’s appointment. Any staff member who wishes to obtain additional information shall notify the patient’s guardian in writing of the request and of the guardian’s right to object. The staff member shall send the notice by mail to the guardian’s address. If the guardian does not object in writing within 15 days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within 15 days after the notice is mailed, the staff member may not obtain the additional information.

SECTION 403f. 147.033 (title) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

147.033 (title) Groundwater fee, waste water management fee, well compensation fee.

SECTION 403g. 147.034 (1) of the statutes is amended to read:

147.034 (1) (a) If the department determines that the discharge of effluent or disposal of sludge or solid waste is a source of well contamination to which compensation has been paid under s. 147.027 or 147.028, the department shall impose a well compensation fee on any holder of a permit who discharges effluent on land or produces sludge at a treatment works which is disposed of on land. The well compensation fee shall be in addition to the groundwater fee imposed under sub. (1) and the wastewater management fee imposed under sub. (2). The amount of the well compensation fee under this subsection shall be determined according to the procedures in s. 143.0129.
SECTION 403ev. 147.26 (2) (intro.) of the statutes is amended to read:

147.26 (2) (intro.) All plans submitted under s. 144.04 after July 22, 1973, for new treatment works, or modifications of treatment works, which will be eligible for construction grants under s. 144.21 or 144.24 or 144.241, shall contain:

SECTION 403ex. 147.30 (2) of the statutes is amended to read:

147.30 (2) Financial assistance under s. 144.21 or 144.24 or 144.241; and

SECTION 403f. 149.07 (3) of the statutes is amended to read:

149.07 (3) The department shall appoint an advisory committee on tuberculosis control to assist the department in developing rules and standards for tuberculosis treatment and operation of tuberculosis facilities giving inpatient and outpatient tuberculosis care, consisting of 9 or 8 members appointed for staggered 3-year terms, consisting of a member of the health policy council nominated by the chairman thereof, a member of the Wisconsin sanatorium trustees association nominated by that organization, a member of the Wisconsin hospitals association, a member of a nursing home association, a member of the Wisconsin counties association representing a county operating a tuberculosis treatment facility, a member of a local public health association, 2 public members with a demonstrated interest in the care and treatment of tuberculosis and a specialist in the care and treatment of tuberculosis nominated by the section on chest diseases of the state medical society of Wisconsin.

SECTION 403g. 150.01 (2) of the statutes is amended to read:

150.01 (2) "Affected party" means the applicant, health systems agencies and other local planning agencies, governmental agencies, other persons providing similar services in the applicant's service area, the public to be served by the proposed project, 3rd party payers and any other person who the department determines to be affected by an application for approval of a project.

SECTION 403h. 150.01 (11) of the statutes is repealed.

SECTION 403i. 150.33 (3m) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

150.33 (3m) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. Each applicant shall provide any required additional information within 30 days following the closing date for accepting applications specified in sub. (3). The department may not accept for review any incomplete application if it fails to receive the additional information within this 30-day period until it issues another public notice soliciting applications under sub. (1). The department shall declare the application complete on the date on which both the department and the applicable health systems agency receive all the required information.

SECTION 403j. 150.34 (2) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

150.34 (2) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. The department shall declare the application complete on the date on which both the department and the applicable health systems agency receive all the required information.

SECTION 403k. 150.35 (2) to (3m) and (4) (a) of the statutes, as affected by 1987 Wisconsin Act 27, are amended to read:

150.35 (2) Each health systems agency The department shall hold a public meeting upon the request of an affected party to review applications under s. 150.33 or 150.34 seeking approval in its service area, at which all affected parties may present testimony. The health systems agency department shall make recommendations on these applications within 60 days after the department issues its notice under s. 150.33 (4) or 150.34 (3) declaring all applications complete. The health systems agency department shall keep minutes or other record of testimony presented at the public meeting and shall send a copy of this record and its recommendations to the department. If an applicant seeks approval of a project outside the service area of any health systems agency, the department shall conduct the public meeting under this subsection and formulate recommendations based on the testimony.

(3) Except as provided under sub. (3m), the department shall issue an initial finding to approve or reject the application within 75 days after the date it publishes its notice under s. 150.33 (4) or 150.34 (3), unless all applicants consent to an extension of this period. The department may extend by 60 days the review cycle of all applications being concurrently reviewed if it finds that completing the reviews within 75 days after the date it publishes its notice under s. 150.33 (4) or 150.34 (3) is not practicable due to the volume of applications received from any health planning area. The department shall base its initial finding on a comparative analysis of applications, relying on the criteria specified in s. 150.39 and the recommendations received from the health systems agency formulated under sub. (2). The applicant has the burden of proving, by a preponderance of the evidence, that each of the criteria specified in s. 150.39 has been met or does not apply to the project. The department may
approve fewer additional nursing home beds than allowed by the statewide bed limit if the cost of adding those beds exceeds the medical assistance allocation for new beds projected in s. 150.31 (1) (e). Unless an adversely affected applicant or health systems agency makes a timely request for a public hearing under sub. (4), the department's initial finding under this subsection is its final action.

(3m) The department may receive any application which was developed under a plan of correction, as defined in s. 50.01 (4r), previously approved by the department and which does not add beds to the current licensed bed capacity of a health planning area, or any application involving a cost overrun submitted under s. 150.11 (3). Subsection (2) does not apply to these applications. The applicable health systems agency shall submit its recommendation on applications submitted under this subsection within 55 days after receipt of a complete application by both the health planning agency and the department. Within 60 days after it receives a completed application, the department shall, according to procedures it promulgates by rule, review the application and issue its initial finding. No public meeting need be held on any project submitted under this subsection. Unless an adversely affected applicant or health systems agency makes a timely request for a public hearing under sub. (4), the department's initial finding under this subsection is its final decision.

(4) (a) Any applicant whose project is rejected or any adversely affected health systems agency may request a public hearing to review the department’s initial finding under sub. (3) or (3m), if the request is submitted in writing within 10 days after the department’s decision. The department shall commence the hearing within 30 days after receiving a timely request, unless all parties consent to an extension of this period.

SECTION 403L. 150.39 (intro.) of the statutes is amended to read:

150.39 Review criteria and standards. (intro.) The department shall use the following criteria in reviewing each application under this subchapter, plus any additional criteria it develops by rule. The department shall consider cost containment as its first priority in applying these criteria, and shall consider the recommendations of health systems agencies and the comments of affected parties. The department may not approve any project under this subchapter unless the applicant demonstrates:

SECTION 403Lg. 150.39 (9) of the statutes is amended to read:

150.39 (9) The project is consistent with the state health plan created under s. 144.25 (1) (e) 140.82 (1) (b).

SECTION 403Lr. 150.43 (intro.) and (2) of the statutes are amended to read:

150.43 Judicial review. (intro.) Any applicant or health systems agency adversely affected by a decision of the department under s. 150.35 (4) may petition for judicial review of the decision under s. 227.52. The scope of judicial review shall be as provided in s. 227.57 and the record before the reviewing court shall consist of:

(2) The recommendations of the health systems agency or of the department under s. 150.35 (2).
(6) "Office" means the office of health care information.

(7) "Patient" means a person who receives health care services from a health care provider.

(8) "Payer" means a 3rd party payer, including an insurer, as defined in s. 600.03 (27), federal, state or local government or another who is responsible for payment of a hospital charge.

(9) "Uniform patient billing form" means, for a hospital, the uniform billing form UB-82/HCFCA-1450 developed by the national uniform billing committee or, for an ambulatory surgery center, the health insurance claim form HCFCA-1500.

153.05 Collection and dissemination of health care and related information. (1) In order to provide to hospitals, health care providers, insurers, consumers, governmental agencies and others information concerning hospital service utilization, charges, revenues, expenditures, mortality and morbidity rates and care of indigents, and in order to provide information to assist in peer review for the purpose of quality assurance, the office shall collect, analyze and disseminate, in language that is understandable to lay persons, health care information obtained from the following data sources:

(a) Uniform patient billing forms.

(b) Federal medicare cost reports.

(c) Hospital reports that include all of the following:

1. Identification of charges in each hospital's most recent entire fiscal year for up to 100 charge elements, as selected by the office, and identification of the increase or decrease in charges for each of these charge elements from amounts charged during the hospital's entire fiscal year that is nearest in time to the hospital's most recent entire fiscal year.

2. The dollar amount of total gross and net revenue increases or decreases from each hospital's most recent entire fiscal year that is nearest in time to the hospital's most recent entire fiscal year.

3. The dollar amount of gross and net revenue increases or decreases from each hospital's most recent entire fiscal year that is nearest in time to the hospital's most recent entire fiscal year and that is attributable to the sum of increases or decreases in all charge elements.

(d) Hospital-specific charity care reports, plans and projections.

(e) Final audited financial statements of hospitals, which statements shall include all of the following:

1. For the hospital's most recent entire fiscal year, as a dollar amount, the amount of gross revenue, net operating income, total operating expenses and operating expense of the hospital, in categories specified by the department by rule.

2. For the hospital's most recent entire fiscal year, as a dollar amount, the amount of total expenditures for the hospital.

(2) The office shall provide copies of reports published under ss. 153.10 to 153.35 at no charge to hospitals assessed under s. 153.60 (1) and, if assessed, at no charge to ambulatory surgery centers assessed under s. 153.60 (2). The office shall provide copies of the reports to any person, upon the person's request, and the board shall advise the bureau as to whether the copies shall be provided at no charge or at a charge not to exceed the cost of printing, copying and mailing the report to the person.

(3) Upon request of the office, state agencies shall provide health care information to the office for use in preparing reports under ss. 153.10 to 153.35.

(4) (a) Before July 1, 1990, the office, under rules promulgated by the department, shall require hospitals to use, and private-pay patients and payers who are insurers to accept, uniform patient billing forms, shall require hospitals to submit to the office the information provided on the billing forms and may require payers who are insurers to use a standard set of definitions for base data reporting under a uniform patient billing form.

(b) Before April 1, 1992, the office, under rules promulgated by the department, may require ambulatory surgery centers to use uniform patient billing forms and other information, and, if so requiring, shall require ambulatory surgery centers to submit to the office the information provided on the billing forms using a standard set of definitions for base data reporting.

(5) The office:

(a) Shall require hospitals to submit information regarding medical malpractice, staffing levels and patient case-mix, and expenditures related to labor relations consultants, as specified by the office.

(b) May require hospitals to submit to the office information from sources identified under sub. (1) (a) to (e) that the office deems necessary for the preparation of reports, plans and recommendations under ss. 153.10 to 153.35 and any other reports required of the office in the form specified by the office.

(bm) Shall require a hospital to submit to the office information from sources identified under sub. (1) (e) by the date that is 4 months following the close of the hospital's fiscal year unless the office grants an extension of time to file the information.

(6) If the requirements of s. 153.07 (2) are first met, the office may contract with a public or private entity that is not a major purchaser, payer or provider of health care services in this state for the provision of data processing services for the collection, analysis and dissemination of health care information under sub. (1) or the department shall provide the services under s. 153.07 (2).
(7) The office may require each insurer, as defined in s. 600.03 (27), authorized to write disability insurance to submit to the office information obtained on uniform patient billing forms regarding reported claims for health care services which insureds who are residents of this state obtain in another state.

(8) Beginning April 1, 1992, the office shall collect, analyze and disseminate, in language that is understandable to lay persons, health care information under the provisions of this chapter, as determined by rules promulgated by the department, from health care providers, as defined by rules promulgated by the department, other than hospitals and ambulatory surgery centers. Data from physicians shall be obtained through sampling techniques in lieu of collection of data on all patient encounters and data collection procedures shall minimize unnecessary duplication and administrative burdens.

(9) The office shall provide orientation and training to physicians, hospital personnel and other health care providers to explain the process of data collection and analysis and the procedures for data verification, interpretation and release.

(10) The office shall require hospitals to publish a class 1 notice under ch. 985 at least 10 days prior to the institution by a hospital of a rate increase. The notice shall include the following paragraphs and the resulting increase in rates to the hospital and to the hospital's patients. This notice shall include the rate change and the number of patients to whom uncompensated health care services were provided by each hospital.

(11) In order to elicit public comment concerning the reports required under ss. 153.10 to 153.35, the office shall, following the release of the reports and by a date that is determined by the board, provide notice of and hold public hearings on the reports in regions of the state as determined by the boards of the department having responsibility for health.

(12) The office shall, to the extent possible and upon request, assist members of the public in interpreting data in health care information disseminated by the office.

153.07 Board powers and duties. (1) The board shall advise the director of the office with regard to the collection, analysis and dissemination of health care information required by this chapter.

(2) The board, upon advice of the office, shall first determine whether to contract for services pursuant to s. 153.05 (6). If the board determines to contract for such services, it shall approve specifications for a contract including the length of the contract and the standards for determining potential contractor conflicts with the purposes of the office as specified under s. 153.05 (1). In the alternative, the board may direct the office to have the department provide the services under s. 153.05 (6). The board may subsequently determine to contract for these services in subsequent years. If the board decides to bid the contract for services under s. 153.05 (6), the department may offer a bid as would any other potential contractor. The board shall evaluate a contractor's performance 6 months prior to the close of each existing contract.

(3) The board shall approve all rules which are proposed by the department for promulgation to implement this chapter.

153.10 Health care data reports. (1) Beginning in 1990 and quarterly thereafter, the office shall prepare and submit to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2), a report analyzing the relative rate of growth of health care costs in this state compared to the rest of the nation and compared to the midwest region. The report shall include, to the extent the data are available, comparisons among this state, the rest of the nation and the midwest region of all of the following for the preceding year:

(a) Health care costs per person.
(b) Hospital revenues and expenditures per person.
(c) Changes in total hospital revenues and expenditures.
(d) Average charges for health care services provided by hospitals and for diagnostic-related groups provided by hospitals.

153.15 Small area analysis reports. Beginning in 1990 and annually thereafter, the office shall prepare and submit to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) reports identifying health care services or procedures provided by one or more hospitals in specific areas of the state for which the rate of utilization of the service or procedure is significantly different than the state or area average.

153.20 Indigent health care report. (1) Beginning in 1990 and annually thereafter, the office shall prepare and submit to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a report setting forth the number of patients to whom uncompensated health care services were provided by each hospital and the total costs of the health care services provided to the patients for the preceding year, together with the number of patients and the total costs that were pro-
projected by the hospital for that year in the plan filed under sub. (2).

(2) Beginning in 1990 and annually thereafter, every hospital shall file with the office a plan setting forth the projected number of patients to whom uncompensated health care services will be provided by the hospital and the projected total costs of the health care services to be provided to the patients for the ensuing year.

153.25 Mortality and morbidity report. Beginning in 1990 and annually thereafter, the office shall prepare and submit to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) reports setting forth mortality and morbidity rates for every hospital. Before the release of a report under this section, the office shall provide the physicians, hospitals or other health care providers identified in the report with the opportunity to review and comment under s. 153.40 (6).

153.30 Health care insurance report. Beginning in 1990 and annually thereafter, the office and the office of the commissioner of insurance may jointly prepare and submit to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a report specifying, to the extent possible, on a regional basis, the number, nature of coverage and costs of health care coverage plans covering residents of this state during the preceding year.

153.35 Report by the office. The office shall, by October 1, 1989, and annually thereafter, under rules promulgated by the department, submit under s. 13.172 (3) a report to the chief clerk of each house of the legislature for distribution to standing committees with jurisdiction over health matters, that shall include all of the following:

1. The range, median and mean of charges and increases or decreases in specific charges by hospitals for up to 100 charge elements, as selected by the office, as reported to the office under s. 153.05 (1) (c) 1.

2. Comparisons, among hospitals, of increases or decreases in gross revenues, net revenues, charges or charge elements, as reported under s. 153.05 (1) (c) 2 and 3 and (e).

153.40 Procedures for data verification and review. (1) Prior to data submission, hospitals, ambulatory surgery centers or, beginning April 1, 1992, other health care providers shall review discharge data for accuracy and shall obtain verification by the physician of the principal and secondary diagnoses and primary and secondary procedures. The verification shall occur within the time specified by rules promulgated by the department for data submission to the office. If the verification is not made on a timely basis, the hospital or other health care provider shall submit the data noting the lack of verification.

(2) The office shall be responsible for assuring that appropriate editing is conducted for all submitted data to identify systematic errors, missing data, values beyond an allowed range, illegal codes within a range, illogical sequence of dates, diagnoses and procedures inconsistent with age and sex, other data failing internal consistency checks and other patterns inconsistent with what would be expected. The office shall notify hospitals, ambulatory surgery centers or, beginning October 1, 1991, other health care providers of missing or incorrect information under this subsection.

(3) Hospitals, ambulatory surgery centers or, beginning October 1, 1991, other health care providers shall be responsible for resolving the errors found by the editing under sub. (2) and shall resubmit corrected data within 10 working days after receiving written notification from the office of the errors.

(4) The office shall send edited and corrected data to hospitals, ambulatory surgery centers or, beginning April 1, 1992, other health care providers for a 10-working-day review period before the data are released.

(5) The office may, by rules promulgated by the department, require that other forms of data verification, including reabstracting studies and comparisons with information collected from other data systems, be conducted prior to the release of physician-specific data.

(6) At least 30 calendar days prior to the release of a report under s. 153.25, the office shall notify a physician, hospital or other health care provider identified in the report of the office's intent to release the report. The notification shall include a copy of the draft report and a statement that those identified may submit comments on the report to the office. If the office receives comments prior to the release of the report, the office shall append the comments to the report. If the office receives comments after the report is released, the office shall make the comments available to anyone requesting the comments.

153.45 Release of data. (1) After completion of data verification and review procedures under s. 153.40, the office shall release data in the following forms:

(a) Standard reports in accordance with ss. 153.10 to 153.35.

(b) Public use tapes which do not permit the identification of specific patients, physicians, employers or other persons. The identification of these groups shall be protected by all necessary means, including the deletion of patient identifiers and the use of calculated variables and aggregated variables.

(c) Custom-designed subfile tapes, other electronic media, special data compilations or reports containing portions of the public use tape data under par. (b).

(2) The office shall provide to other entities the data necessary to fulfill their statutory mandates for epidemiological purposes or to minimize the duplicate collection of similar data elements.
(3) The office shall release physician-specific and employer-specific data, except in public use tapes as specified under sub. (1) (b), in a manner that is specified in rules promulgated by the department.

**153.50 Protection of patient confidentiality.** Case-specific data obtained under this chapter and contained in the discharge data base of the office is not a public record under s. 19.35 and may not be released by the office, except to the patient or to a person granted permission for release by the patient and except that a hospital, a physician, the agent of a hospital or physician or the department may have access to case-specific data to ensure the accuracy of the information in the discharge data base. The department may also have access to the data discharge system for the purposes of completing epidemiological reports and eliminating the need to maintain a data base that duplicates that of the office, if the department does not release or otherwise provide access to the case-specific data.

**153.60 Assessments to fund operations of office and board.** (1) Commencing on the effective date of this subsection .... [revisor inserts date], the office shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures for the office and the board for that fiscal year. The office shall assess the estimated total amount for that fiscal year less the estimated total amount to be received under s. 20.435 (1) (hi), (hj) and (mr) during the fiscal year and the unencumbered balances of the amounts received under s. 20.435 (1) (hi), (hj) and (mr) from the prior fiscal year, to hospitals in proportion to each hospital's respective gross private-pay patient revenues during the hospital's most recently concluded entire fiscal year. Any costs incurred by the office in fiscal year 1987-88 shall be included in the estimate of total expenditures and assessment for fiscal year 1988-89. Each hospital shall pay the assessment on or before December 31. All payments of assessments shall be deposited in the appropriation under s. 20.435 (1) (hg).

(2) Beginning July 1, 1989, the office may assess ambulatory surgery centers under this section, using as the basis for individual ambulatory surgery center assessments criteria promulgated by rule by the department under s. 153.75 (1) (b).

**153.65 Provision of special information; user fees.** The office may provide, upon request from a person, a data compilation or a special report based on the information collected by the office under s. 153.05 (1), (3), (4) (b), (5), (7), (8) or (10). The office shall establish user fees for the provision of these compilations or reports, payable by the requester, which shall be sufficient to fund the actual necessary and direct cost of the compilation or report. All moneys collected under this section shall be credited to the appropriation under s. 20.435 (1) (hi).

**153.75 Rule making.** (1) Following approval by the board, the department shall promulgate the following rules:

(a) Providing procedures to ensure the protection of patient confidentiality under s. 153.50.

(b) Establishing procedures under which hospitals and health care providers are permitted to review and verify patient-related information prior to its submission to the office.

(c) Regarding the scope of health care information required under s. 153.05 (8) from health care providers other than hospitals and ambulatory surgery centers, and defining the term “health care provider” for this purpose and specifying forms to be used to collect the information.

(d) Determining the 100 charge elements most frequently used by hospitals in the aggregate.

(e) Implementing requirements for use of uniform patient billing forms and other information under s. 153.05 (4).

(f) Governing the release of physician-specific and employer-specific data under s. 153.45 (3).

(g) Establishing criteria for the publication and contents of a notice under s. 153.05 (10) and the notice must state in part: "any report to the office may be referred to a hospital.

(h) Defining the term “major purchaser, payer or provider of health care services” for the purposes of s. 153.05 (6).

(i) Regarding the scope and implementation of the reporting requirements under s. 153.35.

(j) Specifying the categories for reporting and disseminating revenue, the revenue of a hospital, and hospital operating revenue under s. 153.05 (1) (e) 1.

(2) With the approval of the board, the department may promulgate all of the following rules:

(a) Exempting certain classes of health care providers from providing all or portions of the data required under this chapter.

(b) Establishing forms of data verification which may be required under s. 153.40 (5).

(c) Providing for the efficient collection, analysis and dissemination of health care information which the office may require under this chapter.

**153.85 Civil liability.** Any person violating s. 153.50 or rules promulgated under s. 153.75 (1) (a) is liable to the patient for actual damages and costs, plus exemplary damages of up to $1,000 for a negligent violation and up to $5,000 for an intentional violation.

**153.90 Penalties.** (1) Whoever intentionally violates s. 153.50 or rules promulgated under s. 153.75 (1) (a) may be fined not more than $10,000 or imprisoned for not more than 9 months or both.

(2) Any person who violates this chapter or any rule promulgated under the authority of this chapter, except ss. 153.50 and 153.75 (1) (a), as provided in s. 153.85 and sub. (1), shall forfeit not more than $100
for each violation. Each day of violation constitutes a separate offense, except that no day in the period between the date on which a request for a hearing is filed under s. 227.44 and the date of the conclusion of all administrative and judicial proceedings arising out of a decision under this section constitutes a violation.

SECTION 403mhh. (1) Of the statutes is amended to read:

163.93 (2) of the statutes is amended to read:

163.93 (2) No raffle ticket may exceed $5 $10 in cost.

SECTION 403mhh. 166.25 (1) of the statutes is amended to read:

166.25 (1) REPRESENTATIVE. Except as provided in s. 94.42 (4) (b) 94.42 (7) (b), the attorney general, district attorneys, members of the legislature, state agencies, or other agents of the state and any person, not a party to any suit, action, or proceeding in which the state is a party, and if required to appear as a party or witness in any civil or criminal matter, must proctor or defend any court or before any court or in any matter civil or criminal, in which the state or the people of the state may be interested. The supreme court shall prescribe rules and regulations for the handling of raffle tickets, and may direct the attorney general, district attorneys, members of the legislature, state agencies, or other agents of the state to proctor or defend any court or before any court or in any matter civil or criminal, in which the state or the people of the state may be interested.

SECTION 403mhh. 166.25 (2) of the statutes is amended to read:

166.25 (2) The department shall provide adequate office space for the executive secretary of the prosecutors council under s. 15.03 (12) and shall provide all other assistance to the prosecutors council and executive secretary to the extent necessary for the performance of the duties assigned to the council under s. 15.03 (11).

SECTION 403mhh. 167.70 (4) of the statutes is amended to read:

167.70 (4) A district attorney, district attorney's office head, or district attorney's office head, district attorney or district attorney's office head, county attorney, or county attorney's office head shall cooperate and assist the prosecution in the performance of their duties.

SECTION 403mhh. 165.95 of the statutes is created to read:

165.95 Special prosecutor cost reimbursement. The department of justice shall reimburse counties from the appropriation under s. 20.455 (1) (cm) for the costs of special prosecutors incurred on or after January 1, 1987, in cases involving a conflict of interest resulting from an appointment to the office of district attorney by the governor to a person who served in the office of district attorney by the governor to a person who served a term of service as an assistant state public defender immediately prior to the appointment. Counties may submit cost vouchers to the department of justice. The department shall review the vouchers to determine whether a prosecution may be continued.

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165.95 Special prosecutor cost reimbursement. The department of justice shall reimburse counties from the appropriation under s. 20.455 (1) (cm) for the costs of special prosecutors incurred on or after January 1, 1987, in cases involving a conflict of interest resulting from an appointment to the office of district attorney by the governor to a person who served in the office of district attorney by the governor to a person who served a term of service as an assistant state public defender immediately prior to the appointment. Counties may submit cost vouchers to the department of justice. The department shall review the vouchers to determine whether a prosecution may be continued.

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165.95 Special prosecutor cost reimbursement. The department of justice shall reimburse counties from the appropriation under s. 20.455 (1) (cm) for the costs of special prosecutors incurred on or after January 1, 1987, in cases involving a conflict of interest resulting from an appointment to the office of district attorney by the governor to a person who served in the office of district attorney by the governor to a person who served a term of service as an assistant state public defender immediately prior to the appointment. Counties may submit cost vouchers to the department of justice. The department shall review the vouchers to determine whether a prosecution may be continued.

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accordance with the percentage of reimbursable costs attributable to each county.

SECTION 403mzj. 167.34 of the statutes is created to read:

167.34 Safe disposal of deer causing damage to land.
(1) Definition. In this section, “department” means the department of natural resources.
(2) Procedure where deer damage is extensive. Upon complaint in writing by an owner or lessee of land to the department that deer are causing damage thereon, the department shall determine within 48 hours if the alleged damage exceeds, or is likely to exceed within one calendar year, $1,000. If the department determines that the damage exceeds or is likely to exceed $1,000, then the department shall immediately issue to the owner or lessee of the land on which the deer are causing damage a permit to destroy the deer causing damage. Permits issued under this subsection shall authorize the holder of the permit to destroy deer at any time, except during the open season for the hunting of deer with firearms. All such deer destroyed by permit shall be turned over immediately to authorized agents of the department, who shall dispose of them as provided in s. 29.06.
(3) Procedure where department does not act. If the department fails to determine, within 48 hours after receiving a complaint under sub. (2), whether the alleged damage exceeds, or is likely to exceed within one calendar year, $1,000, the owner or lessee of land on which the deer are causing damage may engage in the activities authorized by a permit under sub. (2) as if the department had issued a permit to the person.

SECTION 403mzk. 168.12 (1m) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

168.12 (1m) The department shall charge an additional inspection fee in an amount prescribed by the department that would generate the amount specified under s. 101.143 (2) (a), to be deposited in the petroleum storage environmental cleanup fund.

SECTION 403nb. 175.40 (1) of the statutes, as affected by 1987 Wisconsin Act 231, is repealed and recreated to read:

175.40 (1) In this section:
(a) “Highway” has the meaning specified in s. 340.01 (22).
(b) “Intersection” has the meaning specified in s. 340.01 (25).
(c) “Peace officer” has the meaning specified in s. 939.22 (22).

SECTION 403p. 175.40 (4) of the statutes is created to read:

175.40 (4) A peace officer whose boundary is a highway may enforce any law or ordinance that he or she is otherwise authorized to enforce by arrest or issuance of a citation on the entire width of such a highway and on the entire intersection of such a highway and a highway located in an adjacent jurisdiction. This subsection does not extend an officer’s jurisdiction outside the boundaries of this state.

SECTION 403pg. 177.06 (3) of the statutes is renumbered 177.06 (3) (intro.) and amended to read:

177.06 (3) (intro.) With respect to property described in sub. (1), a holder shall not impose any of the following:
(a) Impose a charge during a period of dormancy or inactivity which exceeds the charge regularly imposed by that holder on that class of account, and shall not or cease payment of interest during such a period solely because of dormancy or inactivity.

SECTION 403ph. 177.06 (3) (b) of the statutes is created to read:

177.06 (3) (b) Assess a service charge after December 31 of the 2nd calendar year covered in the report filed under s. 177.17 concerning that property.

SECTION 403pi. 177.17 (2) (a) of the statutes is amended to read:

177.17 (2) (a) Except with respect to travelers checks and money orders, the name, if known, and last-known address, if any, of each person appearing from the records of the holder to be the owner of property with a value of $25 $50 or more presumed abandoned under this chapter.

SECTION 403pj. 177.17 (2) (b) of the statutes is amended to read:

177.17 (2) (b) In the case of unclaimed funds of $25 $50 or more held or owing under any life or endowment insurance policy or annuity contract, the full name and last-known address of the insured or annuitant and of the beneficiary according to the records of the insurance company holding or owing the funds.

SECTION 403pk. 177.17 (2) (d) of the statutes is amended to read:

177.17 (2) (d) The nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, but items with a value of less than $25 $50 each may be reported in the aggregate.

SECTION 403pl. 177.19 (1) of the statutes is amended to read:

177.19 (1) Except as provided in subs. (2) and (3), a person required to file a report under s. 177.17 shall, by the December 1 following the filing of the report, pay or deliver to the administrator all abandoned property required to be reported.
SECTION 403pk. 177.19 (3) of the statutes is repealed.

SECTION 403pL. 177.23 (1) of the statutes is amended to read:

177.23 (1) Except as provided in sub. (2), the administrator shall deposit in the school fund all funds received under this chapter, including the clear proceeds from the sale of abandoned property under s. 177.22. Before making the deposit, the administrator shall record the name and last-known address of each person appearing from the holders' reports to be entitled to the property and the name and last-known address of each insured person or annuitant and beneficiary and, with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The record shall be available for public inspection at all reasonable business hours information recorded by the administrator under this subsection is not available for inspection or copying under s. 19.35 (1) until 24 months after payment or delivery of the property is due under s. 177.19 (1).

SECTION 403pm. 177.35 of the statutes is repealed and recreated to read:

177.35 Agreement to locate reported property. (1) Except for agreements made under s. 177.33, if a person agrees, for compensation and on behalf of the owner of property reported under s. 177.17, to locate, deliver, recover or assist in the recovery of the reported property, the agreement shall be in writing and shall include all of the following:

(a) A description of the property and the value of the property.

(b) A clear and prominent statement of the fee or other compensation to be paid by or on behalf of the owner, which may not exceed 20% of the actual value of the property recovered.

(c) A clear and prominent statement disclosing the name and address of the holder and whether the property has been paid to the administrator.

(d) The notarized signature of the owner.

(2) An agreement entered into under this section is not enforceable if the agreement is entered into within 24 months after payment or delivery of the property is due under s. 177.19 (1).

SECTION 403q. 180.72 (1) and (4) of the statutes are amended to read:

180.72 (1) Any shareholder of a corporation shall have the right to file with the corporation a written objection, at least 48 hours prior to the meeting of shareholders at which any of the following corporate actions are proposed to be voted upon: a) Any plan of merger or consolidation to which the corporation is a party; or b) Any sale or exchange of all or substantially all of the property and assets of the corporation not made in the usual and regular course of its business, including a sale in dissolution, but not including a sale pursuant to an order of a court having jurisdiction in the premises or a sale for cash, with or without an assumption of liabilities of the seller, on terms requiring that all or substantially all of the net proceeds of sale be distributed to the shareholders in accordance with their respective interests within one year after the date of sale; or c) Any conversion under s. 180.975 of a corporation to a nonprofit nonstock corporation subject to ch. 181. A shareholder may object as to less than all of the shares registered in his name; and in that event, his rights shall be determined as if the shares as to which he has objected and his other shares were registered in the names of different shareholders. A shareholder in a statutory close corporation formed under s. 180.995 need not file a written objection prior to a meeting of shareholders or the corporate action in order to preserve his or her right to receive the fair value of his or her shares. This subsection shall not apply to the shareholders of the surviving corporation in a merger if a vote of the shareholders of such corporation is not necessary to authorize such merger. Except in a business combination, as defined in s. 180.725 (1) (d), which is subject to s. 180.725 (2) or exempt under s. 180.725 (3), this subsection shall not apply to the holders of shares of any class or series if the shares of such class or series were registered on a national securities exchange or quoted on the national association of securities dealers, inc., automated quotations system on the date fixed to determine the shareholders entitled to vote at the meeting of shareholders at which a plan of merger or consolidation or a proposed sale or exchange of property and assets, or a proposed conversion under s. 180.975 is to be acted upon unless the articles of incorporation of the corporation shall otherwise provide.

(4) Within 10 days after such corporate action is effected, the corporation or, in the case of a merger or consolidation, the surviving or new corporation, domestic or foreign, or, in the case of a conversion under s. 180.975, the corporation, as defined in s. 181.02 (4), shall give written notice thereof to each objecting shareholder who has made demand as herein provided, and shall make a written offer to each such shareholder to pay for such shares at a specified price deemed by such corporation to be the fair value thereof. Such notice and offer shall be accompanied by a balance sheet of the corporation the shares of which the objecting shareholder holds, as of the latest available date and not more than 12 months prior to the making of such offer, and a profit and loss statement of such corporation for the 12-month period ended on the date of such balance sheet.

SECTION 403r. 180.975 of the statutes is created to read:

180.975 Conversion of certain corporations to ch. 181 corporations. (1) Conversion permitted. A corporation organized under the laws of this state before July 1, 1953, whose only asset since its organization has been real estate used for the operation of a country club may convert its form of organization to a nonprofit nonstock corporation that is subject to ch. 181, if all of the following conditions are satisfied:
(a) Resolution by board of directors. The board of directors adopts a resolution recommending conversion of the corporation to a nonprofit nonstock corporation and directing submission of the proposed conversion to a vote of shareholders at an annual or special meeting of shareholders.

(b) Notice of shareholder meeting. Written notice of the meeting at which the proposed conversion will be submitted to a vote of shareholders is given to each shareholder of record in the manner provided under s. 180.24 except that the notice shall satisfy all of the following:

1. Be delivered to shareholders not less than 20 days before the meeting.
2. Whether the meeting is an annual or special meeting, state that the purpose, or one of the purposes, is to consider the proposed conversion.
3. If applicable, state that any shareholder desiring to be paid the fair value of his or her shares must file a written objection to the proposed conversion at least 48 hours before the meeting.

(c) Shareholder vote. Shareholders approve the proposed conversion. The proposed conversion is approved by shareholders if, at the meeting for which notice is given under par. (b), the proposal receives the affirmative vote of the holders of two-thirds of all outstanding shares and of each class or series thereof.

(d) Restated articles of incorporation. If the proposed conversion is approved by shareholders under par. (c), the corporation restates its articles of incorporation following the same procedures as provided in s. 180.51 for amending articles of incorporation. Notwithstanding s. 180.55, the restated articles of incorporation shall satisfy all of the following conditions:

1. Contain all of the information required under s. 181.39 (1).
2. Contain a statement that the corporation elects to convert itself to a nonprofit nonstock corporation subject to ch. 181.
3. Be executed, filed and recorded as provided in s. 181.39 (2).

2. Conversion effective. The conversion of a corporation to a nonprofit nonstock corporation subject to ch. 181 is effective upon the filing with the secretary of state restated articles of incorporation satisfying sub. (1) (d).

(3) Effect of conversion on legal actions and obligations. (a) Legal actions. Any cause of action against a corporation or its directors, officers or shareholders that accrues before conversion of the corporation is effective under sub. (2) may be maintained against the corporation or its directors, officers or shareholders as if the conversion had not taken place.

(b) Obligations. 1. Except as provided in subd. 2, once conversion of a corporation is effective under sub. (2), the nonprofit nonstock corporation is responsible and liable for all obligations of the converted corporation. Neither the rights of creditors nor any liens on the property of the converted corporation shall be impaired by the conversion.

2. Any contractual obligation relating to ownership of the converted corporation's stock, including any obligation to issue or redeem stock options, shall terminate when the conversion is effective under sub. (2). The contractual obligations described in this subdivision shall terminate without compensation, except that a nonprofit nonstock corporation shall provide reasonable compensation for any terminated contracts that were entered into before the effective date of this subdivision .... [revisor inserts date].

SECTION 403t. 181.09 (3) of the statutes is renumbered 181.09 (3) (a) (intro.) and amended to read:

181.09 (3) (a) 2. In lieu of a change pursuant to subs. (1) and (2), a corporation may change the name or address of its registered agent, or both, by setting forth the name and address of its registered agent, as changed, in articles any of the following:

1. Articles of amendment of its the corporation's articles of incorporation or in restated articles of incorporation filed and recorded as provided in this chapter.

SECTION 403v. 181.09 (3) (a) 2 of the statutes is created to read:

181.09 (3) (a) 2. The corporation's annual report required under s. 181.651.

SECTION 403w. 181.09 (3) (b) of the statutes is created to read:

181.09 (3) (b) A change made under par. (a) 2 is effective upon the filing of the annual report under s. 181.653.

SECTION 403x. 181.651 (1) (bm) of the statutes is created to read:

181.651 (1) (bm) The name and address, including street and number, if any, of its registered agent.

SECTION 403y. 181.68 (1) (e) of the statutes is amended to read:

181.68 (1) (e) Filing statement of change of registered agent or address of registered agent under s. 181.09 (1), or a statement of resignation of registered agent, §10, except that no fee may be collected for a change of address resulting from the action of a governmental agency if there is no corresponding change in physical location and if 2 copies of the notice of the action are submitted to the secretary of state;
Vetoed in Part

196.03 (3) of the statutes is renumbered 196.03 (3) (a) and amended to read:

196.03 (3) (a) In the case of a public water utility furnishing water, the commission shall include, in the determination of water rates, the cost of fluoridating the water in the area served by the public water utility furnishing water if the governing body of the municipality city, village or town which owns or is served by the public water utility furnishing water authorizes the fluoridation of water by the public water utility furnishing water.

SECTION 403zd. 196.03 (3) (b) of the statutes is amended to read:

196.03 (3) (b) In the case of a public utility furnishing water, the retail charges for the production, storage, transmission, sale and delivery or furnishing of water for public fire protection purposes not included in general service charges shall be included in the water utility bill of each customer of the public utility in a city, village or town unless the governing body of that city, village or town adopts a resolution providing that the city, village or town will pay those charges to the public utility furnishing the water. Such charges shall be included in the water utility bill of each customer of the public utility unless the governing body of that city, village or town adopts a resolution providing that the city, village or town will pay those charges to the public utility furnishing the water. The charges shall be included in the water utility bill of each customer of the public utility unless the governing body of that city, village or town adopts a resolution providing that the city, village or town will pay those charges to the public utility furnishing the water.

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Vetoed in Part

196.03 (3) (a) of the statutes is amended to read:

196.03 (3) (a) In the case of a public water utility furnishing water, the commission shall include, in the determination of water rates, the cost of fluoridating the water in the area served by the public water utility furnishing water if the governing body of the municipality city, village or town which owns or is served by the public water utility furnishing water authorizes the fluoridation of water by the public water utility furnishing water.

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Vetoed in Part

196.03 (3) (a) of the statutes is amended to read:

196.03 (3) (a) In the case of a public water utility furnishing water, the commission shall include, in the determination of water rates, the cost of fluoridating the water in the area served by the public water utility furnishing water if the governing body of the municipality city, village or town which owns or is served by the public water utility furnishing water authorizes the fluoridation of water by the public water utility furnishing water.

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Vetoed in Part

196.03 (3) (a) of the statutes is amended to read:

196.03 (3) (a) In the case of a public water utility furnishing water, the commission shall include, in the determination of water rates, the cost of fluoridating the water in the area served by the public water utility furnishing water if the governing body of the municipality city, village or town which owns or is served by the public water utility furnishing water authorizes the fluoridation of water by the public water utility furnishing water.
Vetoed in Part

SECTION 4659. 196.68 of the statutes is amended to read:

W 68.68 Municipal officers, modifications. If an office of a municipality which is specified in this chapter is modified by an ordinance of the council, a modification is subject to not more than two referenda.

(1) A non-legislative referendum under the commission by the department of administration over any infractions of this chapter. If the referendum is not held within sixty days from the date of the submission of the ordinance, the council shall proceed to hold the referendum.

(2) If the referendum is not held within sixty days from the date of the submission of the ordinance, the council shall proceed to hold the referendum.
Vetoed in Part

SECTION 404. 196.857 of the statutes, as created by 1987 Wisconsin Act 27, is repealed and recreated to read:

196.857 Assessment for stray voltage program. (1) The commission shall establish and administer a program to provide to farmers on-site technical assistance related to stray voltage. In cooperation with the department of agriculture, trade and consumer protection, the commission shall investigate the causes of stray voltage on individual farms, recommend to farmers solutions to stray voltage problems and evaluate the effectiveness of on-site technical assistance. The commission shall assess annually all of the following amounts to public utilities which produce electricity and which have annual gross operating revenues related to electricity in excess of $100,000,000 in proportion to their respective electric gross operating revenues during the last calendar year, derived from intrastate operations:

(a) The amount appropriated under s. 20.155 (1) (L), less any amount received under s. 20.155 (1) (Lb). The amounts received under this paragraph shall be credited to the appropriation made in s. 20.155 (1) (L).

(b) The amount appropriated under s. 20.115 (8) (j), less any fees received from farmers under s. 93.41. The amounts received under this paragraph shall be credited to the appropriation made in s. 20.115 (8) (j).

(2) A public utility shall pay the total amount that it is assessed under sub. (1) within 30 days after it receives a bill for that amount from the commission. The bill constitutes notice of the assessment and demand of payment.

(2m) If the commission, at the request of an electric cooperative organized under ch. 185 or any public utility which is not assessed under sub. (1), conducts an investigation of the causes of stray voltage on any farm receiving electrical service from that electric cooperative or public utility, that electric cooperative or public utility shall pay a reasonable fee, not exceeding $500 per investigation, which the commission shall establish separately for each request. The amounts received under this subsection shall be credited to the appropriation made in s. 20.155 (1) (L).

(3) This section does not apply after August 31, 1991.

SECTION 404C. 220.02 (2) (e) of the statutes is created to read:

220.02 (2) (e) The disposition of certain assets of a charitable trust, as defined in s. 701.107 (3), under ss. 701.107 to 701.109.

SECTION 404E. 221.14 (7) of the statutes is created to read:

221.14 (7) Real estate conveyed by the bank to an entity engaged solely in holding property of the bank, to a bank holding company, as defined in 12 USC 1841 (a), of which the bank is a subsidiary or to any other subsidiary of that bank holding company. Any liability of the entity holding property of the bank, bank holding company or subsidiary of the bank holding company to the bank that results from a conveyance under this subsection is not subject to the limitations under s. 221.29 (1) and (2).

SECTION 404K. 221.29 (1) (a) of the statutes is amended to read:

221.29 (1) (a) The total liabilities of any person or partnership, including the liabilities of the several partners except special partners, computed individually as to each partner on the basis of his or her direct liability, or corporation, other than a municipal corporation, to any bank for money borrowed shall at no time exceed 20% of the capital stock and surplus or 15% of the capital and surplus of such bank with the exceptions stated in this subsection and s. 221.14 (7).

SECTION 404L. 221.29 (2) (a) of the statutes is amended to read:

221.29 (2) (a) Except as otherwise provided in this subsection and s. 221.14 (7), the total liabilities of any municipal corporation to any bank for money borrowed shall at no time exceed 25% of the capital and surplus of such bank.

SECTION 404P. 221.30 (title) of the statutes is amended to read:

221.30 (title) Bank purchase of its own stock.

SECTION 404Q. 221.30 (1) of the statutes is renumbered 221.30 (1m) and amended to read:

221.30 (1m) No bank shall be the holder of or purchaser of any portion more than 5% of its capital stock, capital notes or debentures unless such purchase is necessary to prevent loss upon a debt previously contracted in good faith. Stock, notes or debentures so purchased under this subsection shall not be held for a longer time than 6 months if the stock, notes or debentures can be sold for the amount of the claim of the bank against the same, and it must be sold for the best price obtainable within one year, or it shall be canceled, and shall then amount to a reduction of the capital stock, capital notes or debentures; provided, that, if such reduction shall reduce the capital stock below the minimum
required by law, such capital stock shall be again increased to the amount required by law as provided herein.

SECTION 404r. 221.30 (1) of the statutes is created to read:

221.30 (1) A bank may be the holder of or purchaser of not more than 5% of its capital stock, capital notes or debentures, except as provided in sub. (1m).

SECTION 404rc. 221.56 (1) of the statutes is amended to read:

221.56 (1) Any domestic corporation, investment trust, or other form of trust or any regional state bank holding company which shall own, hold in any manner control a majority of the stock in a state bank or trust company, or a bank or bank holding company which through a transaction under s. 701.108 acquires control of a majority of the stock in a state bank, shall be deemed to be engaged in the business of banking and shall be subject to the supervision of the office of the commissioner of banking. It shall file reports of its financial condition when called for by the commissioner of banking, and the commissioner may order an examination of its condition and solvency whenever in his or her opinion such examination is required, and the cost of such examination shall be paid by such corporation or association. Whenever in the opinion of the commissioner the condition of such corporation or association shall be such as to endanger the safety of the deposits in any bank or trust company which is owned or in any manner controlled by such corporation, or the operation of such corporation, association or trust shall be carried on in such manner as to endanger the safety of such bank or trust company or its depositors, the commissioner may order such corporation or trust to remedy such condition or policy within 90 days and if such order be is not complied with, the commissioner shall have power to fully direct the operation of such banks or trust companies until such order be is complied with, and may withhold all dividends from such corporation or trust during the period in which the commissioner may exercise such authority.

SECTION 404rd. 221.30 (1) of the statutes is amended to read:

221.30 (1) A bank may be the holder of or purchaser of not more than 5% of its capital stock, capital notes or debentures, except as provided in sub. (1m).

SECTION 404re. 221.56 (1) of the statutes is amended to read:

221.56 (1) Any domestic corporation, investment trust, or other form of trust or any regional state bank holding company which shall own, hold in any manner control a majority of the stock in a state bank or trust company, or a bank or bank holding company which through a transaction under s. 701.108 acquires control of a majority of the stock in a state bank, shall be deemed to be engaged in the business of banking and shall be subject to the supervision of the office of the commissioner of banking. It shall file reports of its financial condition when called for by the commissioner of banking, and the commissioner may order an examination of its condition and solvency whenever in his or her opinion such examination is required, and the cost of such examination shall be paid by such corporation or association. Whenever in the opinion of the commissioner the condition of such corporation or association shall be such as to endanger the safety of the deposits in any bank or trust company which is owned or in any manner controlled by such corporation, or the operation of such corporation, association or trust shall be carried on in such manner as to endanger the safety of such bank or trust company or its depositors, the commissioner may order such corporation or trust to remedy such condition or policy within 90 days and if such order be is not complied with, the commissioner shall have power to fully direct the operation of such banks or trust companies until such order be is complied with, and may withhold all dividends from such corporation or trust during the period in which the commissioner may exercise such authority.

SECTION 404rf. 221.30 (1) of the statutes is amended to read:

221.30 (1) A bank may be the holder of or purchaser of not more than 5% of its capital stock, capital notes or debentures, except as provided in sub. (1m).

SECTION 404rg. 221.56 (1) of the statutes is amended to read:

221.56 (1) Any domestic corporation, investment trust, or other form of trust or any regional state bank holding company which shall own, hold in any manner control a majority of the stock in a state bank or trust company, or a bank or bank holding company which through a transaction under s. 701.108 acquires control of a majority of the stock in a state bank, shall be deemed to be engaged in the business of banking and shall be subject to the supervision of the office of the commissioner of banking. It shall file reports of its financial condition when called for by the commissioner of banking, and the commissioner may order an examination of its condition and solvency whenever in his or her opinion such examination is required, and the cost of such examination shall be paid by such corporation or association. Whenever in the opinion of the commissioner the condition of such corporation or association shall be such as to endanger the safety of the deposits in any bank or trust company which is owned or in any manner controlled by such corporation, or the operation of such corporation, association or trust shall be carried on in such manner as to endanger the safety of such bank or trust company or its depositors, the commissioner may order such corporation or trust to remedy such condition or policy within 90 days and if such order be is not complied with, the commissioner shall have power to fully direct the operation of such banks or trust companies until such order be is complied with, and may withhold all dividends from such corporation or trust during the period in which the commissioner may exercise such authority.

SECTION 404rh. 221.30 (1) of the statutes is amended to read:

221.30 (1) A bank may be the holder of or purchaser of not more than 5% of its capital stock, capital notes or debentures, except as provided in sub. (1m).

SECTION 404ri. 221.56 (1) of the statutes is amended to read:

221.56 (1) Any domestic corporation, investment trust, or other form of trust or any regional state bank holding company which shall own, hold in any manner control a majority of the stock in a state bank or trust company, or a bank or bank holding company which through a transaction under s. 701.108 acquires control of a majority of the stock in a state bank, shall be deemed to be engaged in the business of banking and shall be subject to the supervision of the office of the commissioner of banking. It shall file reports of its financial condition when called for by the commissioner of banking, and the commissioner may order an examination of its condition and solvency whenever in his or her opinion such examination is required, and the cost of such examination shall be paid by such corporation or association. Whenever in the opinion of the commissioner the condition of such corporation or association shall be such as to endanger the safety of the deposits in any bank or trust company which is owned or in any manner controlled by such corporation, or the operation of such corporation, association or trust shall be carried on in such manner as to endanger the safety of such bank or trust company or its depositors, the commissioner may order such corporation or trust to remedy such condition or policy within 90 days and if such order be is not complied with, the commissioner shall have power to fully direct the operation of such banks or trust companies until such order be is complied with, and may withhold all dividends from such corporation or trust during the period in which the commissioner may exercise such authority.

SECTION 404rn. 221.30 (1) of the statutes is amended to read:

221.30 (1) A bank may be the holder of or purchaser of not more than 5% of its capital stock, capital notes or debentures, except as provided in sub. (1m).

SECTION 404rni. 221.56 (1) of the statutes is amended to read:

221.56 (1) Any domestic corporation, investment trust, or other form of trust or any regional state bank holding company which shall own, hold in any manner control a majority of the stock in a state bank or trust company, or a bank or bank holding company which through a transaction under s. 701.108 acquires control of a majority of the stock in a state bank, shall be deemed to be engaged in the business of banking and shall be subject to the supervision of the office of the commissioner of banking. It shall file reports of its financial condition when called for by the commissioner of banking, and the commissioner may order an examination of its condition and solvency whenever in his or her opinion such examination is required, and the cost of such examination shall be paid by such corporation or association. Whenever in the opinion of the commissioner the condition of such corporation or association shall be such as to endanger the safety of the deposits in any bank or trust company which is owned or in any manner controlled by such corporation, or the operation of such corporation, association or trust shall be carried on in such manner as to endanger the safety of such bank or trust company or its depositors, the commissioner may order such corporation or trust to remedy such condition or policy within 90 days and if such order be is not complied with, the commissioner shall have power to fully direct the operation of such banks or trust companies until such order be is complied with, and may withhold all dividends from such corporation or trust during the period in which the commissioner may exercise such authority.

SECTION 405. 227.10 (1) of the statutes is amended to read:

227.10 (1) Each agency shall promulgate as a rule each statement of general policy and each interpretation of a statute which it specifically adopts to govern its enforcement or administration of that statute. A statement of policy or an interpretation of a statute made in the decision of a contested case, in a private letter ruling under s. 73.035 or in an agency decision upon or disposition of a particular matter as applied to a specific set of facts does not render it a rule or constitute specific adoption of a rule and is not required to be promulgated as a rule.

SECTION 405m. 227.53 (1) (c) of the statutes is amended to read:

227.53 (1) (c) Copies A copy of the petition shall be served, personally or by certified mail, or, when service is timely admitted in writing, by first class mail, not later than 30 days after the institution of the proceeding, upon all parties, each party who appeared before the agency in the proceeding in which the order decision sought to be reviewed was made or upon the party's attorney of record. A court may not dismiss the proceeding for review solely because of a failure to serve a copy of the petition upon a party or the party's attorney of record unless the petitioner fails to serve a person listed as a party for purposes of review in the agency's decision under s. 227.47 or the person's attorney of record.

SECTION 406. 230.08 (2) (p) of the statutes is repealed and recreated to read:

230.08 (2) (p) All employees of the investment board, except blue collar and clerical employees.
Vetoed in Part

SECTION 406g. 230.08 (2) (m) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

230.08 (2) (m). The state public defender and staff attorney positions in the office of the state public defender.

Vetoed in Part

SECTION 406h. 230.08 (2) (n) of the statutes is created to read:

230.08 (2) (n). Deputy district attorney and assistant district attorney positions in the office of district attorney.

Vetoed in Part

SECTION 406i. 230.08 (2) (om) of the statutes is created to read:

230.08 (2) (om). The executive secretary and support staff of the investment board.

SECTION 406j. 230.08 (2) (ym) of the statutes is created to read:

230.08 (2) (ym). The director of the office of health care information, created under s. 15.194 (1).

SECTION 408. 230.12 (1) (a) 1. b of the statutes, as affected by 1987 Wisconsin Act 33, is amended to read:

230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions except positions for employees of the university of Wisconsin system which are not identified under s. 20.923 (4) or (8), for employees of the legislature which are not identified under s. 20.923 (4), for employees of a service agency under subch. IV of ch. 13, for employees of the state court system, for employees of the investment board identified under s. 230.08 (2) (p) and for one stenographer employed by each elective executive officer under s. 230.08 (2) (g).

SECTION 409. 230.12 (10) (c) of the statutes, as affected by 1987 Wisconsin Act 83, is amended to read:

230.12 (10) (c) Exceptions. This subsection does not apply to any person employed by the office of the governor or lieutenant governor, by the university of Wisconsin system except in a position identified under s. 20.923 (4) or (8), by the legislature except in a position identified under s. 20.923 (4), by a service agency under subch. IV of ch. 13, by the investment board in a position identified under s. 230.08 (2) (p), or by the courts, or to one stenographer employed by each elective executive officer under s. 230.08 (2) (g).

SECTION 410. 230.16 (7) of the statutes is amended to read:

230.16 (7) A preference shall be given to any qualifying veteran who gains eligibility on any competitive employment register and who does not currently hold a permanent appointment or have mandatory restoration rights to a permanent appointment to any position. A preference means that if a veteran gains eligibility on any competitive employment register and does not currently hold a permanent appointment or have mandatory restoration rights to a permanent appointment to any position, 5 points shall be added to his or her grade. If a veteran has a disability which is directly traceable to war service, the veteran shall be accorded a total of 10 points. “Veteran” as used in this subsection means any person who served on active duty under honorable conditions in the U.S. armed forces who was entitled to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or who served in Grenada or a Middle East crisis under s. 45.34 or any person who served for at least one day during a war period, as defined in s. 45.35 (5) (a) to (g) under section 1 of executive order 10957 dated August 10, 1961. This subsection applies to the award of credit to veterans under ss. 62.13 (4) (d), 63.08 (1) (t), 63.37 and 66.19 (1).

SECTION 411. 230.35 (1m) (a) (intro.) of the statutes is amended to read:

230.35 (1m) (a) (intro.) Employes appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 19.42 (10) (k) or 20.923 (4), (8) and (9) shall be entitled to annual leave of absence without loss of pay based upon accumulated continuous state service at the rate of:

SECTION 412. 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, shall be regulated by rules of the secretary, except that unused sick leave shall accumulate from year to year. After July 1, 1973, employees appointed to career executive positions under the pro-
gram established under s. 230.24 or positions designated in s. 19.42 (10) (k) or 20.923 (4), (8) and (9) 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) (k) or 20.923 (4), (8) and (9), 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 secretary.

SECTION 443. 230.45 (1) (a) of the statute is vetoed in part. 230.45 (1) (a) of the statute is amended to read: 230.45 (1) (a) Promulgate rules under 230.46 (1) and (2).

SECTION 444. 230.46 (1) and (2) of the statute are amended to read: 230.46 (1) An employee who believes that a supervisory or appointing authority has refused to restore or threatened to not restore or threaten to not restore a statutory action against an employee in violation of 230.44 may file a written complaint with the commission. The commission shall investigate the nature of the statutory action or legal threat and request a response within 10 days after the statutory action or legal threat has occurred or was threatened or after the employee received the statutory action or legal threat. The commission shall then issue a determination that the complaint is verified at a meeting under 230.48. (2) The commission shall receive and investigate any complaint under sub. (1). The commission may refer the complaint to an arbitrator under 230.36. In the course of investigating or otherwise processing such a complaint, the commission may require that an interview with any employee described in s. 230.44 (2) occur immediately in the subject matter of the complaint be conducted outside the presence of the appointing authority or any representative or agent thereof unless the employee voluntarily requests that presence. An appointing authority shall permit an employee to be interviewed without loss of pay and to have an employee representative present at the interview. An appointing authority may not interview any employee to be interviewed unless the commission gives a statement of and reasonable notice prior to the interview. If the commission finds probable cause to believe that a statutory action has occurred or is threatened, it may order or direct the remedy through conference, conciliation or persuasion of the parties. If an appropriate resolution of the complaint cannot be achieved, the nature of the statutory action or legal threat and the procedures described in this section called the 'procedures to answer to complaint as hearing.' The notice shall specify the place of hearing and a time of hearing not less than 10 days after service of the complaint upon the respondent not less than 10 days after service of the notice of hearing. However, the commission determines that an emergency exists with respect to the complaint, the notice of hearing may specify a time of hearing within 30 days after service of the complaint upon the respondent, but not less than 30 days after service of the notice of hearing. The testimony at the hearing shall be recorded or taken down by a reporter appointed by the commission. SECTION 445. 230.46 (6) of the statute is amended to read: 230.46 (6) (b) Paragraph (a) applies to a disciplinary action under s. 230.36 (3) (a) which occurs or is threatened within 34 years of the employee's retirement under s. 230.36 (5) (b) (1) or (d) which occurs or is threatened within one year of the employee's retirement under s. 230.36 (5) which meets further requirements of the employee's retirement authority which the employee's retirement authority does not exceed the limits that would otherwise exist for an employee's retirement authority. 230.46 (6) (c) of the statute is amended to read: 230.46 (6) (c) The commission shall promulgate rules to establish an expedited procedure for arbitration of cases arising under this subchapter. The rules shall provide all of the following: (a) Procedures under which an employee or third parties jointly may request arbitration as an alternative to proceeding before the commission. (b) Situations in which the commission may refer a case arising under this subchapter for arbitration. (c) The procedure for appointing an arbitrator from a panel of arbitrators selected under sub. (1) to act in a particular case. (d) The procedure for such conferences held by arbitrators prior to a hearing, including all of the following: 1. Scheduling. 2. Amendment of pleadings. 3. Discovery. 4. Evidence. 5. Attempts at informal dispute resolution. (e) The procedure to be followed in an arbitration as a hearing in an action under this subchapter, including all of the following: 1. Preservation of a record for review. 2. The form of the arbitrator's decision. (f) The time periods during which a case may be scheduled for a status conference and hearing, and the situations under which the parties may waive the time period requirements. (g) The time period during which an arbitrator shall render a decision after a hearing. (h) The limits on the arbitrator's authority. If applicable in the case of an arbitration under 230.36 (6) (b), (c) or (d).

Vetoed in Part
Vetoed in Part

SECTION 415. Chapter 233 (title) of the statutes is repealed.

SECTION 416. 233.01 of the statutes is repealed.

SECTION 417. 233.02 (intro.) of the statutes is repealed.

SECTION 418. 233.02 (1) of the statutes is repealed.

SECTION 419. 233.02 (2) of the statutes is renumbered 234.94 (1).

SECTION 420g. 233.02 (3) (intro.) and (a) of the statutes are renumbered 234.94 (2) (intro.) and (a).

SECTION 420r. 233.02 (3) (b) and (c) of the statutes are repealed.

SECTION 421. 233.02 (4) of the statutes is renumbered 234.94 (3) and amended to read:

234.94 (3) "Community development finance company" means a corporation or a limited partnership organized for profit under ch. 180, or as a limited partnership organized under ch. 179, which was created under s. 233.05 (1), 1985 stats. The chairperson of the authority, or his or her designee, is a director of the community development finance company. The shareholders of the community development finance company shall elect 4 other people to the company's board of directors. To the extent practicable, 3 people elected to the board of directors shall have substantial business and financial experience and one person shall represent a community development corporation. If the community development finance company is organized as a limited partnership its general partner shall, to the extent practicable, have substantial business and financial experience.

(2) The community development finance company shall issue stock or partnership interests. The community development finance company shall invest funds it receives from the sale of stock or partnership interests by purchasing capital participation instruments under s. 233.06 234.96.

SECTION 430. 233.05 of the statutes is renumbered 234.95 and amended to read:

234.95 Community development finance company.

(1) The authority shall create a community development finance company as a corporation organized for profit under ch. 180, or as a limited partnership organized under ch. 179, which was created under s. 233.05 (1), 1985 stats. The chairperson of the authority, or his or her designee, is a director of the community development finance company. The shareholders of the community development finance company shall elect 4 other people to the company’s board of directors. To the extent practicable, 3 people elected to the board of directors shall have substantial business and financial experience and one person shall represent a community development corporation. If the community development finance company is organized as a limited partnership its general partner shall, to the extent practicable, have substantial business and financial experience.

(2) The community development finance company shall issue stock or partnership interests. The community development finance company shall invest funds it receives from the sale of stock or partnership interests by purchasing capital participation instruments under s. 233.06 234.96.

SECTION 431. 233.06 of the statutes is renumbered 234.96.

SECTION 432. 233.07 (title) of the statutes is repealed.

SECTION 433. 233.07 (1) of the statutes is renumbered 560.03 (20) and amended to read:

560.03 (20) The authority shall provide technical assistance to community development corporations, as defined in s. 234.94 (2), and to persons who are forming community development corporations.

SECTION 434. 233.07 (2) of the statutes is repealed.

SECTION 435. 233.08 of the statutes is repealed.

SECTION 436. 233.09 of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 437g. 234.02 (5) of the statutes is created to read:

234.02 (5) No cause of action of any nature may arise against and no civil liability may be imposed upon a member of the authority, or other officer or employee of the authority appointed by the governor, for any act or omission in the performance of his or her powers and duties under this chapter, unless the person asserting liability proves that the act or omission constitutes willful misconduct.

SECTION 437m. 234.03 (28m) of the statutes is created to read:

234.03 (28m) To apply for and receive grants from the department of transportation for the purpose of guaranteeing loans to disadvantaged businesses as specified in the disadvantaged business mobilization assistance program under s. 85.25.

SECTION 438. 234.03 (31) of the statutes is created to read:
234.03 (31) To purchase, sell or contribute voting stock or partnership interests from the community development finance company under s. 234.95.

SECTION 439. 234.03 (32) of the statutes is created to read:

234.03 (32) To accept gifts, contributions and grants made to the authority in connection with the community development finance company, as defined in s. 234.94 (3).

SECTION 441. 234.94 (intro.) of the statutes is created to read:

234.94 Community development finance company. (intro.) In ss. 234.94 to 234.98:

SECTION 441m. 234.94 (2) (b) of the statutes is created to read:

234.94 (2) (b) A nonprofit corporation organized under ch. 181:
1. That is organized to operate within specific geographic boundaries;
2. That permits all adults residing in the area of operation to become members of the corporation and limits voting membership of persons not residing in the area to no more than 10% of the total membership;
3. That has a board of directors, a majority of whom reside in a target area or are members of a target group;
4. That makes a demonstrable effort to hire low-income or underemployed residents of the operating area;
5. Whose purpose is to promote the employment of members of a target group through projects that meet the conditions specified in s. 234.96 (1) (a) to (d);
6. That demonstrates a commitment to involving residents of target areas or members of target groups in projects; and
7. That petitions the authority for designation as a community development corporation.

SECTION 442. 234.97 of the statutes is created to read:

234.97 Sale or purchase of stock or interest. Subject to s. 234.96 (1) (h), the authority shall do all of the following:

(1) Use any funds received from the sale of community development finance company stock or partnership interest to purchase additional stock or partnership interests.
(2) Use funds received from contributions, gifts or grants under s. 234.03 (32) to purchase community development finance company stock or partnership interests or make grants or loans to community development corporations.

SECTION 442b. 234.98 of the statutes is created to read:

234.98 Transferred assets. The assets and liabilities transferred from the community development finance authority under 1987 Wisconsin Act .... (this act), section 3011 (2) (a) shall be separate from all other assets and liabilities of the Wisconsin housing and economic development authority. The outstanding obligations or liabilities of the community development finance authority shall be paid only from the assets transferred to the Wisconsin housing and economic development authority from the community development finance authority under 1987 Wisconsin Act .... (this act), section 3011 (2) (a).

SECTION 442m. 236.02 (4) of the statutes is amended to read:

236.02 (4) “Department” means the department of development agriculture, trade and consumer protection.

SECTION 442p. 340.01 (18) of the statutes is renumbered 340.01 (18) (a) (intro.) and amended to read:

340.01 (18) (a) (intro.) “Farm truck” means a either of the following:

1. A motor truck having a gross weight of less than 38,000 pounds that is owned or leased and operated by a farmer and used primarily for the transportation of supplies, farm equipment and products on the owner’s farm or between his or her farms, the transportation of farm products from the owner’s farm to market, and the transportation of supplies to his or her farm. As used in this subsection, the term “farmer” includes persons who are engaged in those activities specified in the definition of “operation of farm premises” contained in s. 102.04 (3), provided that such activities are directly or indirectly for the purpose of producing a commodity or commodities for market, or as an accessory to such production. As used in this subsection, “leased” means that the farmer has entered into a written agreement with a person in the business of leasing vehicles to lease the motor truck for a period of one year or more.

SECTION 442pm. 340.01 (18) (a) 2 of the statutes is created to read:

340.01 (18) (a) 2. A motor truck having a gross weight of 38,000 pounds or more that is owned or leased and operated by a farmer and used exclusively for the transportation of supplies, farm equipment and products on the owner’s farm or between his or her farms, the transportation of farm products from the owner’s farm to market, and the transportation of supplies to his or her farm.

SECTION 442pr. 340.01 (18) (b) of the statutes is created to read:

340.01 (18) (b) In this subsection, the term “farmer” includes persons who are engaged in those activities specified in the definition of “operation of farm premises” contained in s. 102.04 (3), provided that such activities are directly or indirectly for the purpose of producing a commodity or commodities for market, or as an accessory to such production. In this subsection, “leased” means that the farmer has entered into a written agreement with a person in the
business of leasing vehicles to lease the motor truck for a period of one year or more.

SECTION 442pt. 340.01 (18g) of the statutes is created to read:

340.01 (18g) "Farm truck tractor" means a truck tractor that is owned or leased and operated by a farmer as defined in sub. (18), used exclusively for the transportation of supplies, farm equipment and products on the owner's farm or between his or her farms, the transportation of farm products from the owner's farm to market and the transportation of supplies to his or her farm and is exempt from payment of the heavy vehicle use tax imposed by section 4481 of the internal revenue code. In this subsection, "leased" means that the farmer has entered into a written agreement with a person in the business of leasing vehicles to lease the truck tractor for a period of one year or more.

SECTION 442pu. 340.01 (35) of the statutes is amended to read:

340.01 (35) "Motor vehicle" means a vehicle which is self-propelled, except that a snowmobile and an all-terrain vehicle shall only be considered a motor vehicle for purposes made specifically applicable by statute.

SECTION 442pv. 341.045 of the statutes is amended to read:

341.045 Use of registered farm trucks regulated. A motor truck under s. 340.01 (18) (a) 1 registered as a farm truck under s. 341.26 (3) (a) may be used for personal and family purposes if the primary use of that motor truck is for purposes specified in s. 340.01 (18) (a) 1, except that a registered farm truck may not be used in furtherance of any nonfarm occupation, trade, profession or other employment, including commuting to or from the place of such nonfarm occupation, trade, profession or employment. A motor truck under s. 340.01 (18) (a) 2 may not be used for personal and family purposes. This section does not apply to dual purpose farm trucks registered under s. 341.26 (3) (am). Any violations of this section are subject to the penalty prescribed for violations of s. 341.04 (2).

SECTION 443. 341.14 (6) (a) of the statutes, as affected by 1987 Wisconsin Act 64, is amended to read:

341.14 (6) (a) Upon application to register an automobile or station wagon or a motor truck or dual purpose farm truck which has a gross weight of more than 8,000 pounds by any person who was a member of any of the U.S. armed services and who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5) (b) to (g) or in Grenada or Lebanon or a Middle East crisis under s. 45.34, and upon submission of a statement from the U.S. veterans administration certifying that the person was a prisoner of war during one of the conflicts described in s. 45.35 (5) (b) to (g) or in Grenada or Lebanon or a Middle East crisis under s. 45.34, the department shall issue to the person a special plate which is colored red, white and blue and which has the words "ex-prisoner of war" placed on the plate in the manner designated by the department.

SECTION 443ac. 341.26 (3) (ar) of the statutes is created to read:

341.26 (3) (ar) For each farm truck tractor, a fee which is 25% of the fee under s. 341.25 (2) for a truck tractor having the same gross weight, determined on the basis of the maximum combined gross weight of the farm truck tractor and any trailer or semitrailer which the applicant proposes to combine with the farm truck tractor. Maximum combined gross weight shall be determined by adding together the weight in pounds of the combination of vehicles when equipped to carry a load and the maximum load in pounds which the applicant proposes to carry on the combination of vehicles.

SECTION 443ae. 341.26 (3) (b) of the statutes is amended to read:

341.26 (3) (b) For each farm trailer, a fee which is one-fourth of the fee prescribed by s. 341.25 (2) for a motor truck having the same gross weight, except that a farm trailer used with a farm truck tractor shall be registered at a fee of $5.

SECTION 443ai. 343.305 (6) (a) of the statutes, as affected by 1987 Wisconsin Acts 3 and 27, is amended to read:

343.305 (6) (a) Blood may be withdrawn from the person arrested for violation of s. 346.63 (1), (2) or (2m), 350.10 (3), 940.25, or s. 940.09 where the offense involved the use of a vehicle, or a local ordinance in conformity with s. 346.63 (1) or (2m) or 350.10 (3), or as provided in sub. (3) (b) to determine the presence or quantity of alcohol, a controlled substance, a combination of alcohol and a controlled substance, any other drug or a combination of alcohol and any other drug in the blood only by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician.

SECTION 443an. 343.305 (6) (a) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

343.305 (6) (a) Blood may be withdrawn from the person arrested for violation of s. 346.63 (1), (2) or (2m), 350.10 (3), or s. 940.09 where the offense involved the use of a vehicle, or a local ordinance in conformity with s. 346.63 (1) or (2m) or 350.10 (3), or as provided in sub. (3) (b) to determine the presence or quantity of alcohol, a controlled substance, a combination of alcohol and a controlled substance, any other drug or a combination of alcohol and any other drug in the blood only by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician.
343.305 (6) (a) Blood may be withdrawn from the person arrested for violation of s. 346.63 (1), (2) or (2m), 350.10 (3) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, or a local ordinance in conformity with s. 346.63 (1) or (2m), 350.10 (3), or as provided in sub. (2) (c) to determine the presence or quantity of alcohol or controlled substance or a combination of alcohol and a controlled substance in the blood only by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician.

SECTION 443b. 343.305 (8) (e) of the statutes is created to read:

343.305 (8) (e) If the operating privilege of a person licensed as a chauffeur is administratively suspended under this subsection and the person was not driving or operating a vehicle as a chauffeur at the time of violation, his or her chauffeur's license shall not be administratively suspended under this subsection.

SECTION 443bbg. 343.31 (1) (a) of the statutes is amended to read:

343.31 (1) (a) Homicide or great bodily harm resulting from the operation of a motor vehicle and which is criminal under s. 346.62 (4), 940.06, 940.08, 940.09, 940.245 940.10 or 940.25.

Vetoed in Part 343.32 (2) (b) (2) of the statutes is amended to read:

Vetoed in Part 343.32 (2) (b) (2) of the statutes is amended to read:

Vetoed in Part 343.32 (2) (b) (2) of the statutes is amended to read:

Vetoed in Part 343.32 (2) (b) (2) of the statutes is amended to read:

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(3) The department shall include with each operator's license issued under ch. 444, notification of the requirements and penalties under this section and s. 43.22 (5) (eg).

(4) Any person who violates sub. (1) (a) may be assessed a penalty not less than $50 nor more than $500.

SECTION 444.14 (5) of the statutes is added to read:

444.14 (5) A suspension for failing to deposit security under sub. (1) shall suspend only the operator's license and operating privileges thereunder and shall not suspend a person's chauffeur's license or the operator's license or the operating privileges thereunder when operating a vehicle subject to the requirements of s. 444.14 or 444.15, a vehicle registered in the United States or a vessel on navigable waters of the state or any other jurisdiction.

SECTION 444.15 (1) of the statutes is amended to read:

444.15 (1) No policy or bond is effective under s. 444.14 or 444.15 unless issued by an insurer authorized to do an automobile liability insurance business in the state except as provided in sub. (2) or unless the policy or bond is subject to the condition that the insurer has deposited to the satisfaction of the department such funds or other security as may be required by the department in the amount specified to the department. The person shall furnish the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the license while the license is in effect.

SECTION 444.21 of the statutes is amended to read:

444.21. (1) All persons operating a vehicle which is not registered in the state or which is registered in another state are subject to a fine of not less than $25 nor more than $250 if the person is convicted under s. 444.21 (1) (a) of operating a vehicle which is not registered in the state or which is registered in another state.

SECTION 444.22 of the statutes is amended to read:

444.22. (1) A penalty of not less than $50 nor more than $500 is imposed for a violation of s. 444.21 (1) (a).

444.21 (1) (a) A policy or bond with respect to a vehicle which is not registered in the state or which is registered in another state is not required to be delivered to the department in addition to the requirements under s. 444.14 to 444.15 even though the vehicle is registered in the state or another state and the registration has been suspended or revoked. The suspension or revocation is annotated in the vehicle registration records, and the department is notified of the suspension or revocation by the department of motor vehicles of the other state. If the department of motor vehicles of the other state has been notified of the suspension or revocation, section 444.21 (1) (a) applies to the vehicle in Wisconsin as if the vehicle is not registered in the state.
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SECTION 443d. 345.225 of the statutes, as created by 1987 Wisconsin Act 132, is repealed.

SECTION 443e. 345.23 (1) of the statutes is amended to read:

345.23 (1) Certification. In the enactment of 345.23, motor vehicle liability policy means a motor vehicle liability policy certified as proof of financial responsibility for the future, and issued, except as otherwise provided in 345.23, by an insurer authorized to do an automobile or major vehicle liability business in this state or for the benefit of the person named in the policy or the insured.

SECTION 443f. 345.25 of the statutes is amended to read:

SECTION 443g. 345.26 (1) (b) 1 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

345.26 (1) (b) 1. If the person fails to appear in court at the time fixed in the citation, the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 53.46 (1), plus any applicable fees prescribed in ss. 814.63 (1) and (2), 814.635 and 814.65 (1) ch. 814, any applicable penalty assessment and any applicable jail assessment.

SECTION 443h. 345.26 (2) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

345.26 (2) (b) In addition to the amount in par. (a), the deposit shall include court costs, including any applicable fees prescribed in ss. 814.63 (1) and (2), 814.635 and 814.65 (1) ch. 814, any applicable penalty assessment and any applicable jail assessment.

SECTION 443i. 345.27 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

345.27 (1) If a person is issued a citation for a violation of a traffic regulation, the person may make a stipulation of no contest and deposit in accordance with the schedule established under s. 345.26 (2) (a) at the office of the clerk of court, sheriff, or city, village or town police department or a precinct station, headquarters of the county traffic patrol, district headquarters or station of the state traffic patrol, or the office of the municipal judge in the county in which the citation was issued as designated by the arresting officer or the person may mail the stipulation and deposit to the place designated by the arresting officer. The deposit shall include the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 53.46 (1) and court costs, including any applicable fees prescribed in ss. 814.63 (1) and (2), 814.635 and 814.65 (1) ch. 814. The stipulation shall be received within 10 days of the date of the alleged violation. The person who has mailed or filed a stipulation under this subsection may, however, appear in court on the court appearance date. If a person appears in court after making a stipulation, s. 345.37 (3) applies. Stipulations are not permitted for violations of ss. 346.62 (1) and 346.63 (1) or a local ordinance which is in conformity therewith.

SECTION 443j. 345.27 (1) of the statutes, as affected by 1987 Wisconsin Acts 27 and .... (this act), is repealed and recreated to read:

345.27 (1) If a person is issued a citation for a violation of a traffic regulation, the person may make a stipulation of no contest and deposit in accordance with the schedule established under s. 345.26 (2) (a) at the office of the clerk of court, sheriff, or city, village or town police department or a precinct station, headquarters of the county traffic patrol, district headquarters or station of the state traffic patrol, or the office of the municipal judge in the county in which the citation was issued as designated by the arresting officer or the person may mail the stipulation and deposit to the place designated by the arresting officer. The deposit shall include the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 53.46 (1) and court costs, including any applicable fees prescribed in ss. 814.63 (1) and (2), 814.635 and 814.65 (1) ch. 814. The stipulation shall be received within 10 days of the date of the alleged violation. The person who has mailed or filed a stipulation under this subsection may, however, appear in court on the court appearance date. If a person appears in court after
making a stipulation, s. 345.37 (3) applies. Stipulations are not permitted for violations of ss. 346.62 (2) and 346.63 (1) or a local ordinance which is in conformity therewith.

SECTION 443L. 345.37 (2) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 53.46 (1), plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2), 814.635 and 814.65 (1) ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons under ch. 968. If the defendant fails to appear in response to the summons, the court shall issue a warrant under ch. 968. If the court accepts the plea of no contest, the defendant may move within 6 months after the date set for the appearance to withdraw the plea of not guilty upon a showing to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If on reopening, the defendant is found not guilty the court shall immediately notify the department to delete the record of conviction based on the original proceeding and shall order the defendant's deposit returned.

SECTION 443Lgg. 346.62 of the statutes is repealed and recreated to read:

346.62 Reckless driving. (1) In this section:

(a) “Bodily harm” has the meaning designated in s. 939.22 (4).

(b) “Great bodily harm” has the meaning designated in s. 939.22 (14).

(c) “Negligent” has the meaning designated in s. 939.25 (2).

(d) “Vehicle” has the meaning designated in s. 939.22 (44).

(2) No person may endanger the safety of any person or property by the negligent operation of a vehicle.

(3) No person may cause bodily harm to another by the negligent operation of a vehicle.

(4) No person may cause great bodily harm to another by the negligent operation of a vehicle.

SECTION 443Lgm. 346.65 (1) of the statutes is amended to read:

346.65 (1) Any person violating s. 346.62 (2) or 346.63 (2) may be required to forfeit not less than $25 nor more than $200 for the first offense and, for the 2nd or subsequent violation of s. 346.62 (2) or 346.63 (2) within 4 years may be fined not less than $50 nor more than $500 or imprisoned not more than one year in county jail or both.

SECTION 443Lgp. 346.65 (3) of the statutes is amended to read:

346.65 (3) Any person violating s. 346.62 (2) or 346.63 (2) shall be fined not less than $300 nor more than $2,000 and may be imprisoned not less than 30 days nor more than one year in the county jail.

SECTION 443Lgr. 346.65 (5) of the statutes is created to read:

346.65 (5) Any person violating s. 346.62 (4) shall be fined not less than $600 nor more than $2,000 and may be imprisoned for not less than 90 days nor more than 18 months.

SECTION 443m. 346.655 (1) of the statutes, as affected by 1987 Wisconsin Acts 3 and 27, is amended to read:

346.655 (1) On or after October 1, 1985 July 1, 1988, if a court imposes a fine or a forfeiture for a violation of s. 346.63 (1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge in an amount of $200 $250 in addition to the fine or forfeiture, penalty assessment and jail assessment.

SECTION 443n. 347.48 (2m) (dm) of the statutes, as created by 1987 Wisconsin Act 132, is amended to read:

347.48 (2m) (dm) Paragraphs (b) and, (c) and (d) do not apply to the operation of an authorized emergency vehicle by a law enforcement officer or other authorized operator under circumstances in which compliance could endanger the safety of the operator or another.

SECTION 443o. 347.48 (2m) (dr) of the statutes, as created by 1987 Wisconsin Act 132, is amended to read:

347.48 (2m) (dr) Paragraph (b) does not apply to the operator of a vehicle while on a route which requires the operator to make more than 10 stops per mile involving an exit from the vehicle in the scope of his or her employment. Paragraph (d) does Paragraph (c) and (d) do not apply to a passenger while on a route which requires the passenger to make more
than 10 stops per mile involving an exit from the vehicle in the scope of his or her employment.

SECTION 443p. 347.48 (2m) (gm) of the statutes, as created by 1987 Wisconsin Act 132, is amended to read:

347.48 (2m) (gm) Notwithstanding s. 349.02, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2). This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) observed in the course of a stop or inspection made for other purposes, except that a law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2).

SECTION 443q. 349.02 of the statutes, as affected by 1987 Wisconsin Act 34, is amended to read:

349.02 Police and traffic officers to enforce law. It is the duty of the police, sheriffs and traffic departments of every unit of government and each authorized department of the state to enforce chs. 346 to 348 and 350. A police officer, sheriff or deputy sheriff who is employed by a unit of government whose boundary is a highway shall enforce chs. 316 to 318 and 350 on the adjacent jurisdiction. Police officers, sheriffs, deputy sheriffs and traffic officers are authorized to direct all traffic within their respective jurisdictions either in person or by means of visual or audible signal in accordance with chs. 346 to 348 and 350. In the event of fire or other emergency, police officers, sheriffs, deputy sheriffs and traffic officers and officers of the fire department may direct traffic as conditions may require notwithstanding the provisions of chs. 346 to 348 and 350.

SECTION 443qc. 350.01 (li) of the statutes is created to read:

350.01 (li) “Approved public treatment facility” has the meaning specified under s. 51.45 (2) (c).
SECTION 443qe. 350.01 (9) to (9w) of the statutes are created to read:

350.01 (9) "Intoxicant" means any alcohol beverage, controlled substance or other drug or any combination thereof.

(9c) "Intoxicated snowmobiling law" means s. 350.101 (1) or a local ordinance in conformity therewith, s. 350.101 (2) or, if the operation of a snowmobile is involved, s. 940.09 or 940.25.

(9g) "Law enforcement officer" has the meaning specified under s. 165.85 (2) (c) and includes a person appointed as a conservation warden by the department under s. 23.10 (1).

(9r) "Operation of a snowmobile" means controlling the speed or direction of a snowmobile.

(9w) "Operator" means a person who is engaged in the operation of a snowmobile, who is responsible for the operation of a snowmobile or who is supervising the operation of a snowmobile.

SECTION 443qf. 350.01 (10g) and (10r) of the statutes are created to read:

350.01 (10g) "Purpose of authorized analysis" means for the purpose of determining or obtaining evidence of the presence, quantity or concentration of any intoxicant in a person's blood, breath or urine.

(10r) "Refusal law" means s. 350.104 (5) or a local ordinance in conformity therewith.

SECTION 443qh. 350.01 (21) of the statutes is created to read:

350.01 (21) "Test facility" means a test facility or agency prepared to administer tests under s. 343.305 (1).

SECTION 443qk. 350.055 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

350.055 Safety certification program established. The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Persons satisfactorily completing this program shall receive certification from the department. The department may charge each person who enrolls in the course an instruction fee of $5. The department shall authorize instructors conducting such courses meeting standards established by it to retain $1 of the fee to defray expenses incurred locally to operate the program. The remaining $4 of the fee shall be retained by the department to defray a part of its expenses incurred to operate the safety and accident reporting program. A person over the age of 12 years but under the age of 16 years who holds a valid certificate issued by another state or province of the Dominion of Canada need not obtain a certificate from the department if the course content of the program in such other state or province substantially meets that established by the department under this section.

SECTION 443qL. 350.08 of the statutes is amended to read:

350.08 Owner permitting operation. No owner or other person having charge or control of a snowmobile may knowingly authorize or permit any person to operate the snowmobile if the person is prohibited from operating a snowmobile under s. 350.05, if the person is incapable of operating a snowmobile because of physical or mental disability or if the person is under the influence of alcohol beverages or controlled substances or a combination thereof, under the influence of any other drug to a degree which renders him or her incapable of safely operating a snowmobile, or under the combined influence of alcohol beverages and any other drug to a degree which renders him or her incapable of safely operating a snowmobile.

SECTION 443qm. 350.10 (3) of the statutes is repealed.

SECTION 443qp. 350.101 to 350.108 of the statutes are created to read:

350.101 Intoxicated snowmobiling. (1) Operation.

(a) Operating while under the influence of an intoxicant. No person may engage in the operation of a snowmobile while under the influence of an intoxicated person or while under the combined influence of alcohol beverages and any other drug to a degree which renders him or her incapable of safely operating a snowmobile.

(b) Operating with alcohol concentrations at or above specified levels. No person may engage in the operation of a snowmobile while the person has a blood alcohol concentration of 0.1% or more by weight of alcohol in his or her blood. No person may engage in the operation of a snowmobile while the person has 0.1 grams or more of alcohol in 210 liters of his or her breath.

(c) Operating with alcohol concentrations at specified levels; below age 19. If a person has not attained the age of 19, the person may not engage in the operation of a snowmobile while he or she has a blood alcohol concentration of more than 0.0% but not more than 0.1% by weight of alcohol in his or her blood or more than 0.0 grams but not more than 0.1 grams of alcohol in 210 liters of his or her breath.

(d) Related charges. A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b), the offenses shall be joined. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under s. 350.11 (3) (a) 2 and 3. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(2) Causing injury. (a) Causing injury while under the influence of an intoxicant. No person while under...
the influence of an intoxicant to a degree which renders him or her incapable of safe snowmobile operation may cause injury to another person by the operation of a snowmobile.

(b) Causing injury with alcohol concentrations at or above specified levels. No person who has a blood alcohol concentration of 0.1% or more by weight of alcohol in his or her blood may cause injury to another person by the operation of a snowmobile. No person who has 0.1 grams or more of alcohol in 210 liters of his or her breath may cause injury to another person by the operation of a snowmobile.

(c) Related charges. A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b) in the complaint, the crimes shall be joined under s. 971.12. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under s. 350.11 (3) (a) 2 and 3. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(d) Defenses. In an action under par. (a), the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if the defendant was not under the influence of an intoxicant. In an action under par. (b), the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if the defendant did not have a blood alcohol concentration of 0.1% or more by weight of alcohol in his or her blood. In an action under par. (b), the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if he or she did not have 0.1 grams or more of alcohol in 210 liters of his or her breath.

350.102 Preliminary breath screening test. (1) Requirement. A person shall provide a sample of his or her breath for a preliminary breath screening test if a law enforcement officer has probable cause to believe that the person is violating or has violated the intoxicated snowmobiling law and if, prior to an arrest, the law enforcement officer requested the person to provide this sample.

(2) Use of test results. A law enforcement officer may use the results of a preliminary breath screening test for the purpose of deciding whether or not to arrest a person for a violation of the intoxicated snowmobiling law or for the purpose of deciding whether or not to request a chemical test under s. 350.104. Following the preliminary breath screening test, chemical tests may be required of the person under s. 350.104.

(3) Admissibility. The result of a preliminary breath screening test is not admissible in any action or proceeding except to show probable cause for an arrest, if the arrest is challenged, or to show that a chemical test was properly required of a person under s. 350.104.

(4) Refusal. There is no penalty for a violation of sub. (1). Section 350.11 (1) and the general penalty provision under s. 939.61 do not apply to that violation.

350.1025 Application of intoxicated snowmobiling law. In addition to being applicable upon highways, the intoxicated snowmobiling law is applicable upon all premises held out to the public for use of their snowmobiles, whether such premises are publicly or privately owned and whether or not a fee is charged for the use thereof.

350.103 Implied consent. Any person who engages in the operation of a snowmobile upon the public highways of this state, or in those areas enumerated in s. 350.1025, is deemed to have given consent to provide one or more samples of his or her blood, blood or urine for the purpose of authorized analysis as required under s. 350.104. Any person who engages in the operation of a snowmobile within this state is deemed to have given consent to submit to one or more chemical tests of his or her blood, blood or urine for the purpose of authorized analysis as required under s. 350.104.

350.104 Chemical tests. (1) Requirement. (a) Samples; submission to tests. A person shall provide one or more samples of his or her breath, blood or urine for the purpose of authorized analysis if he or she is arrested for a violation of the intoxicated snowmobiling law and if he or she is requested to provide the sample by a law enforcement officer. A person shall submit to one or more chemical tests of his or her breath, blood or urine for the purpose of authorized analysis if he or she is arrested for a violation of the intoxicated snowmobiling law and if he or she is requested to submit to the test by a law enforcement officer.

(b) Information. A law enforcement officer requesting a person to provide a sample or to submit to a chemical test under par. (a) shall inform the person of all of the following at the time of the request and prior to obtaining the sample or administering the test:

1. That he or she is deemed to have consented to tests under s. 350.103.
2. That a refusal to provide a sample or to submit to a chemical test constitutes a violation under sub. (5) and is subject to the same penalties and procedures as a violation of s. 350.101 (1) (a).
3. That in addition to the designated chemical test under sub. (2) (b), he or she may have an additional chemical test under sub. (3) (a).

(c) Unconscious person. A person who is unconscious or otherwise not capable of withdrawing consent is presumed not to have withdrawn consent under this subsection, and if a law enforcement officer has probable cause to believe that the person violated the
intoxicated snowmobiling law, one or more chemical tests may be administered to the person without a request under par. (a) and without providing information under par. (b).

(2) CHEMICAL TESTS. (a) Test facility. Upon the request of a law enforcement officer, a test facility shall administer a chemical test of breath, blood or urine for the purpose of authorized analysis. A test facility shall be prepared to administer 2 of the 3 chemical tests of breath, blood or urine for the purpose of authorized analysis. The department may enter into agreements for the cooperative use of test facilities.

(b) Designated chemical test. A test facility shall designate one chemical test of breath, blood or urine which it is prepared to administer first for the purpose of authorized analysis.

(c) Additional chemical test. A test facility shall specify one chemical test of breath, blood or urine, other than the test designated under par. (b), which it is prepared to administer for the purpose of authorized analysis as an additional chemical test.

(d) Validity; procedure. A chemical test of blood or urine conducted for the purpose of authorized analysis is valid as provided under s. 343.305 (10). The duties and responsibilities of the laboratory of hygiene, department of health and social services and department of transportation under s. 343.305 (10) apply to a chemical test of blood or urine conducted for the purpose of authorized analysis under this section. Blood may be withdrawn from a person arrested for a violation of the intoxicated snowmobiling law only by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician and the person who withdraws the blood, the employer of that person and any hospital where blood is withdrawn have immunity from civil or criminal liability as provided under s. 895.53.

(e) Report. A test facility which administers a chemical test of breath, blood or urine for the purpose of authorized analysis under this section shall prepare a written report which shall include the findings of the chemical test, the identification of the law enforcement officer or the person who requested a chemical test and the identification of the person who provided the sample or submitted to the chemical test. The test facility shall transmit a copy of the report to the law enforcement officer and the person who provided the sample or submitted to the chemical test.

(3) ADDITIONAL AND OPTIONAL CHEMICAL TESTS. (a) Additional chemical test. If a person is arrested for a violation of the intoxicated snowmobiling law or is the operator of a snowmobile involved in an accident resulting in great bodily harm to or the death of someone and if the person is requested to provide a sample or to submit to a test under sub. (1) (a), the person may request the test facility to administer the additional chemical test specified under sub. (2) (c) or, at his or her own expense, reasonable opportunity to have a qualified person administer a chemical test of his or her breath, blood or urine for the purpose of authorized analysis.

(b) Optional test. If a person is arrested for a violation of the intoxicated snowmobiling law and if the person is not requested to provide a sample or to submit to a test under sub. (1) (a), the person may request the test facility to administer a chemical test of his or her breath or, at his or her own expense, reasonable opportunity to have any qualified person administer a chemical test of his or her breath, blood or urine for the purpose of authorized analysis. If a test facility is unable to perform a chemical test of breath, the person may request the test facility to administer the designated chemical test under sub. (2) (b) or the additional chemical test under sub. (2) (c).

(c) Compliance with request. A test facility shall comply with a request under this subsection to administer any chemical test it is able to perform.

(d) Inability to obtain chemical test. The failure or inability of a person to obtain a chemical test at his or her own expense does not preclude the admission of evidence of the results of a chemical test required and administered under subs. (1) and (2).

(4) ADMISSIBILITY; EFFECT OF TEST RESULTS; OTHER EVIDENCE. The results of a chemical test required or administered under sub. (1), (2) or (3) are admissible in any civil or criminal action or proceeding arising out of the acts committed by a person alleged to have violated the intoxicated snowmobiling law on the issue of whether the person was under the influence of an intoxicant or the issue of whether the person had alcohol concentrations at or above specified levels. Results of these chemical tests shall be given the effect required under s. 885.235. This section does not limit the right of a law enforcement officer to obtain evidence by any other lawful means.

(5) REFUSAL. No person may refuse a lawful request to provide one or more samples of his or her breath, blood or urine or to submit to one or more chemical tests under sub. (1). A person shall not be deemed to refuse to provide a sample or to submit to a chemical test if it is shown by a preponderance of the evidence that the refusal was due to a physical inability to provide the sample or to submit to the test due to a physical disability or disease unrelated to the use of an intoxicant. Issues in any action concerning violation of sub. (1) or this subsection are limited to:

(a) Whether the law enforcement officer had probable cause to believe the person was violating or had violated the intoxicated snowmobiling law.

(b) Whether the person was lawfully placed under arrest for violating the intoxicated snowmobiling law.

(c) Whether the law enforcement officer requested the person to provide a sample or to submit to a chemical test and provided the information required under sub. (1) (b) or whether the request and information was unnecessary under sub. (1) (c).
(d) Whether the person refused to provide a sample or to submit to a chemical test.

350.106 Report arrest to department. If a law enforcement officer arrests a person for a violation of the intoxicated snowmobiling law or the refusal law, the law enforcement officer shall notify the department of the arrest as soon as practicable.

350.107 Officer's action after arrest for operating a snowmobile while under influence of intoxicant. A person arrested for a violation of s. 350.101 (1) (a) or (b) or a local ordinance in conformity therewith or s. 350.101 (2) (a) or (b) may not be released until 12 hours have elapsed from the time of his or her arrest unless a chemical test administered under s. 350.104 (1) (a) shows that there is 0.05% or less by weight of alcohol in the person's blood or 0.05 grams or less of alcohol in 210 liters of the person's breath, but the person may be released to his or her attorney, spouse, relative or other responsible adult at any time after arrest.

350.108 Public education program. (1) The department shall promulgate rules to provide for a public education program to:

(a) Inform snowmobile operators of the prohibitions and penalties included in the intoxicated snowmobiling law. The snowmobile recreational council may assist the department in developing the public education program.

(b) Provide for the development of signs briefly explaining the intoxicated snowmobiling law.

(2) The department shall develop and issue an educational pamphlet on the intoxicated snowmobiling law to be distributed, beginning in 1989, to persons issued snowmobile registration certificates.

SECTION 443qs. 350.11 of the statutes is renumbered 350.11 (1) and amended to read:

350.11 (1) Any Except as provided in subs. (2) and (3), any person who violates any provision of this chapter except ss. 350.07, 350.08 and 350.10 (3) shall forfeit not more than $250.

(2) Any person who violates s. 350.07, or 350.08 or 350.10 (3) shall forfeit not more than $200.

SECTION 443qs. 350.11 (3) of the statutes is created to read:

350.11 (3) (a) Penalties related to prohibited operation of a snowmobile; intoxicants; refusal. 1. Except as provided under subs. 2 and 3, a person who violates s. 350.101 (1) (a) or (b) or s. 350.104 (5) shall forfeit not less than $150 nor more than $300.

2. Except as provided under subd. 3, a person who violates s. 350.101 (1) (a) or (b) or s. 350.104 (5) and who, within 5 years prior to the arrest for the current violation, was convicted previously under the intoxicated snowmobiling law or the refusal law shall be fined not less than $300 nor more than $1,000 and shall be imprisoned not less than 5 days nor more than 6 months.

3. A person who violates s. 350.101 (1) (a) or (b) or s. 350.104 (5) and who, within 5 years prior to the arrest for the current violation, was convicted 2 or more times previously under the intoxicated snowmobiling law or refusal law shall be fined not less than $600 nor more than $2,000 and shall be imprisoned not less than 30 days nor more than one year in the county jail.

4. A person who violates s. 350.101 (1) (c) or s. 350.104 (5) and who has not attained the age of 19 shall forfeit not more than $50.

(b) Penalties related to causing injury; intoxicants. A person who violates s. 350.101 (2) shall be fined not less than $300 nor more than $2,000 and may be imprisoned not less than 30 days nor more than one year in the county jail.

(c) Sentence of detention. The legislature intends that courts use the sentencing option under s. 973.03 (4) whenever appropriate for persons subject to par. (a) 2 or 3 (b). The use of this option can result in significant cost savings for the state and local governments.

(e) Calculation of previous convictions. In determining the number of previous convictions under par. (a) 2 and 3, convictions arising out of the same incident or occurrence shall be counted as one previous conviction.

(cm) Reporting convictions to the department. Whenever a person is convicted of a violation of the intoxicated snowmobiling law, the clerk of the court in which the conviction occurred, or the justice, judge or magistrate of a court not having a clerk, shall forward to the department the record of such conviction. The record of conviction forwarded to the department shall state whether the offender was involved in an accident at the time of the offense.

(d) Alcohol or controlled substances; assessment. In addition to any other penalty or order, a person who violates s. 350.101 (1) (a) or (b) or s. 350.104 (5) or who violates s. 940.09 or 940.25 if the violation involves the operation of a snowmobile, shall be ordered by the court to submit to and comply with an assessment by an approved public treatment facility for an examination of the person's use of alcohol or controlled substances. The assessment order shall comply with s. 343.30 (1q) (c) 1. a to c. Intentional failure to comply with an assessment ordered under this paragraph constitutes contempt of court, punishable under ch. 785.

SECTION 443qs. 350.12 (4) (b) 3 of the statutes is amended to read:

350.12 (4) (b) 3. Not more than $30,000 for a route signing program of aids to cities, villages or towns or up to 100% of the cost of initial signing of snowmobile routes which connect authorized trails or which offer entrance to or exit from trails leading to such municipalities. Aid may be provided under this subdivision to cities, villages, towns and counties for up to 75% of the cost of placing signs developed under s. 350.108 (1) (b) which briefly explain the intoxicated snowmo-
biling law along snowmobile routes. Applications and
documentation shall be submitted to the department
by April 15 of each year on forms prescribed by
departmental rule.

SECTION 443qy. 351.02 (1) (a) 1 of the statutes is amended to read:

351.02 (1) (a) 1. Homicide under s. 940.06, 940.08 or 940.09 or 940.10 involving the use of a vehicle.

SECTION 443r. 403.806 of the statutes is amended to read:

403.806 Liability for worthless check or draft. Any person who issues a check or other draft which is not honored upon presentment, because the drawer does not have an account with the drawee or because the drawer does not have sufficient funds in his or her account or sufficient credit with the drawee, is liable for all reasonable costs and expenses in connection with the collection of the amount for which such check or draft was written, except recovery is not permitted under this section if a person licensed under s. 138.09 or any other person collected or could have collected a charge for that check or other draft under s. 422.202 (1) (d) or (2m) (cm).

SECTION 443s. 422.202 (1) (d) of the statutes is created to read:

422.202 (1) (d) With respect to a consumer credit transaction which is other than one pursuant to an open-end credit plan and which is entered into on or after the effective date of this paragraph .... [revisor inserts date], a charge not to exceed $10 for each check presented for payment to a creditor which is returned unsatisfied because the drawer does not have an account with the drawee, does not have sufficient funds in his or her account or does not have sufficient credit with the drawee.

SECTION 443t. 422.202 (2m) (intro.) of the statutes is amended to read:

422.202 (2m) (intro.) Except as provided in pars. (a) to (e) (cm), with respect to consumer credit transactions entered into under an open-end credit plan on or after November 1, 1981, the parties may agree to the payment by the customer of the following charges in addition to the finance charge:

SECTION 443u. 422.202 (2m) (cm) of the statutes is created to read:

422.202 (2m) (cm) With respect to a consumer credit transaction which is under an open-end credit plan and which is entered into on or after the effective date of this paragraph .... [revisor inserts date], a charge not to exceed $10 for each check presented for payment to a creditor which is returned unsatisfied because the drawer does not have an account with the drawee, does not have sufficient funds in his or her account or does not have sufficient credit with the drawee.

SECTION 443um. 440.05 (3) (a) 54m of the statutes is created to read:

440.05 (3) (a) 54m. Time-share salespersons, $45.
SECTION 443y. 444.09 (4) of the statutes is amended to read:

444.09 (4) No person under the age of 18 years shall participate in any professional boxing or sparring exhibition. Amateur contestants between 16 and 18 years of age may participate in amateur boxing or sparring exhibitions with the consent of their parents or guardians.

SECTION 443y. 444.15 of the statutes is amended to read:

444.15 (title) Reports; examination of books and officers. Whenever any club fails to make a report of any contest at the time prescribed or whenever such a report is unsatisfactory to the department, the secretary of the department may examine or cause to be examined the books and records of such the club and may subpoena and examine, under oath, its the club's officers and other witnesses to determine the amount of its gross receipts for any exhibition and the amount of tax due, which tax he or she may determine upon such examination. In case of a default in the payment of any tax so adjudged to be due (together with the expenses of the examination) for a period of 20 days after notice to such delinquent club of the amount, such club shall thereby forfeit its license and be disqualified from receiving any license; and it shall in addition under this chapter and forfeit to the state the sum of $1,000, which may be recovered by the department of justice in the name of the state.
448.01 (2g) “Occupational therapist” means an individual who meets the requirements under s. 448.05 (5m) (a) and is certified by the board to practice occupational therapy.

SECTION 443yrg. 448.01 (2m) of the statutes is amended to read:

448.01 (2m) “Occupational therapy” means the use of purposeful activity with persons who are limited by physical injury or illness, psychosocial dysfunction, developmental or learning disability or the aging process, in order to maximize independent function, prevent further disability and achieve and maintain health and productivity, and encompasses evaluation, treatment and consultation services that are provided to a person or a group of persons.

SECTION 443yrd. 448.01 (2r) of the statutes is amended to read:

448.01 (2r) “Occupational therapy assistant” means an individual who meets the requirements under s. 448.05 (5m) (b) and is certified by the board to assist in the practice of occupational therapy under the supervision of an occupational therapist.

SECTION 443yr. 448.02 (2) of the statutes is amended to read:

448.02 (2) CERTIFICATE. The board may certify physician's assistants, occupational therapists and occupational therapy assistants.

SECTION 443yrf. 448.02 (3) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

448.02 (3) (a) The board shall investigate allegations of unprofessional conduct and negligence in treatment by persons holding a license, certificate or limited permit granted by the board. An allegation that a physician has violated s. 448.30 or 450.13 (2) or has failed to mail or present a medical certification required under s. 69.18 (2) within 21 days after the pronouncement of death of the person who is the subject of the required certificate or that a physician has failed at least 6 times within a 6-month period to mail or present a medical certificate required under s. 69.18 (2) within 6 days after the pronouncement of death of the person who is the subject of the required certificate is an allegation of unprofessional conduct. Information contained in reports filed with the board under s. 49.45 (2) (a) 12r, 50.36 (3) (b), 609.17 or 632.715 or under 42 CFR 1001.109 (e) and 42 CFR 1001.124 (a) (3) and (b) shall be investigated by the board. Information contained in a report filed with the board under s. 655.045 (1), as created by 1985 Wisconsin Act 29, which is not a finding of negligence or in a report filed with the board under s. 50.36 (3) (c) may, within the discretion of the board, be used as the basis of an investigation of the persons named in the reports. The board may require a person holding a license, certificate or limited permit to undergo and may consider the results of one or more physical, mental or professional competency examinations if the board believes that the results of any such examinations may be useful to the board in conducting its investigation.

SECTION 443yrg. 448.02 (3) (b) of the statutes is amended to read:

448.02 (3) (b) After an investigation, if the board finds that there is probable cause to believe that the person is guilty of unprofessional conduct or negligence in treatment, the board shall hold a hearing on such conduct. The board may use any information obtained by the board or the department under s. 655.17 (7) (b), as created by 1985 Wisconsin Act 29, in an investigation or a disciplinary proceeding, including a public disciplinary proceeding, conducted under this subsection and the board may require a person holding a license, certificate or limited permit to undergo and may consider the results of one or more physical, mental or professional competency examinations if the board believes that the results of any such examinations may be useful to the board in conducting its hearing. A unanimous finding by a panel established under s. 655.02, 1983 stats., or a finding by a court that a physician has acted negligently in treating a patient is conclusive evidence that the physician is guilty of negligence in treatment. A finding that is not a unanimous finding by a panel established under s. 655.02, 1983 stats., that a physician has acted negligently in treating a patient is presumptive evidence that the physician is guilty of negligence in treatment. A certified copy of the findings of fact, conclusions of law and order of the panel or the order of a court is presumptive evidence that the finding of negligence in treatment was made. The board shall render a decision within 90 days following completion of the hearing.

SECTION 443yrh. 448.02 (3) (c) of the statutes is amended to read:

448.02 (3) (c) After a disciplinary hearing, the board may, when it determines that a panel established under s. 655.02, 1983 stats., has unanimously found or a court has found that a person has been negligent in treating a patient or when it finds a person guilty of unprofessional conduct or negligence in treatment, do one or more of the following: warn or reprimand that person, or, limit, suspend or revoke any license, certificate or limited permit granted by the board to that person. The board may condition the removal of limitations on a license, certificate or limited permit or the restoration of a suspended or revoked license, certificate or limited permit upon obtaining minimum results specified by the board on one or more physical, mental or professional competency examinations if the board believes that obtaining the minimum results is related to correcting one or more of the bases upon which the limitation, suspension or revocation was imposed.

SECTION 443yri. 448.02 (3) (c) of the statutes is amended to read:

448.02 (3) (c) A person whose license, certificate or limited permit is limited shall be permitted to con-
tinue practice upon condition that the person will refrain from engaging in unprofessional conduct; that the person will appear before the board or its officers or agents at such times and places as may be designated by the board from time to time; that the person will fully disclose to the board or its officers or agents the nature of the person's practice and conduct; that the person will fully comply with the limits placed on his or her practice and conduct by the board; that the person will obtain additional training, education or supervision required by the board; and that the person will cooperate with the board.

SECTION 443yrj. 448.02 (3) (h) of the statutes is amended to read:

448.02 (3) (h) Nothing in this subsection prohibits the board, in its discretion, from investigating and conducting disciplinary proceedings on allegations of unprofessional conduct by persons holding a license or certificate or limited permit granted by the board when the allegations of unprofessional conduct may also constitute allegations of negligence in treatment.

SECTION 443yrk. 448.02 (4) of the statutes is amended to read:

448.02 (4) SUSPENSION PENDING HEARING. The board may summarily suspend any license or certificate or limited permit granted by the board for a period not to exceed 30 days pending hearing, when the board has in its possession evidence establishing probable cause to believe that the holder of the license or certificate or limited permit has violated the provisions of this chapter and that it is necessary to suspend the license or certificate or limited permit immediately to protect the public health, safety or welfare. The holder of the license or certificate or limited permit shall be granted an opportunity to be heard during the determination of probable cause. The board may designate any of its officers to exercise the authority granted by this subsection to suspend summarily a license or certificate or limited permit, but such suspension shall be for a period of time not to exceed 72 hours. If a license or certificate or limited permit has been summarily suspended by the board or any of its officers, the board may, while the hearing is in progress, extend the initial 30-day period of suspension for an additional 30 days. If the holder of the license or certificate or limited permit has caused a delay in the hearing process, the board may subsequently suspend the license or certificate or limited permit from the time the hearing is commenced until a final decision is issued or may delegate such authority to the hearing examiner.

SECTION 443yrL. 448.02 (5) of the statutes is amended to read:

448.02 (5) VOLUNTARY SURRENDER. The holder of any license or certificate or limited permit granted by the board may voluntarily surrender the license or certificate or limited permit to the secretary of the board, but the secretary may refuse to accept the surrender if the board has received allegations of unprofessional conduct against the holder of the license or certificate or limited permit. The board may negotiate stipulations in consideration for accepting the surrender of licenses.

SECTION 443yrm. 448.02 (6) of the statutes is amended to read:

448.02 (6) (title) RESTORATION OF LICENSE, CERTIFICATE OR LIMITED PERMIT. The board may restore any license or certificate or limited permit which has been voluntarily surrendered or revoked under any of the provisions of this chapter, on such terms and conditions as it may deem appropriate.

SECTION 443yrm. 448.03 (3) (f) and (g) of the statutes are created to read:

448.03 (3) (f) No person not an occupational therapist may designate himself or herself as an occupational therapist, claim to render occupational therapy services or use the abbreviation "O.T." or "O.T.R." after the person's name. This paragraph does not apply to:

1. Any person employed as an occupational therapist by a federal agency, as defined under s. 59.071 (3) (a), if the person provides occupational therapy solely under the direction or control of the federal agency by which he or she is employed.

2. Any person pursuing a supervised course of study, including internship, leading to a degree or certificate in occupational therapy under an accredited or approved educational program, if the person is designated by a title which clearly indicates his or her status as a student or trainee.

3. Any person performing occupational therapy services in this state under a limited permit, as provided under s. 448.04 (1) (h), if at least one of the following applies:

   a. The person is licensed or certified as an occupational therapist under the law of another state which has licensure or certification requirements that are determined by the board to be at least as stringent as the requirements of this chapter.

   b. The person meets the requirements for certification as an occupational therapist, registered, established by the American occupational therapy certification board.

(g) No person not an occupational therapy assistant may describe himself or herself as an occupational therapy assistant or claim to render occupational therapy services as an occupational therapy assistant or use the abbreviation "O.T.A." or "C.O.T.A." after the person's name. This paragraph does not apply to:

1. Any person employed as an occupational therapy assistant by a federal agency, as defined under s. 59.071 (3) (a), if the person provides occupational therapy solely under the direction or control of the federal agency by which he or she is employed.

2. Any person pursuing a supervised course of study leading to a degree or certificate in occupational
therapy assistantship under an approved educational program, if the person is designated by a title which clearly indicates his or her status as a student or trainee.

3. Any person performing occupational therapy services in this state under a limited permit, as provided under s. 448.04 (1) (h), if at least one of the following applies:
   a. The person is licensed or certified as an occupational therapy assistant under the law of another state which has licensure or certification requirements that are determined by the board to be at least as stringent as the requirements of this chapter.
   b. The person meets the requirements for certification as a certified occupational therapy assistant, established by the American occupational therapy certification board.

SECTION 443yrq. 448.03 (4) of the statutes is amended to read:

448.03 (4) DEFINITION. In this section, “the scene of an emergency” means areas not within the confines of a hospital or other institution which has hospital facilities or the office of a person licensed or certified or holding a limited permit under this chapter.

SECTION 443yrp. 448.04 (1) (g) and (h) of the statutes are created to read:

448.04 (1) (g) Certification to practice or assist in the practice of occupational therapy. 1. A person who is certified to practice occupational therapy may practice occupational therapy.

2. A person who is certified to practice as an occupational therapy assistant may assist in the practice of occupational therapy.

3. The board may waive the requirements under s. 448.05 (5m) (a) or (b) and, upon payment of a reciprocal certificate fee under s. 440.05 (2), certify as an occupational therapist or occupational therapy assistant:
   a. Any person who presents proof of current licensure or certification as an occupational therapist or occupational therapy assistant in another state or territory of the United States which requires standards for licensure or certification considered by the board to be equivalent to the requirements for certification in this state.
   b. Any person who presents proof of certification by the American occupational therapy certification board, if the medical examining board determines that the requirements for the certification are equivalent to the requirements under s. 448.05 (5m) (a) or (b).

448.04 (1) (h) Limited permit to practice or assist in the practice of occupational therapy. The board may, upon application, issue a permit for a limited period of time designated by the board to any of the following:

1. A person who presents evidence satisfactory to the board of having met the requirements under s. 448.05 (5m) (a), to practice occupational therapy in association with an occupational therapist.

2. A person who presents evidence satisfactory to the board of having met the requirements under s. 448.05 (5m) (b), to assist in the practice of occupational therapy under the supervision of an occupational therapist.

SECTION 443yrq. 448.05 (5m) of the statutes is created to read:

448.05 (5m) Certificate to practice occupational therapy. (a) An applicant for certification as an occupational therapist shall submit evidence to the board that he or she has done any of the following:

1. Successfully completed the academic requirements and supervised internship requirements of an educational program in occupational therapy recognized by the board and accredited by the committee on allied health education and accreditation of the American medical association and the American occupational therapy association.

2. Received certification as an occupational therapist by the American occupational therapy certification board.

(b) An applicant for certification as an occupational therapy assistant shall submit evidence to the examining board that he or she has done any of the following:

1. Successfully completed the academic and supervised internship requirements of an educational program in occupational therapy or other requirements recognized by the board and approved by the American occupational therapy association.

2. Received certification as an occupational therapy assistant by the American occupational therapy certification board.

SECTION 443yr. 448.06 (title) and (1) of the statutes are amended to read:

448.06 (title) License, certificate or limited permit granted, denied. (1) Grant of license, certificate or limited permit. If three-fourths of the members of the board find that an applicant who has passed the required examinations or who applies under s. 448.04 (1) (h) is qualified, the board shall notify the applicant and shall grant the license or certificate or limited permit.

SECTION 443yr. 448.07 (1) (d) of the statutes is amended to read:

448.07 (1) (d) No registration may be permitted by the secretary of the board in the case of any physician, occupational therapist or occupational therapy assistant who has failed to meet the requirements of s. 448.13 or any person whose license or certificate or limited permit has been suspended or revoked and the registration of any such person shall be deemed automatically annulled upon receipt by the secretary of the board of a verified report of such suspension or revocation, subject to the licensee’s or permittee’s right of appeal. A person whose license or certificate or limited permit has been suspended or revoked and subsequently restored shall be registered by the board upon tendering a verified report of such restoration of the
license or certificate or limited permit, together with an application for registration and the registration fee.

SECTION 443yrt. 448.13 of the statutes is renumbered 448.13 (1).

SECTION 443yru. 448.13 (2) of the statutes is created to read:

448.13 (2) Each occupational therapist or occupational therapy assistant shall, in each 2nd year at the time of application for a certificate of registration under s. 448.07, submit proof of completion of continuing education requirements promulgated by rule by the board.

SECTION 443yrv. 448.40 of the statutes is repealed and recreated to read:

448.40 Rules. (1) The board may promulgate rules to carry out the purposes of this chapter.

(2) The board shall promulgate all of the following rules:

(a) Implementing s. 448.30.

(b) Establishing standards for acceptable examination performance by an applicant for certification as an occupational therapist or occupational therapy assistant.

(c) Establishing continuing education requirements for certificate renewal for an occupational therapist or occupational therapy assistant under s. 448.13 (2).

(d) Establishing standards of practice for occupational therapy, including criteria for referral.

SECTION 443yruv. 450.10 (3) (a) of the statutes, as affected by 1987 Wisconsin Act 264, is amended to read:

450.10 (3) (a) In this subsection, “health care professional” means a pharmacist licensed under this chapter, a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, a podiatrist or physical therapist licensed or occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, a veterinarian licensed under ch. 453 or a psychologist licensed under ch. 455.

SECTION 443yruv. 452.025 of the statutes is created to read:

452.025 Time-share salespersons. (1) A person desiring to act as a time-share salesperson shall submit to the department an application for a certificate of registration.

(b) The application for registration as a time-share salesperson shall be in the form prescribed by the department and shall include all of the following:

1. The name and address of the applicant.
2. The prior occupations of the applicant.
3. Certification from the licensed broker employing the applicant that the applicant is competent to act as a time-share salesperson.
4. Any other information which the department reasonably requires to enable it to determine the competency of the person to transact business as a time-share salesperson.

(2) A person shall not engage in the business or occupation of, or advertise or hold himself or herself out as, a time-share salesperson unless the person is registered under this section or licensed under s. 452.09.

(3) (a) A time-share salesperson registered under this section may act as a time-share salesperson only when employed by a licensed broker.

(b) 1. Except as provided in subd. 2, a time-share salesperson registered under this section shall not draft or complete a purchase agreement, offer to purchase, or other contract or document related to the sale of a time share.

2. A time-share salesperson registered under this section may complete a form purchase agreement or offer to purchase, if the form purchase agreement or offer to purchase has been approved by the department and includes only the following:

a. The name, address and telephone number of the purchaser.

b. The name of the time-share project.

c. Identification and price of the time share being purchased and the amount of the downpayment and where it will be held.

d. Financing alternatives.

e. Disclosures under subch. III of ch. 422 and the federal consumer credit protection act, 15 USC 1601 to 1693r.

f. The date of closing.
Each branch office must be under the direct full-time supervision of a broker. The broker maintaining the branch office shall be responsible for the acts and conduct of all brokers and salespersons and time-share salespersons employed at the branch office.

SECTION 443yui. 452.13 of the statutes is renumbered 452.13 (1) and amended to read:

(6) (a) Any licensee, except a cemetery salesperson registered under s. 452.02 (3) or a time-share salesperson registered under s. 452.025, may apply for registration as an inactive licensee on or before December 31 of the even-numbered year in which the person’s license is due to expire.

SECTION 443yug. 452.13 of the statutes is renumbered 452.13 (1) and amended to read:

452.13 (1) All Except as provided in sub. (2), all downpayments, earnest money deposits or other trust funds received by a broker, salesperson, time-share salesperson or cemetery salesperson on behalf of the broker’s, salesperson’s, time-share salesperson’s or cemetery salesperson’s principal or any other person shall be deposited in a common trust account maintained by the broker, salesperson, time-share salesperson or cemetery salesperson for that purpose in a bank, savings and loan association or credit union which is authorized to do business in this state and is designated by the broker, salesperson, time-share salesperson or cemetery salesperson pending the consummation or termination of the transaction, except that the money may be paid to one of the parties pursuant to the contract or option. The name of the bank, savings and loan association or credit union shall at all times be registered with the department, along with a letter authorizing the department to examine and audit the trust account when the department deems it necessary.

SECTION 443yuL. 452.14 (1) and (3) (intro.), (b), (e), (f), (h), (i) and (jm) of the statutes are amended to read:

452.14 (1) The department shall, upon motion of the board or upon its own determination, conduct investigations in regard to the action of any broker, salesperson, time-share salesperson, cemetery association or corporation or cemetery salesperson.

(3) (intro.) Disciplinary proceedings shall be conducted by the board according to rules adopted under s. 440.03 (1). The board may revoke, suspend or limit any broker’s, salesperson’s or time-share salesperson’s license or registration, or reprimand the holder of the license or registration, if it finds that the holder of the license or registration has:

(b) Made any substantial misrepresentation with reference to a transaction injurious to a seller or purchaser in which the broker or salesperson or time-share salesperson acts as agent;
(e) Acted for more than one party in a transaction without the knowledge of all parties for whom the broker or salesperson or time-share salesperson acts;

(f) Accepted a commission or valuable consideration as a salesperson or time-share salesperson for the performance of any act specified in this chapter from any person except the salesperson's or time-share salesperson's employer;

(h) Failed, within a reasonable time, to account for or remit any moneys coming into the broker's or salesperson's or time-share salesperson's possession which belong to another person;

(i) Demonstrated incompetency to act as a broker, salesperson, time-share salesperson or cemetery salesperson in a manner which safeguards the interests of the public;

(jm) Intentionally encouraged or discouraged any person from purchasing or renting real estate in a particular area on the basis of race. If the board finds that any broker or salesperson or time-share salesperson has violated this paragraph, the board shall, in addition to any temporary penalty imposed under this subsection, apply the penalty provided in s. 452.17 (4);

SECTION 443yun. 452.16 (1) of the statutes is amended to read:

452.16 (1) The department may conduct investigations, hold hearings and make findings as to whether a person has acted as a broker, salesperson, time-share salesperson or cemetery salesperson. The findings shall be subject to review under ch. 227. During such review any additional material evidence presented may be considered. In lieu of holding a hearing, when there is reason to believe that a person is acting as a broker or salesperson without a license or as a time-share salesperson without a certificate of registration and that the continuation of such activity might cause injury to the public interest, the department may petition the circuit court for a temporary restraining order, an injunction or a writ of ne exeat as provided in ch. 813.

SECTION 443yun. 452.17 (2) and (4) (a) of the statutes are amended to read:

452.17 (2) Any person who engages in or follows the business or occupation of, or advertises or holds himself or herself out as or acts temporarily or otherwise as a cemetery salesperson or time-share salesperson in this state without being registered with the department shall be prosecuted by the district attorney in the county where the violation occurs and may be fined not less than $25 nor more than $90 or imprisoned not less than 10 days nor more than 6 months or both.

452.20 Limitation on actions for commissions. No person engaged in the business or acting in the capacity of a broker or salesperson or time-share salesperson within this state may bring or maintain an action in the courts of this state for the collection of a commission or compensation for the performance of any act mentioned in this chapter without alleging and proving that he or she was a duly licensed broker or salesperson or registered time-share salesperson at the time the alleged cause of action arose.

SECTION 443yun. 452.20 of the statutes is amended to read:

452.20 Limitation on actions for commissions. No person engaged in the business or acting in the capacity of a broker or salesperson or time-share salesperson within this state may bring or maintain an action in the courts of this state for the collection of a commission or compensation for the performance of any act mentioned in this chapter without alleging and proving that he or she was a duly licensed broker or salesperson or registered time-share salesperson at the time the alleged cause of action arose.

SECTION 443yun. 452.21 of the statutes is amended to read:

452.21 Compensation presumed. In any prosecution for violation of this chapter, proof that a person acted as a broker or salesperson or as an agent of a broker or salesperson or time-share salesperson is prima facie evidence of compensation therefor was received or promised.

SECTION 443yun. 452.22 (2) of the statutes is amended to read:

452.22 (2) The certificate of the secretary or his or her designee to the effect that a specified individual, partnership or corporation is not or was not on a specified date the holder of a broker’s or salesperson’s or time-share salesperson’s license or registration, or that a specified license or registration was not in effect on a date specified, or as to the issuance, limitation, suspension or revocation of any license or registration is prima facie evidence of the facts therein stated for all purposes in any action or proceedings.

SECTION 443yun. 560.04 (2) (d) of the statutes is renumbered 93.07 (22).

SECTION 444. 560.07 (2m) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

560.07 (2m) In cooperation with the university of Wisconsin small business development center, the university of Wisconsin center for cooperatives, the board of vocational, technical and adult education, and the university of Wisconsin-extension and the community development finance authority, collect and disseminate information regarding employee-owned businesses and promote the appropriate establishment of employee-owned businesses.

SECTION 444am. 560.07 (3) (a) and (b) of the statutes are amended to read:

560.07 (3) (a) Serve as the state’s official liaison agency between persons interested in locating new economic enterprises in Wisconsin, and state and local groups seeking new enterprises. In this respect the department shall aid communities in organizing for and obtaining new business or expanding existing bus-
iness and shall refer respond to requests which reflect interest in locating economic enterprises in the state. When the secretary considers appropriate, the department shall refer requests for economic development assistance to Forward Wisconsin, inc., and shall attempt to prevent duplication of efforts between the department and Forward Wisconsin, inc.

(b) Contract with Forward Wisconsin, inc., if the secretary determines it appropriate, to pay Forward Wisconsin, inc., an amount not to exceed the amount appropriated under s. 20.143 (1) (bm), to establish and implement a nationwide business development promotion campaign to attract persons interested in locating new enterprises in this state and to encourage the retention and expansion of businesses and jobs in this state. Funds may be expended to carry out such a contract only as provided in s. 16.501.

SECTION 444f. 560.60 (4) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

560.60 (4) “Eligible recipient” means a business, small business, consortium or governing body.

SECTION 444h. 560.60 (12) of the statutes is amended to read:

560.60 (12) “Small business” means an existing business that has been in operation for less than 1 year.

SECTION 444j. 560.60 (15) of the statutes is created to read:

560.60 (15) “Small business” means a business operating for profit, with 250 or fewer employees, including employees of any subsidiary or affiliated organization.

SECTION 444k. 560.605 (1) (f) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

560.605 (1) (f) The project meets all criteria set forth in s. 560.62, 560.625, 560.63 or 560.66, whichever is appropriate.

SECTION 444m. 560.61 of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

560.61 Wisconsin development fund. At the request of the board, the department shall make a grant or loan to an eligible recipient for a project which meets the criteria for funding under s. 560.605 and under s. 560.62, 560.625, 560.63 or 560.66, whichever is appropriate.

SECTION 444n. 560.62 (4) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

560.62 (4) In each biennium, the board may expend or encumber up to a total of one percent of the money appropriated under s. 20.143 (1) (bm), (c) for that biennium for evaluations of proposed technical research projects or for grants to small businesses for preparing proposals for the federal small business innovative research program under 15 USC 638.

SECTION 444q. 560.625 of the statutes is created to read:

560.625 Research grants and loans. The board may award a research grant or loan under s. 560.61 to a small business to fund research having a potential commercial application. The total amount of grants and loans made under this section may not exceed $300,000 in any fiscal year.

SECTION 444s. 560.66 (1) (intro.) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

560.66 (1) (intro.) The board may award grants and loans under s. 560.61 to eligible recipients for any project which is not eligible for a grant or loan under ss. 560.62, 560.625 and 560.63, if the board determines that the project is a major economic development project and considers all of the following:

(1) That the project is a major economic development project.

(2) That the project is a major economic development project.

(3) That the project is a major economic development project.

(4) That the project is a major economic development project.

(5) That the project is a major economic development project.

(6) That the project is a major economic development project.

Vetoed in Part

560.69 Economic stabilization grants. (1) In this section “board” means the economic stabilization board created under s. 15.155 (1). (2) The board may make grants to a county or city under this section after reviewing a plan submitted by a county or city under sub. (3). (3) Any of the following apply:

(a) The county or city is severely economically depressed and has a rate of unemployment that is significantly higher than the state wide rate.

(b) An employer has partially or completely ended business operations in the county or city causing a significant negative economic impact on the county or city.

(c) An employer has announced that it intends to partially or completely end business operations in the county or city if the board determines that the announced action will have a significant negative economic impact on the county or city.

(d) A county or city applying for a grant under this section shall submit a plan to the governor and the board which describes all of the following:

(e) The economic condition of the county or city.

(f) The need for economic development and expansion and for developing human resources in the county or city.
(1) No city or county may use the proceeds of a grant under this section.

(2) Any city or county may use the proceeds of a grant under this section only to fund the implementation of a plan to retain women or to retain current jobs or create new jobs. Grants under this section may be used to pay costs associated with developing the plan required under this section or to pay administrative costs.

(3) The department of development shall promulgate rules for the administration of this section.

SECTION 444zm. 565.02 (3) (i) of the statutes is created to read:

565.02 (3) (i) Providing for terms of lottery retailer contracts for periods that are longer or shorter than one year.

SECTION 445g. 565.10 (4) (b) of the statutes, as created by 1987 Wisconsin Act 119, is repealed and recreated to read:

565.10 (4) (b) Subject to approval of each such retailer contract by the board, the retailer contract is with one of the following:

1. An individual who has a physical or mental disability which constitutes or results in a substantial handicap to his or her employment.

2. A group of individuals who have physical or mental disabilities which constitute or result in substantial handicaps to their employment.

3. A nonprofit organization, as defined in s. 108.02 (19), whose primary purpose is to provide service to or for individuals who have physical or mental disabilities which constitute or result in substantial handicaps to their employment.

SECTION 445gm. 565.10 (5) (a) of the statutes, as created by 1987 Wisconsin Act 119, is amended to read:

565.10 (5) (a) In entering into a lottery retailer contract with state agencies, other than the board, and agencies of local units of government, the executive director shall attempt to minimize the competitive effect of sales by the state or local agencies on other retailers. An application for a retailer contract by the board, the retailer contract is with one of the following:

1. An individual who has a physical or mental disability which constitutes or results in a substantial handicap to his or her employment.

2. A group of individuals who have physical or mental disabilities which constitute or result in substantial handicaps to their employment.

3. A nonprofit organization, as defined in s. 108.02 (19), whose primary purpose is to provide service to or for individuals who have physical or mental disabilities which constitute or result in substantial handicaps to their employment.

SECTION 445rg. 565.10 (7) of the statutes, as created by 1987 Wisconsin Act 119, is renumbered 565.10 (7) (a) and amended to read:

565.10 (7) (a) A lottery retailer contract may be entered into with a private person operating activities on state or local government property. The board shall give preference to an individual, group of individuals or nonprofit organization, as specified under sub. (4) (b), in entering into contracts under this paragraph.

SECTION 445rgg. 565.10 (7) (b) of the statutes is created to read:

565.10 (7) (b) If the executive director finds that the volume of lottery retailer contracts expiring in a single month or group of months creates a burden on the administration of the lottery, he or she may, under rules promulgated by the board, contract for a period that is longer or shorter than one year in order to stagger lottery retailer contract expiration dates throughout a calendar year.

SECTION 445rgp. 565.25 (4) of the statutes, as created by 1987 Wisconsin Act 119, is amended to read:

565.25 (4) BACKGROUND INVESTIGATIONS. Before a contract for a major procurement is awarded, the executive director, with the assistance of the department of justice, shall conduct a background investigation of the any person proposing to contract or contracting with the board for a major procurement and of all partners, officers, directors, owners and beneficial owners identified under sub. (3) (b). The executive director may require the person and partners, officers, directors and shareholders identified under sub. (3) (b) to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person’s fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions. If the results of the background investigation disclose information specified in sub. (3) (a) with respect to the person, partner, officer, director, owner or beneficial owner, a contract with the vendor, if entered into prior to the disclosure, is void and the vendor shall forfeit any amount filed, deposited or established under sub. (5) (b). The lottery board shall reimburse the department of justice for the department’s services under this subsection and shall obtain payment from the person proposing to contract or the vendor in the amount of the reimbursement.

SECTION 445rgt. 565.30 (3) (a) of the statutes, as created by 1987 Wisconsin Act 119, is amended to read:

565.30 (3) (a) Period to claim. The holder of a winning lottery ticket or lottery share may claim a prize within 180 days after the drawing or other selection in which the prize is won. Prizes unclaimed after 180 days shall be used for subsequent prizes or within 180 days after the game’s end date, as determined by the executive director, whichever is later.
SECTION 445u. 601.429 of the statutes is created to read:

601.429 Disability insurance reports. The office of health care information may require each insurer, as defined in s. 600.03 (27), authorized to write disability insurance to do all of the following:

1. Submit to the office of health care information the information specified in s. 153.05 (7) submitted on uniform patient billing forms regarding reported claims for health care services which insureds who are residents of this state obtain in another state.

2. Accept uniform patient billing forms, as defined under s. 153.01 (9), from hospitals and ambulatory surgery centers under s. 153.05 (4).

SECTION 446m. 619.15 (1) of the statutes is amended to read:

619.15 (1) The plan shall operate subject to the supervision and approval of a board consisting of representatives of 2 participating insurers which are nonprofit corporations, 2 other participating insurers, and 3 public members, appointed by the commissioner for staggered 3-year terms. In addition, a representative of the health policy council and the commissioner or a designated representative from the office of the commissioner shall be members of the board. The public members shall not be professionally affiliated with the practice of medicine, a hospital or an insurer. At least 2 of the public members shall be individuals reasonably expected to qualify for coverage under the plan or the parent or spouse of such an individual. The commissioner or the commissioner’s representative shall be the chairperson of the board. Board members, except the commissioner or the commissioner’s representative, shall be compensated at the rate of $50 per diem plus actual and necessary expenses.

SECTION 450m. 655.27 (3) (br) 3 of the statutes is amended to read:

655.27 (3) (br) 3. Two hundred percent of the estimated total dollar amount of disbursements for claims paid during the fiscal calendar year preceding that particular fiscal year.

SECTION 453e. 701.107 of the statutes is created to read:

701.107 Definitions applicable to ss. 701.107 to 701.109. In ss. 701.107 to 701.109:

1. “Bank” has the meaning given under 12 USC 1841 (c).

2. “Bank holding company” has the meaning given under 12 USC 1841 (a).

3. “Charitable trust” means a charitable trust which owns 100% of a bank holding company and which directly or indirectly owns one or more banks which has its principal office located in this state.

4. “Nonreciprocal state” means a state other than this state and other than a regional state, as defined in s. 221.58 (1) (h), that the commissioner of banking finds satisfies s. 221.58 (4) (a).

SECTION 453m. 701.108 of the statutes is created to read:

701.108 Disposal of the stock of a bank holding company owned by certain charitable trusts. (1) PERMITTED DISPOSITIONS. Except as provided in sub. (4), a charitable trust may sell, assign, merge or transfer the stock of a bank holding company owned by the charitable trust, including indirect interest in the bank holding company’s banking subsidiaries which have their principal office located in this state, to a bank or bank holding company which has its principal place of business in a nonreciprocal state if all of the following are satisfied:

a. The charitable trust is required under federal law to dispose of excess business holdings, as defined in section 4943 (c) of the internal revenue code of 1954, to avoid liability for the tax imposed under section 4943 (a) and (b) of the internal revenue code of 1954.

b. The bank or bank holding company proposing to obtain the stock of a bank holding company under this section has filed an application with the commissioner of banking, and the commissioner of banking does not disapprove the application under sub. (2).

c. The commissioner of banking gives a class 3 notice, under ch. 985, in the official state newspaper, of the application to take an action under this subsection and of the opportunity for a hearing and, if at least 25 residents of this state petition for a hearing within 30 days after the final notice or if the commissioner on his or her motion calls for a hearing within 30 days after the final notice, the commissioner holds a public hearing on the application, except that a hearing is not required if the commissioner finds that an emergency exists and that the proposed action under this subsection is necessary and appropriate to prevent the probable failure of a bank owned by the charitable trust that is closed or in danger of closing.

d. The commissioner of banking is provided a copy of any original application seeking approval by a federal agency of the transaction and of any supplemental material or amendments filed with the application.

e. The applicant has paid the commissioner of banking a fee of $1,000 together with the actual costs incurred by the commissioner in holding any hearing on the application.

(2) STANDARDS FOR DISAPPROVAL. The commissioner of banking may disapprove an application filed under sub. (1) if the commissioner finds any of the following:

a. Considering the financial and managerial resources and future prospects of the applicant and of banks owned by the charitable trust, the action would be contrary to the best interests of the shareholders or customers of the banks owned by the charitable trust.

b. The action would be detrimental to the safety and soundness of the applicant or of the banks owned by the charitable trust.
(c) Because the applicant or its executive officers, directors or principal shareholders have not established a record of sound performance, efficient management, financial responsibility and integrity, the action would be contrary to the best interests of the depositors, other customers, creditors or shareholders of the applicant or of the banks owned by the charitable trust or contrary to the best interests of the public.

(d) The applicant has failed to provide adequate and appropriate services required by the community reinvestment act of 1977 to the communities in which the applicant is located.

(e) The applicant has failed to propose to provide adequate and appropriate services required by the community reinvestment act of 1977 in the communities in which are located the banking subsidiaries of the bank holding company which the applicant proposes to acquire under this section.

(f) The applicant has failed to enter into an agreement prepared by the commissioner to comply with all of the following:

1. The laws and rules of this state regulating consumer credit finance charges and other charges and related disclosure requirements, except to the extent preempted by federal law or regulation.

2. The restrictions and requirements described in sub. (3) and s. 701.109 (2) and (3) (b).

(g) Any of the conditions under sub. (1) (c) to (e) has not been met.

(h) The charitable trust had acquired the bank holding company for the purpose of selling, assigning, merging or transferring under this section indirect interest in one or more banks owned directly or indirectly by the charitable trust.

(i) The applicant fails to meet any other standards established by rule of the commissioner.

(3) RESTRICTIONS ON ACQUIRING BANK OR BANK HOLDING COMPANY. Except as provided in sub. (3m), a bank or bank holding company which has its principal place of business in a nonreciprocal state and which under this section obtains the stock of a bank holding company owned by a charitable trust, including indirect interest in the bank holding company’s banking subsidiaries which have their principal office located in this state, if at any time after the transaction under this section the statutes of that state, excluding this section, or of the United States, by language to that effect and not merely by implication, permit an in-state bank, as defined in s. 221.58 (1) (c), or an in-state bank holding company, as defined in s. 221.58 (1) (c), to merge with or be acquired by a bank or bank holding company that has its principal place of business in the same state as the bank or bank holding company that obtained the stock of a bank holding company under this section.

(b) With respect to a bank or bank holding company which obtains the stock of a bank holding company under this section and which has its principal place of business in a regional state, as defined in s. 221.58 (1) (h), par. (a) is satisfied if the commissioner of banking finds that the statutes of that regional state satisfy s. 221.58 (4) (a).

(4) MULTISTATE ACTION. This section does not permit the sale, assignment, merger or transfer by a charitable trust of the stock of a bank holding company that indirectly owns banks in this state and Minnesota, if the sale, assignment, merger or transfer is prohibited under the laws of Minnesota.

(5) TRANSACTIONS UNDER BANKING LAWS. This section does not limit or restrict the rights of a charitable trust to sell, assign, merge or transfer under chs. 220 and 221 the stock of any bank or bank holding company owned directly or indirectly by the charitable trust.

SECTION 453. 701.109 of the statutes is created to read:

701.109 Construction of section 701.108; divestiture.

(1) NONSEVERABILITY. Section 701.108 shall be considered a unit and its provisions inseparable. Notwithstanding s. 990.001 (11), if a court of competent jurisdiction determines that any part of s. 701.108 is unconstitutional, all of s. 701.108 is invalid.

(2) DIVESTITUTE IF PROVISION FOUND UNCONSTITUTIONAL. If a court of competent jurisdiction deter-
mines that any part of s. 701.108 is unconstitutional, a bank or bank holding company which has its principal place of business in a nonreciprocal state and which under s. 701.108 has obtained the stock of a bank holding company owned by a charitable trust, including indirect interest in the bank holding company’s banking subsidiaries which have their principal office located in this state, shall sell all of those banking subsidiaries to one or more of the entities described in s. 701.108 (3) (b) 1 and 2. The sale shall occur within 2 years after the end of the period in which an appeal may be taken from a final order or judgment of the court of competent jurisdiction, the end of the period within which an order for rehearing can be made in the highest appellate court to which an appeal is taken, or the final order or judgment of the court to which remand from an appellate court is made, whichever is latest.

(3) CONSEQUENCE IF CERTAIN TRANSACTIONS PERMITTED. (a) If a court or federal agency of competent jurisdiction determines that because of s. 701.108 a bank or bank holding company that has its principal place of business in a nonreciprocal state may obtain the stock of a bank or bank holding company that is owned by an entity other than a charitable trust, s. 701.108 is void.

(b) If s. 701.108 is void under par. (a), a bank or bank holding company which has its principal place of business in a nonreciprocal state and which has obtained, because of s. 701.108, the stock of a bank or bank holding company, including indirect interest in the bank holding company’s banking subsidiaries have their principal office located in this state, shall sell all of those banking subsidiaries to one or more of the entities described in s. 701.108 (3) (b) 1 and 2. The sale shall occur within 2 years after the end of the period in which an appeal may be taken from a final order or judgment of the court or federal agency of competent jurisdiction, the end of the period within which an order for rehearing can be made in the highest appellate court to which an appeal is taken, or the final order or judgment of the court to which remand from an appellate court is made, whichever is latest.

SECTION 457m. Chapter 707 of the statutes is created to read:

CHAPTER 707
TIME-SHARE OWNERSHIP
SUBCHAPTER I
GENERAL PROVISIONS

707.02 Definitions. In this chapter:

1. “Affiliate of a developer” means any person who controls, is controlled by or is under common control with a developer.

2. “Association” means the association organized under s. 707.30 (2).

3. “Campground” means real property that is available for use by campground members under a campground contract and is intended for camping or outdoor recreation, including the use of campsites and campground amenities by campground members, but does not include a mobile home park as defined in s. 66.058 (1) (e).
(5) "Campground amenity" means a major recreational building or recreational facility at a campground, including a swimming pool, ski hill, marina, pier, tennis court, utility-serviced campsite, clubhouse, trading post or grocery store; but does not include an individual campsite or general campsite location, any minor recreational building or facility, horseshoe pit or other minor game or athletic court, or a nonrecreational building or facility, including a restroom, road, dump station or pumphouse.

(6) "Campground contract" means an agreement entered into within this state evidencing a campground member's ownership of a time-share easement in a campground.

(7) "Campground member" means a person who enters into a campground contract with a campground operator, or a transferee of a person who enters into a campground contract with a campground operator.

(8) "Campground operator" means a developer who is the owner or operator of a campground for which campground contracts are offered or sold.

(9) "Closing" means:
   (a) With respect to time-share estates, conveyance of legal or equitable title to the time share by delivery of a deed or contract to purchase the purchaser.
   (b) With respect to time-share easements, delivery by all parties of the documents necessary to vest in the purchaser the rights to access and use of the time-share unit.

(9m) "Controls" or "controlled by" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, by common management or otherwise, including any of the following, unless the powers are held solely as security for an obligation and are not exercised:
   (a) Owning or controlling more than 20% of the voting interest in a person.
   (b) Controlling the election of a majority of the directors of a person.
   (c) Contributing more than 20% of the capital of a person.

(10) "Conversion building" means a building that at any time before the disposition of any time share was occupied wholly or partially by persons other than purchasers and persons who occupied with the consent of purchasers.

(11) "Developer" means any person who offers to dispose of, or disposes of, an interest in a time share not previously disposed of or succeeds to any special developer right under s. 707.31.

(12) "Dispose" or "disposition" means a voluntary transfer of any legal or equitable interest in a time share, excluding the transfer or release of a security interest.

(13) "Dues payment" means the periodic fee paid by a campground member, other than the sales payment, for the purpose of using a campground, excluding fees charged for specific goods or services provided, such as campsite reservations, daily campsite rentals, equipment rentals or meals.

(14) "Manager" means any person, other than all time-share owners or the association, named or employed under the time-share instrument or project instrument to manage the time-share units.

(15) "Managing entity" means the manager or, if there is no manager, the association.

(16) "Offering" means any advertisement, inducement, solicitation or attempt to encourage any person to acquire a time share, other than as security for an obligation.

(17) "Project" means real property which is subject to a project instrument and contains more than one unit, including real property which contains units that are not time-share units.

(18) "Project instrument" means any document, recordable under s. 706.05, regulating the use, occupancy or disposition of units in an entire project, including any amendments to the document.

(19) "Purchaser" means any person, other than the developer, who by means of a voluntary transfer acquires a legal or equitable interest in a time share, other than as security for an obligation.

(20) "Time-share easement" means a time-share estate or a time-share easement.

(21) "Time-share estate" means a right to occupy a unit during at least 4 separated periods over at least 4 years, together with a fee simple absolute interest in a time-share unit.

(22) "Time-share instrument" means a document creating or regulating time shares.

(23) "Time-share liability" means the liability for time-share expenses allocated to each time share under s. 707.21 (1) (e).

(24) "Time-share owner" means a person who is an owner or coowner of a time share, other than as security for an obligation.

(25) "Time-share property" means one or more time-share units subject to the same time-share instru-
ment, together with any real estate or rights to real estate appurtenant to those units.

(33) "Time-share unit" means a unit in which time shares exist.

(34) "Unit" means real property designated for separate occupancy and use.

707.03 Status of time-share estates. (1) A grant of an estate in a unit conferring the right of possession during a potentially infinite number of separated periods creates a fee simple absolute interest, and a grant of an estate in a unit conferring the right of possession during 4 or more separated periods over a finite number of years equal to at least 4, including renewal options, creates an interest for years.

(2) Each time-share estate constitutes for all purposes a separate estate in real property.

707.04 Time-share licenses prohibited. (1) In this section, "time-share license" means a right to occupy a unit or any of several units under a license or lease agreement during at least 4 separated periods over at least 4 years, including renewal options, not coupled with an interest in property.

(2) No person may create a time-share license to property in this state after the effective date of this subsection .... [revisor inserts date].

707.05 Variation by agreement. Except as otherwise provided in this chapter, the provisions of this chapter may not be varied by agreement, and rights conferred under this chapter may not be waived. A developer may not act under a power of attorney, or use any other device, to evade the limitations or prohibitions of this chapter or the time-share instrument.

707.06 Unconscionable contract. (1) UNCONSCIONABILITY; REMEDY. If a court as a matter of law finds that any aspect of a contract relating to the use or ownership of a time share, any conduct directed against the purchaser by a party to the contract, or any result of the contract is unconscionable, the court shall, in addition to the remedy authorized in sub. (4), either refuse to enforce the contract against the purchaser, or so limit the application of any unconscionable aspect or conduct as to avoid any unconscionable result.

(2) FACTORS. Without limiting the scope of sub. (1), the court may consider, among other things, any of the following as pertinent to the issue of unconscionability:

(a) That those engaging in the practice know of the inability of a party to receive benefits properly anticipated from the time share and related goods or services.

(b) That there exists a gross disparity, at the time of contracting, between the price of the time share and related goods or services and their value as measured by the price at which similar time shares or related goods or services were readily obtainable or by other tests of true value, except that a disparity between the contract price and the value of the time share measured by the price at which similar time shares were readily obtainable in similar transactions does not, of itself, render the contract unconscionable.

(c) That the practice may enable one party to take advantage of the inability of the other party reasonably to protect his or her interests by reason of physical or mental infirmities, illiteracy or inability to understand the language of the agreement, ignorance or lack of education or similar factors.

(d) That the terms of the contract require a party to waive legal rights.

(e) That the terms of the contract require a party to unreasonably jeopardize money or property beyond the money or property immediately at issue in the transaction.

(f) That the natural effect of the practice would reasonably cause or aid in causing a party to misunderstand the true nature of the contract or his or her rights and duties under the contract.

(g) That the writing purporting to evidence the obligation of the party under the contract contains terms or provisions or authorizes practices prohibited by law.

(h) Definitions of unconscionability in statutes, rules, regulations, rulings and decisions of legislative, administrative or judicial bodies.

(3) COURSE OF CONDUCT. Any charge or practice expressly permitted by this chapter is not in itself unconscionable, but even though a practice or charge is authorized by this chapter, the totality of a party's conduct may show that such practice or charge is part of an unconscionable course of conduct.

(4) OTHER REMEDIES. In addition to the protections afforded in sub. (1), a party shall be entitled upon a finding of unconscionability to recover from the person responsible for the unconscionable conduct a remedy in accordance with s. 707.57 (1).

707.07 Obligation of good faith. Every contract or duty within this chapter imposes an obligation of good faith in its performance or enforcement.

707.09 Conflicts with other laws. If a conflict exists between this chapter and ch. 703, the provisions of this chapter prevail.

707.10 Zoning and other regulation of time-share projects. (1) LIMITATIONS; LAND USE REGULATION. No zoning or other land use ordinance or regulation may prohibit time-share projects or impose any requirements upon a time-share project which it does not impose upon a physically identical development under a different form of ownership. No provision of a state or local building code may be applied differently to an improvement to real property in a time-share project than would be applied to a similar improvement under a different form of ownership.

(2) LIMITATIONS; OTHER REGULATIONS. No county, city or other jurisdiction, other than the state, may impose a burden or restriction on a time-share project that is not imposed on all other property of similar character not part of a time-share project.
707.11 Securities law; applicability. A time share created and marketed in accordance with this chapter is not a security under ch. 551 if a developer complies with ss. 707.38 (1m) and 707.49.

SUBCHAPTER II
CREATION, TERMINATION AND INCIDENTS
OF TIME-SHARE OWNERSHIP

707.20 Time shares in projects. (1) If all of the documents constituting a project instrument are recorded after the effective date of this subsection .... [revisor inserts date], time shares may not be created in any unit in the project unless expressly permitted by the project instrument, including an amendment to the project instrument under sub. (2).

(2) An amendment to a project instrument adopted under s. 707.39 (5) or (6) which is recorded after the effective date of this subsection .... [revisor inserts date], may not permit the creation of time shares unless the owner of each unit in the project, and the record owners of liens on each unit in the project, consent to the amendment.

707.21 Time-share instrument. (1) CONTENTS. Except as provided in sub. (2), more than 12 time shares may be created in a single time-share property only by recording under sub. (3) a time-share instrument containing or providing for all of the following:

(a) A sufficient description of the time-share property and the name or other identification of the project, if any, within which the time-share property is located.

(b) A copy of or reference to a recorded project and time-share property plat required under s. 707.215.

(c) The name of the county or counties in which the time-share property is located.

(d) Identification of time periods by letter, name or number.

(e) The time-share liability and any voting rights assigned to each time share.

(em) A method for allocating real property taxes among the time-share owners and a method of giving notice to the time-share owners of an assessment and the amount of the property taxes, as required under s. 70.095.

(f) If additional units may become part of the time-share property, the method of doing so and the formula for allocation and reallocation of the time-share liabilities and any voting rights.

(g) The method of designating the insurance trustee required under s. 707.35 (4).

(h) Allocation of time for maintenance of the time-share units.

(i) Provisions for management by a managing entity or by the time-share owners.

(2) EXCEPTION FOR CERTAIN EASEMENTS. If a time-share easement applies to units in more than one time-share property, the time-share instrument creating the time-share easement need not contain or provide for the matters specified in sub. (1) (a) to (h).

(3) RECORDING. Before the sale of any time share in a time-share property for which a time-share instrument is required under sub. (1), the developer shall record the time-share instrument and all amendments of the time-share instrument with the register of deeds of every county in which any portion of the time-share property is located. The time-share instrument shall be indexed in the name of the time-share property and the developer, and the index shall identify time-share estate owners and all transfers of time-share estates. Subsequent instruments affecting the title to a time-share unit which is physically located entirely within a single county shall be recorded only in that county, even if the common elements are not physically located entirely within that county. Subsequent amendments shall be indexed under the name of the developer.

707.215 Project and time-share property plat. (1) RECORDING REQUIREMENT. When a time-share instrument is recorded under s. 707.21 (3), the developer shall file for record a plat, as described in sub. (2), of the time-share property and the project, if any, within which the time-share property is located, except that if a plat of the project was previously recorded the developer need only file the information necessary to update the recorded plat.

(2) REQUIRED CONTENTS. A plat filed for recording under sub. (1) may consist of one or more sheets and shall contain at least all of the following:

(a) On each sheet of the plat, the name of the project and time-share property and the county in which the project and time-share property are located. If there is more than one sheet, each sheet shall be consecutively numbered and show the relation of that sheet number to the total number of sheets.

(b) A survey of the project and time-share property complying with minimum standards for property surveys adopted by the examining board, as defined in s. 443.01 (3), and showing the location of any time-share unit, unit or other building located or to be located on the property.

(c) Diagrammatic floor plans of each building located or to be located on the property which show the approximate dimensions, floor area and location of each time-share unit and unit in a building. Common elements shall be shown graphically to the extent feasible.

(3) FORM OF MAPS AND PLANS. All survey maps and floor plans submitted for recording shall be legibly prepared with a binding margin of 1.5 inches on the left side and a one-inch margin on all other sides on durable white paper 14 inches in length and 22 inches in width with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film of not less than 4 millimeter thickness and 14 inches long by 22 inches wide. The maps and plans shall be drawn to a convenient scale.
(4) DESIGNATION OF TIME-SHARE UNITS AND UNITS. Every time-share unit and unit shall be designated on the plat by number or other appropriate designation.

(5) SURVEYOR'S CERTIFICATE. A plat is sufficient for the purposes of this chapter if attached to or included in the plat is a certificate of a land surveyor licensed to practice in this state, and the certificate provides all of the following:
   (a) That the plat is a correct representation of the project and the time-share property.
   (b) The identification and location of each time-share unit and each unit and the common elements can be determined from the plat.

(6) NONAPPLICABILITY. Chapter 236 does not apply to plats required under this section.

707.22 Allocation of time-share liability and voting rights. (1) ALLOCATION OF EXPENSES. The time-share instrument shall state the amount of, or formula used to determine, any time-share liability.

(2) ALLOCATION OF VOTING RIGHTS. (a) If the time-share instrument provides for voting, it shall allocate votes to each time-share unit and to each time share under par. (b), but shall not allocate votes to any other property or person.

(b) The number of votes allocated to each time share shall be equal for all time shares or proportionate to each time share’s value, as estimated by the developer, time-share liability or time-share unit size. The time-share instrument may specify matters as to which the votes shall be equal and other matters as to which votes shall be proportionate.

(3) ALTERING ALLOCATION. Except as otherwise provided under s. 707.21 (1) (f), the votes and time-share liability may not be altered without the unanimous consent of all time-share owners entitled to vote and voting either at a meeting or in an initiative or referendum in which at least 80% of the votes allocated to time shares are cast.

(4) SUM OF EXPENSES. Except for minor variations due to rounding, the sum of the time-share liabilities assigned to all time shares shall equal one, if stated as fractions, or 100% if stated as percentages. If a discrepancy occurs between the time-share liability or votes allocated to a time share and the result derived from the application of the formulas, the allocated time-share liability or vote prevails.

707.23 Partition. Notwithstanding ch. 842, no action for partition of a time-share unit may be maintained except as permitted by the time-share instrument or under s. 707.24 (3) (b).

707.24 Termination of time shares. (1) TERMINATION BY AGREEMENT. All time shares in a time-share property may be terminated only by agreement of the time-share owners having at least 80% of the time shares, except that the time-share instrument may require approval by a greater majority.

(2) RECORDING OF AGREEMENT. (a) An agreement to terminate all time shares in a time-share property shall be evidenced by a termination agreement which meets the requirements of s. 706.05 (2) for recording, is signed by each of the time-share owners who agree to termination under sub. (1) and provides that the agreement will be void unless the agreement is recorded before a specified date.

(b) A termination agreement shall be recorded in the office of the register of deeds of each county in which a portion of the time-share property is located and shall be effective only upon recordation.

(3) AGREEMENT WITHOUT SALES CONTRACT. (a) Unless the termination agreement sets forth a sales contract described in sub. (4), title to an estate or interest in each time-share unit, equal to the sum of the time shares in the time-share unit, shall vest upon termination in the time-share owners of the time-share unit in proportion to their respective interests under sub. (6m) or (7), and liens on the time shares shall shift accordingly to encumber those interests.

(b) Upon termination, an owner of an estate or interest in a time-share unit under par. (a) may maintain an action for partition under ch. 842.

(4) AGREEMENT WITH SALES CONTRACT. If the termination agreement sets forth the material terms of a contract or proposed contract under which an estate or interest in each time-share unit, equal to the sum of the time shares in the time-share unit, is to be sold and designates a trustee to effect the sale, title to that estate or interest shall vest upon termination in the trustee for the benefit of the time-share owners, to be transferred under the contract. Proceeds of the sale shall be distributed to time-share owners and lienholders under sub. (6).

(5) RIGHTS AND LIABILITIES AFTER TERMINATION. Except as otherwise specified in the termination agreement, if the former time-share owners or their trustee holds title to the estate or interest equal to the sum of the time shares, each former time-share owner and the time-share owner’s successors in interest have the same rights with respect to occupancy in the former time-share unit that the former time-share owner would have had if termination had not occurred, together with the same liabilities and other obligations imposed under this chapter or the time-share instrument.

(6) DISTRIBUTION OF PROCEEDS. After termination of all time shares in a time-share property and adequate provision for the payment of the claims of the creditors for time-share expenses, the proceeds shall be distributed to the former time-share owners and their successors in interest in proportion to their interests as determined under sub. (6m) or (7). The distribution shall consist of the proceeds of any sale under this section and the proceeds of any personality or other funds held for the use and benefit of the former time-share owners. After termination, creditors of the association holding liens perfected against the time-share property before the termination may enforce those liens in the same manner as any other lienholder. All other creditors of the association shall be treated...
as if they had liens on time-share property which were perfected immediately before termination.

(6m) Interests Specified. The time-share instrument may specify the respective fractional or percentage interest in the estate or interest in each time-share unit equal to the sum of the time shares in the time-share unit that will be owned by each former time-share owner.

(7) Appraisals. (a) If the specification under sub. (6m) is not made, an appraisal under par. (b) of the fair market value of each time share shall be made not more than 180 days before the termination by one or more impartial qualified appraisers, selected either by the trustee designated in the termination agreement or by the managing entity if no trustee is designated.

(b) The appraisal shall state the corresponding fractional or percentage interests calculated in proportion to those values and shall be made in accordance with all of the following:

1. If the termination agreement sets forth a sales contract described in sub. (4), each time share conferring a right of occupancy during a limited number of time periods shall be appraised as if the time until the date specified for the conveyance of the property had already elapsed.

2. If the termination agreement does not set forth a sales contract described in sub. (4), each time share conferring a right of occupancy during a limited number of time periods shall be appraised as if the date specified under sub. (2) had already elapsed.

3. The interest of each time-share owner is the value of the time share divided by the sum of the values of all time shares in the unit or units to which the time share applies.

(c) A notice stating all values and corresponding interests determined under par. (b) and the return address of the sender shall be sent by certified or registered mail by the managing entity or by the trustee designated in the termination agreement to all time-share owners.

(d) The appraisal governs the magnitude of each interest unless at least 25% of the time-share owners deliver, within 60 days after the notices required under par. (c) are mailed, written disapprovals to the sender of the notice or unless a court determines that the appraisal should be set aside.

(8) Foreclosure. Foreclosure or enforcement of a lien or encumbrance against all of the time shares in a time-share property does not, of itself, terminate those time shares.

707.25 Use for sales purposes. (1) Except as provided in sub. (2), a developer may maintain sales offices, management offices and models in the time-share property only if the time-share instrument so provides and specifies the rights of a developer with regard to the number, size, location and relocation of the offices. The developer may maintain signs on the time-share property advertising the time-share property.

(2) A developer’s authority under sub. (1) is subject to restrictions in ordinances and the project instrument.

707.26 Rights of secured lenders. The time-share instrument may require that all or a specified number or percentage of holders of mortgages or equivalent security interests encumbering units or time shares approve specified actions of the unit owners, time-share owners, the developer or the managing entity as a condition to the effectiveness of those actions, but no requirement for approval may do any of the following:

(1) Control over administration. Deny or delegate control over the general administrative affairs of an association by the unit owners or time-share owners, or their elected representatives.

(2) Involvement in litigation. Prevent an association from commencing, intervening in or settling any litigation or proceeding or receiving and distributing insurance proceeds under s. 707.35.

SUBCHAPTER III
MANAGEMENT OF TIME-SHARE PROPERTY

707.30 Managing entity; association of unit owners. (1) Legal entity. Except as otherwise provided in this section, the affairs of every time-share property shall be managed by an association which, whether incorporated or unincorporated, is a legal entity for all purposes.

(2) Organization of association. (a) More than 12 time shares. 1. If the number of time shares in a time-share property exceeds 12, the developer shall establish an association to govern the time-share property not later than the date of the first conveyance of a time share in the time-share property to a purchaser. The association shall be organized as a profit or nonprofit corporation or as an unincorporated association. After it is organized, the membership of the association shall at all times consist exclusively of all of the time-share owners.

2. If a developer does not establish an association under subd. 1, any interested party, including a time-share owner or a holder of a lien in the time-share property, may petition the circuit court in the county in which the time-share property is located to establish an association and prescribe the powers of the managing entity in accordance with sub. (5).

(b) Twelve or fewer time shares. If the number of time shares in the time-share property is 12 or fewer, 3 or more time-share owners may form an association to manage the time-share property.

3. Developer control period. Until an association is established under sub. (2) or unless time-share owners exercise the authority granted under sub. (6), the developer has the power and responsibility to act in all instances in which this chapter, any other provision of law, the time-share instrument or project
instrument requires action by the association or its officers.

(4) BOARD OF DIRECTORS. (a) All powers of the association under sub. (5) shall be exercised by and under the authority of, and the business and affairs of the association shall be conducted by, a board of directors elected in accordance with pars. (b) to (d).

(b) The developer or persons designated by the developer may appoint or remove the members of the association's board of directors, except as provided in par. (c).

(c) 1. Time-share owners other than the developer may elect no less than one-third of the members of the board of directors of the association when time-share owners other than the developer own 15% or more of the time shares in a time-share property.

2. Time-share owners other than the developer may elect no less than a majority of the members of the board of directors of an association when the first of any of the following occurs:

a. Three years after 50% of the time shares in a time-share property have been conveyed to purchasers.

b. Three months after 90% of the time shares in a time-share property have been conveyed to purchasers.

c. All of the time shares that will ultimately be operated by the association have been completed, some of them have been conveyed to purchasers, and none of the others is being offered for sale by the developer in the ordinary course of business.

d. Some of the time shares have been conveyed to purchasers and none of the others is being constructed or offered for sale by the developer in the ordinary course of business.

3. The developer or persons designated by the developer may not remove any member of the board of directors who was elected by the time-share owners.

(d) Within 60 days after the time-share owners are entitled under par. (c) to elect a member or members of the board of directors of an association, the association shall call, upon not less than 30 days' nor more than 40 days' notice, a meeting of the time-share owners to elect the members of the board of directors. Any time-share owner may call and give notice of a meeting under this paragraph if the association fails to do so.

(5) POWERS OF MANAGING ENTITY. (a) Subject to par. (c) and the time-share instrument, the association may do any of the following:

1. Adopt, amend and repeal bylaws, rules and regulations.

2. Adopt and amend budgets for revenues, expenditures and reserves, and levy and collect assessments for time-share expenses from time-share owners.

3. Employ and dismiss employees, agents and independent contractors.

4. Commence, defend or intervene in court actions or administrative proceedings in its name on behalf of itself or 2 or more time-share owners on matters affecting the time-share property or time shares.

5. Make contracts and incur liabilities.

6. Regulate the use, maintenance, repair, replacement and modification of the time-share property.

7. Cause additional improvements to be made to the time-share property.

8. Impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the time-share instrument, bylaws and rules or regulations of the association.

9. Impose reasonable charges for the preparation of resale certificates required by s. 707.48 (2) or statements of unpaid assessments.

10. Exercise any other powers conferred by the time-share instrument or bylaws.

11. Impose and receive any payments, fees or charges for the use, rental or operation of the time-share property and for services provided to time-share owners.

12. Acquire, hold, encumber and convey in its name any right, title or interest in or to real or personal property.

13. Assign its right to future income, including the right to receive assessments for time-share expenses, but only to the extent that the time-share instrument expressly so provides.

14. Provide for the indemnification of its directors and officers and maintain directors' and officers' liability insurance.

15. Exercise all other powers that may be exercised in this state by legal entities of the same type as the association.

16. Exercise any other powers necessary and proper for the governance and operation of the association.

(b) Except as otherwise provided in the time-share instrument, the manager, to the extent permitted by the management contract, may exercise the powers specified in par. (a) 1 to 11.

(c) 1. The time-share instrument may not impose limitations on the power of the association to deal with the developer which are more restrictive than the limitations imposed on the power of the association to deal with other persons.

2. If the time-share property is a part of a project, this section may not confer any powers on the managing entity, the developer or the time-share owners with respect to any portion of the project other than the units comprising the time-share property.

(6) POWERS AND RESPONSIBILITY IF NO MANAGING ENTITY. If the number of time shares in the time-share property is 12 or fewer and no managing entity is established, the time-share owners shall have all of the following:

(a) The powers in sub. (5) (a) 1 to 11, subject to any restrictions and limitations specified by the time-share instrument. If the time-share instrument is silent with
means a developer's right to do any of the following:

(b) The responsibilities and liabilities of an association under ss. 707.33 and 707.34.

(7) Campgrounds excluded. This section does not apply to time-share property in which a campground member owns a time-share easement in a campground.

707.31 Transfer of special developer rights. (1) Definition. In this section, “special developer right” means a developer's right to do any of the following:

(a) Add more units to a time-share property under s. 707.21 (1) (f).

(b) Maintain sales offices, management offices, models and signs under s. 707.25.

(c) Appoint, control or serve as the managing entity.

(2) Requirements for transfer. No special developer right may be transferred except by an instrument executed by both the transferor and transferee which evidences the transfer and is recorded in every county in which any portion of the time-share property is located.

(3) Liability of transferor. Upon transfer of a special developer right, the liability of a transferor shall be as follows:

(a) The transferor may not be relieved of any obligation or liability arising before the transfer, and the transferor shall remain liable for warranty obligations imposed upon him or her under s. 707.53. Lack of privity may not deprive a time-share owner of standing to maintain an action to enforce an obligation of the transferor.

(b) If a successor to a special developer right is an affiliate of the developer, the transferor shall be jointly and severally liable with the successor for any obligations or liabilities of the successor relating to the time-share property.

(c) If the transferor retains any special developer right but transfers other special developer rights to a successor who is not an affiliate of the developer, the transferor shall be liable for any obligations or liabilities imposed on a developer either by this chapter or by the time-share instrument relating to the retained special developer rights and arising after the transfer.

(d) A transferor is not liable for any act or omission or any breach of a contractual or warranty obligation arising from the exercise of a special developer right by a successor developer who is not an affiliate of the transferor.

(4) Rights where foreclosure or tax sale. (a) 1. Unless otherwise provided in a mortgage instrument or deed of trust, in case of foreclosure of a mortgage, tax sale, judicial sale, sale by a trustee under a deed of trust, or sale under bankruptcy or receivership proceedings, of any time shares owned by a developer in the time-share property, a person acquiring title to all of the time shares being foreclosed or sold shall succeed, depending upon his or her request, to one of the following:

a. All special developer rights.

b. Any rights reserved in the time-share instrument under s. 707.25 allowing the developer to maintain sales offices, management offices, models and signs.

2. The judgment or instrument conveying title shall provide for transfer of only those special developer rights requested under subd. 1.

(b) Upon foreclosure, tax sale, judicial sale, sale by a trustee under a deed of trust, or sale under bankruptcy or receivership proceedings of all time shares in a time-share property owned by a developer, all of the following shall occur:

1. The right to appoint, control or serve as the managing entity shall terminate unless the judgment or instrument conveying title provides for transfer of all special developer rights to a successor developer.

2. The developer shall cease to have any other special developer rights.

(5) Rights, liabilities and duties of successor.

(a) A successor to any special developer right who is an affiliate of a developer is subject to all obligations and liabilities imposed on the transferor by this chapter or the time-share instrument.

(b) 1. A successor to any special developer right, other than a successor described in par. (c) or (d), who is not an affiliate of a developer, is subject to any of the following obligations and liabilities imposed by this chapter or the time-share instrument:

a. On a developer, which relate to a developer's exercise or nonexercise of special developer rights.

b. On the successor's transferor, except as provided in subd. 2.

2. A successor described in subd. 1 is not subject to any of the following obligations and liabilities of the successor's transferor:

a. Liability for misrepresentations by a previous developer.

b. Warranty obligations on improvements made by any previous developer or made before the property became a time-share property.

c. Breach of any fiduciary obligation by any previous developer or any developer's appointees.

d. Any liability or obligation imposed on the transferor as a result of the transferor's acts or omissions after the transfer.

(c) A successor to only the right to maintain sales offices, management offices, models and signs under s. 707.25, if the successor is not an affiliate of a developer, may not exercise any other special developer right and is not subject to any liability or obligation as a developer, except the obligation to provide a time-share disclosure statement and any liability arising as a result of providing the time-share disclosure statement.
(d) If a successor to all special developer rights held
by a transferor is not an affiliate of the developer and
has succeeded to those rights by deed in lieu of fore-
closure, judgment or an instrument conveying title to
the time shares under sub. (4), the successor may
declare in a recorded instrument the intention to hold
those rights solely for transfer to another person.
Thereafter, until transferring all special developer
rights, that successor may not exercise any of those
rights other than any right held by the transferor to
appoint, control or serve as the managing entity, and
any attempted exercise of those rights is void. During
any period in which a successor may not exercise spe-
cial developer rights under this paragraph, the succes-
sor is not subject to any liability or obligation as a
developer other than liability for his or her acts and
omissions in appointing, controlling or serving as the
managing entity.

(6) PRESERVATION OF PURCHASER’S CLAIMS AND
DEFENSES. (a) Any claim or defense based on any writ-
ten documentation which a purchaser may raise
against the person who sold the time share to the pur-
chaser is preserved against any assignee or successor
to any of the following:

1. The contract of sale.

2. Any credit contract in connection with the sale of
the time share which is executed by the purchaser and
which may be retained by or assigned to the developer,
an affiliate of the developer or a creditor having a con-
tractual relationship with the developer.

(b) Any recovery by a purchaser under par. (a) may
not exceed the amounts paid by the purchaser under
the contract.

(c) Sellers and creditors shall include the following
language in promissory notes executed in connection
with the sale of time shares:

NOTICE

ANY HOLDER OF THIS CREDIT CONTRACT
IS SUBJECT TO ALL CLAIMS AND DEFENSES
WHICH THE DEBTOR COULD ASSERT
AGAINST THE SELLER OF SERVICES OR
PROPERTY OBTAINED PURSUANT TO THE
CREDIT CONTRACT OR WITH THE PRO-
CEEDS OF THE CREDIT CONTRACT.
RECOV-
ERY UNDER THE CREDIT CONTRACT
BY THE DEBTOR MAY NOT EXCEED AMOUNTS
PAID BY THE DEBTOR UNDER THE CREDIT
CONTRACT.

(7) EXTENT OF OBLIGATIONS. Nothing in this section
subjects any successor to a special developer right to
any claims against or other obligations of a transferor
developer, other than claims and obligations arising
under this chapter or any written documentation.

707.32 Termination of contracts and leases of devel-
oper. (1) Definition. In this section, “time-share prop-
erty” does not include a campground.

(1m) AUTHORITY OF THE ASSOCIATION. The follow-
ing contracts or leases relating to the time-share prop-
erty which are entered into before the developer ceases
under s. 707.30 (4) (c) to appoint a majority of the
board of directors may be terminated without penalty
by the association at any time after the developer
ceases to appoint a majority of the board of directors,
upon not less than 90 days’ notice to the other party to
the contract or lease:

(a) Any management contract, employment con-
tract, or lease of recreational or parking areas or
facilities.

(b) Any contract or lease between the managing
entity and a developer or an affiliate of a developer.

(c) Any contract or lease that is not bona fide or
was unconscionable to the time-share owners when
entered into under the circumstances then prevailing.

(2) APPLICABILITY TO LEASES. This section does not
apply to a lease if termination of the lease would ter-
minate the time-share property or reduce its size,
unless the real estate subject to the lease was included
in the time-share property for the purpose of avoiding
the right to terminate a lease under this section.

(3) ACTION BY TIME-SHARE OWNER. If no associa-
tion is established under s. 707.30 (2), any time-share
owner, individually or on behalf of the class of time-
share owners, may maintain an action under sub. (1m)
to terminate a contract or lease of the developer relat-
ing to the time-share property.

707.33 Upkeep of units. (1) RESPONSIBILITY OF
MANAGING ENTITY AND REQUIRED ACCESS. (a) Unless
otherwise provided in the time-share instrument, the
managing entity shall be responsible for maintenance,
repair and replacement of the time-share units and
any personal property available for use by time-share
owners in conjunction with the time-share units, other
than personal property separately owned by a time-
share owner.

(b) Each time-share owner shall afford access
through the time-share unit reasonably necessary for
the purposes described in par. (a), but the managing
entity shall promptly repair any damage to the time-
share unit or personal property in the time-share unit
which results from the access required under this
paragraph.

(2) ALTERATION OF UNIT. Subject to the time-share
instrument, a time-share owner may not change the
appearance of a time-share unit without the consent of
the managing entity.

707.34 Tort and contract liability. (1) ACTIONS
AGAINST DEVELOPER AND THE ASSOCIATION. (a) An
action in tort alleging a wrong done by a developer or
a manager selected by the developer, or an agent or
employee of either, in connection with any portion of
the time-share property or other property which the
developer or the manager has the responsibility to
maintain may not be maintained against the associa-
tion or any time-share owner other than a developer.

(b) An action in tort alleging a wrong done by an
association or by an agent or employee of the associa-
tion or an action arising from a contract made by or
on behalf of the association may be maintained only against the association.

(bm) If a tort or breach of contract action against an association under par. (b) is based upon conduct which occurred during any period of developer control, the developer is subject to liability for all unreimbursed losses suffered by the association or time-share owners, including costs and reasonable attorney fees notwithstanding s. 814.04 (1). Any statute of limitations affecting the right of action of the association or time-share owners under this paragraph is tolled until the period of developer control terminates.

(c) No time-share owner may be precluded from bringing an action under this subsection because the person is a time-share owner or a member, officer, or director of the association.

(2) ACTIONS AGAINST TIME-SHARE OWNER. (a) Except as provided in sub. (3), a time-share owner is personally liable for his or her acts and omissions.

(b) Each time-share owner shall be liable to the association for any damage, except ordinary wear and tear, done to the time-share property by the time-share owner or a person using the time-share property under the rights of the time-share owner.

(c) An action may not be maintained against a time-share owner merely because he or she owns a time share.

(3) LIABILITY OF VOLUNTEER DIRECTORS AND OFFICERS. A director or officer of an association who is not paid for services to the association is not personally liable for damages resulting solely because of his or her membership on the board or participation in association activities.

(4) JUDGMENT LIEN. A judgment for money against an association shall be a lien against all of the time shares if properly docketed under ch. 806, but, notwithstanding s. 806.15 (1), the judgment shall not constitute a lien against any other property of a time-share owner.

707.35 Insurance; repair or replacement of damaged property. (1) REQUIRED INSURANCE. Beginning not later than when a developer offers a time share for sale in a time-share property in which the number of time shares exceeds 12, the managing entity shall maintain all of the following insurance, to the extent reasonably available and applicable and not otherwise unreasonably agreed by the time-share owners or provided by the developer or by a person managing a project of which the time-share property is a part:

(a) Property insurance on the time-share property and any personal property available for use by time-share owners in conjunction with the time-share property, other than personal property separately owned by a time-share owner, insuring against all risks of direct physical loss commonly insured against, for not less than full replacement value of the property insured, exclusive of items normally excluded from property insurance policies.

(b) Liability insurance, including medical payments insurance, in an amount determined by the managing entity but not less than any amount specified in the time-share instrument, covering all occurrences commonly insured against for death, bodily injury and property damage arising out of or in connection with the use, ownership or maintenance of the time-share property and time-share units.

(2) NOTICE REQUIREMENT. If the insurance under sub. (1) is not reasonably available, the managing entity shall promptly mail or hand deliver notice of that fact to all time-share owners.

(2m) INSPECTION OF POLICIES. The managing entity shall make copies of all insurance policies carried under sub. (1) available for inspection by the time-share owners during normal business hours.

(3) CONTENTS OF POLICY. Each insurance policy carried under sub. (1) shall provide all of the following:

(a) That each time-share owner is an insured person under the policy whether designated as an insured by being named individually or as part of a named group or otherwise, as the time-share owner's interest may appear.

(b) That the insurer waives its right to subrogation under the policy against any time-share owner or members of the time-share owner's household.

(c) That an act or omission by any time-share owner shall not void the policy or be a condition to recovery by any other person under the policy unless the time-share owner is acting within the scope of his or her authority on behalf of the association.

(d) That the policy is primary insurance not contributing with any other insurance in the name of a time-share owner covering the same risk covered by the policy, and the other insurance in the name of a time-share owner applies only to loss in excess of the primary coverage.

(4) INSURANCE TRUSTEE. (a) Except as provided in par. (d), any loss covered by the property insurance required under sub. (1) (a) shall be adjusted with, and the insurance proceeds from that loss payable to, the insurance trustee designated in the time-share instrument. If a trustee has not been designated or if the designated trustee fails to serve, the managing entity shall be the insurance trustee.

(b) Except as provided in par. (c), the insurance trustee shall hold any insurance proceeds in trust for time-share owners and lienholders as their interests may appear and be determined in accordance with s. 707.24.

(c) Subject to sub. (7), the insurance trustee shall disburse insurance proceeds for the repair or restoration of the time-share property, and time-share owners and lienholders may not receive payment of any portion of the proceeds unless there is a surplus of
proceeds after the property has been completely repaired or restored, or there is a termination under s. 707.24.

(d) This subsection does not apply if the property insurance required under sub. (1) (a) is provided by a person managing a project of which the time-share property is a part.

(5) OTHER INSURANCE PROTECTION. (a) The time-share instrument may require the managing entity to carry any other insurance and the managing entity may carry any other insurance deemed appropriate.

(b) An insurance policy issued under sub. (1) may not prevent a time-share owner from obtaining insurance for the time-share owner's benefit.

(6) CERTIFICATES; CANCELLATION. (a) An insurer that has issued an insurance policy under this section shall issue certificates or memoranda of insurance to any association and, upon written request, to any time-share owner, mortgagee or beneficiary under a deed of trust.

(b) An insurer that has issued an insurance policy under this section may terminate the policy only as provided in s. 631.36, except that notice of cancellation or nonrenewal shall be mailed to the last-known address of the managing entity and each person to whom a certificate or memorandum of insurance has been issued.

(7) DAMAGED PROPERTY; REPAIR OR REPLACEMENT. (a) Any portion of the time-share property damaged or destroyed shall be repaired or replaced promptly by the managing entity unless any of the following occur:

1. Another person repairs or replaces it.
2. There is a termination under s. 707.24.
3. Repair or replacement would be illegal under any state or local health or safety statute or ordinance, including a zoning ordinance.
4. Fifty percent of the time-share owners of undamaged or undestroyed time-share units and 80% of the time-share owners of damaged or destroyed time-share units vote not to rebuild.
5. A decision not to rebuild the damaged property is made by another person empowered to make that decision.

(b) Unless the time-share instrument provides otherwise, all of the following apply if the entire time-share property need not be repaired or replaced:

1. The insurance proceeds attributable to the damaged area shall be used to restore the damaged area to a condition compatible with the remainder of the property.
2. The insurance proceeds attributable to time-share units that are not rebuilt shall be distributed as if those units constituted a time-share property in which all time shares had been terminated under s. 707.24.
3. The cost of repair or replacement of the time-share property in excess of insurance proceeds and reserves shall be a time-share expense.

(b) Waiver. Notwithstanding s. 707.05, this section may be varied or waived in the case of a time-share property in which none of the time-share units may be used as dwellings or for recreational purposes.

707.36 Disposition of surplus funds. Unless otherwise provided in the time-share instrument, any surplus funds derived from the time-share owners or from property belonging to the time-share owners or their association and held by a managing entity, which are remaining after payment of or provision for time-share expenses and any prepayment of reserves, shall be paid to the time-share owners in proportion to their time-share liabilities, credited to the owners to reduce their future time-share liabilities or used for any other purpose as the association decides.

707.37 Assessments for time-share expenses; lien. (1) LIABILITY FOR ASSESSMENTS. (a) Until assessments for time-share expenses are made against the time-share owners, the developer shall pay all time-share expenses.

(b) When assessments for time-share expenses are made against the time-share owners, assessments for time-share expenses shall be made at least annually, based on a budget adopted at least annually by the managing entity and in accordance with the allocation set forth in the time-share instrument under s. 707.22 (1). Except as provided in pars. (c) to (f), no time-share owner may be excused from payment of his or her share of time-share expenses unless all of the time-share owners are excused from payment.

(c) A developer may be excused from the payment of the developer's share of the time-share expenses which would have been assessed against the time shares during a stated period during which the developer has guaranteed to each purchaser in the time-share disclosure statement, or by agreement between the developer and a majority of the time-share owners other than the developer, that the assessment for time-share expenses imposed upon the time-share owners would not increase over a stated dollar amount. If the developer makes such a guarantee, the developer shall pay any amount of time-share expenses incurred during the guarantee period which was not produced by the assessments at the guarantee level from other time-share owners.

(d) To the extent required by the time-share instrument, any time-share expense benefiting fewer than all of the time-share owners may be assessed only against the time-share owners benefited.

(e) Assessments to pay any judgment against the association may be made only against the time shares in the time-share property when the judgment was entered, in proportion to their time-share liabilities.

(f) If any time-share expense is caused by the misconduct of a time-share owner, the managing entity may assess that expense exclusively against that time-share owner's time share.

(1m) INTEREST; REALLOCATION. (a) Any past due assessment or instalment shall bear interest at the rate established by the managing entity or the time-share instrument.
(b) If time-share liabilities are reallocated, assessments for time-share expenses and any instalment not yet due shall be recalculated in accordance with the reallocated time-share liabilities.

(2) **Assessments Constitute Lien.** (a) All assessments for time-share expenses, until paid, together with interest and actual costs of collection, constitute a lien on the time shares on which they are assessed, if a statement of time-share lien is filed under par. (b) within 2 years after the date on which the assessment becomes due. The lien shall be effective against a time share when the assessment became due regardless of when within the 2-year period it is filed.

(b) A statement of time-share lien shall be filed in the land records of the office of the clerk of circuit court of the county where the time-share property is located, stating the description of the time-share property and the time share, the name of the time-share owner, the amount due and the period for which the assessment for time-share expenses was due. The clerk shall index the statement of time-share lien under the name of the time-share owner in the lien docket. The statement of time-share lien shall be signed and verified by an officer or agent of the association as specified in the bylaws or, if there is no association, a representative of the time-share owners. On full payment of the assessment for which the lien is claimed, the time-share owner shall be entitled to a filable satisfaction of the lien.

(2m) **Liability for Assessments Upon Transfer.** A time-share owner shall be liable for all time-share expenses assessed against the time-share owner and coming due while the time-share owner owns a time share and until the time-share owner notifies the managing entity in writing of the transfer of the time share. In a voluntary grant of a time share, the grantee shall be jointly and severally liable with the grantor for those time-share expenses which are assessed against the grantor up to the time of the voluntary grant and for which a statement of lien is filed under sub. (2), except as provided in sub. (3), without prejudice to the rights of the grantee to recover from the grantor the amounts paid by the grantee for the assessments. Liability for assessments may not be avoided by waiver of the use or enjoyment of any part of the time-share property or by abandonment of the time share for which the assessments are made.

(3) **Statement of Unpaid Assessments.** Any grantee of a time share is entitled to a statement from the managing entity setting forth the amount of unpaid assessments for time-share expenses against the grantor. The grantee is not liable for, nor shall the time share conveyed be subject to, a lien which is not filed under sub. (2) for any unpaid assessment against the grantor in excess of the amount set forth in the statement. If the managing entity does not provide the statement within 10 business days after the grantee's request, it is barred from claiming any lien against the grantee which is not filed under sub. (2) before the request for the statement.

(4) **Priority of Lien.** A lien under sub. (2) is prior to other liens except all of the following:

(a) Liens of general and special taxes.

(b) All sums unpaid on a first mortgage on the time share which is recorded before the assessment is made.

(c) Mechanic's liens filed before the assessment on the time-share unit, divided into the time share involved.

(5) **Form of Statement of Time-Share Lien.** A statement of time-share lien is sufficient for the purposes of this chapter if it contains the following information and is substantially in the following form:

**STATEMENT OF TIME-SHARE LIEN**

This is to certify that .... owner(s) of time share No. .... in ..., a time-share property (is) (are) indebted to ...., the managing entity, in the amount of $.... as of ...., 19..., for (his) (her) (its) (their) proportionate share of time-share expenses for the period from (date) to (date), plus interest thereon at the rate of ...%, costs of collection, and actual attorney fees.

(Managing Entity)

By:....

Officer's title (or agent)
Address:....
Phone number:....

I hereby affirm under penalties of perjury that the information contained in the foregoing Statement of Time-Share Lien is true and correct to the best of my knowledge, information and belief.

Officer (or agent)

(6) **Enforcement of Lien.** A lien may be enforced and foreclosed by a managing entity or any other person specified in the time-share instrument, in the same manner, and subject to the same requirements, as a foreclosure of mortgages on real property in this state. The managing entity may recover costs and actual attorney fees. The managing entity may, unless prohibited by the project instrument or time-share instrument, bid on the time share at foreclosure sale and acquire, hold, mortgage and convey the time share. Suit to recover a money judgment for unpaid time-share expenses shall be maintainable without foreclosing or waiving the lien securing the time-share expenses. Suit for any deficiency following foreclosure of a mortgage on real property in this state. The managing entity may recover costs and actual attorney fees. The managing entity may, unless prohibited by the project instrument or time-share instrument, bid on the time share at foreclosure sale and acquire, hold, mortgage and convey the time share. Suit to recover a money judgment for unpaid time-share expenses shall be maintainable without foreclosing or waiving the lien securing the time-share expenses. Suit for any deficiency following foreclosure may be maintained in the same proceeding. No action may be brought to foreclose the lien unless brought within 3 years after the recording of the statement of time-share lien and unless 10 days' prior written notice is given to the time-share owner by registered mail, return receipt requested, to the address of the time-share owner shown on the books of the managing entity.

(7) **Financial Records.** A person who has a duty to make assessments for time-share expenses shall keep financial records sufficiently detailed to enable
707.38 Blanket encumbrances; liens. (1) Definition. In this section, "blanket encumbrance" means any mortgage, lien or other interest which secures or evidences an obligation to pay money or to convey or otherwise dispose of all or any part of a time-share property, affects the time-share property or time shares owned by more than one time-share owner and permits or requires the foreclosure or other disposition of the time-share property to which it attaches, but does not include any of the following:

(a) A lien for taxes and assessments levied by a public body which are not yet due and payable.

(b) A lien for common expenses in favor of a homeowners', condominium or community association which is not a judgment lien.

(c) A lease.

(d) A recorded agreement for the payment of reasonable fees or other compensation for management services performed on behalf of the time-share property.

(e) Any interest arising from an agreement to sell or pledge the ownership interest in an individual time share.

(1m) Nondisturbance agreement. If delivery of a time-share disclosure statement is required under s. 707.41 (2), a developer whose project is subject to a blanket encumbrance shall, before transferring a time share, obtain from the holder of the blanket encumbrance a nondisturbance agreement, which shall be recorded in the office of the register of deeds under s. 706.05, for the benefit of the purchaser and the purchaser's successors in interest, by which the holder agrees to all of the following:

(a) The holder's rights in the time-share property are subordinate to the rights of time-share owners upon recording of the nondisturbance agreement.

(b) The holder and any successor or assign, or any person who acquires the time-share property through foreclosure or by deed in lieu of foreclosure or in fulfillment of the blanket encumbrance, shall take the time-share property subject to the rights of time-share owners.

(c) The holder and any successor acquiring the time-share property under the blanket encumbrance may not use or cause the time-share property to be used in a manner which would prevent the time-share owners from using and occupying the time-share property in a manner contemplated by the project instrument and time-share instrument.

(2) Release from blanket encumbrance. (a) If a blanket encumbrance becomes effective against a time share after purchase of the time share, the time-share owner is entitled to a release of the time share from the blanket encumbrance upon payment of an amount proportionate to the ratio that the time-share owner's time-share liability bears to the total time-share liability of all time shares subject to the blanket encumbrance. Upon receipt of payment, the holder shall promptly deliver to the time-share owner a release of the blanket encumbrance covering that time share.

(b) Upon release under par. (a) of a time share from a blanket encumbrance, the managing entity may not assess or have a lien against any portion of the expenses incurred in connection with the blanket encumbrance.

(3) Effect of other liens. Except as provided in s. 707.37 (2) to (6), after creation of a time-share property, all liens which are not blanket encumbrances exist only against individual time shares in the same manner and under the same conditions as liens or encumbrances may arise or be created upon or against separate parcels of real property owned in individual ownership.

(4) Lienholder's rights. (a) Except as provided in s. 707.37 (2) to (6), the holder of a lien against an individual time share in a time-share property shall have the lien rights preserved against a purchaser of the time share unless the purchaser objects and shows within the time specified in par. (b) that the project instrument is invalid, void or voidable.

(b) The developer shall give a purchaser written notice, by certified mail or personal delivery, that the developer has assigned a receivable related to the time share to the lienholder and that the time-share owner has 30 days to object and show the invalidity or defect of the project instrument. A purchaser who fails to assert an objection as provided in this paragraph may not raise the issue in any later action for enforcement of the collection of the receivable or enforcement of the lien by the lienholder.

(5) Service of process. If a lien is to be foreclosed or enforced against all time shares in a time-share property, service of process in the action upon the managing entity, if any, shall constitute service upon all of the time-share owners for the purposes of foreclosure or enforcement. The managing entity shall promptly forward, by certified or registered mail, a copy of the process to each time-share owner at his or her last address known to the managing entity. The cost of forwarding shall be advanced by the holder of the lien and may be taxed as a cost of the enforcement proceeding. This notice does not suffice for the entry of a deficiency or other personal judgment against any time-share owner.

707.39 Initiative, referendum and recall. (1) Definitions. In this section:

(a) "Owner" means a person who, other than as security for an obligation, is an owner or coowner of a time share or is an owner or coowner of a unit that is not a time-share unit.

(b) "Time share" does not include a time-share easement in a campground.

(c) "Unit" does not include real property in an easement in a campground.
(2) **Applicability.** This section applies only to a project in which at least 50% of the votes are allocated to time shares.

(3) **Address List.** For purposes of this section, the managing entity shall keep reasonably available for inspection and copying by any owner all addresses, known to it or to the developer, of all of the owners, with the principal permanent residence address of each indicated, if known. The managing entity shall revise continually the list of addresses based on any new information it obtains, and the developer shall keep the managing entity advised of any information which the developer has or obtains.

(4) **General Provisions.** (a) Each ballot prepared under subs. (5) to (7) shall contain all of the following:

1. A statement that the ballot will not be counted unless signed by an owner.

2. The date, not less than 30 days nor more than 180 days after the date the ballot is mailed, by which the ballot must be received by the person to whom it is to be returned, and a statement that the ballot will not be counted unless received by that date.

3. The name and address of the person to whom the ballot is to be returned.

4. No material other than what is required by this section.

(b) Each ballot mailed under subs. (5) to (7) shall be mailed to the principal permanent residence of the owner to whom it is addressed, if known to the person responsible for mailing it, and that person shall procure and keep reasonably available for inspection for at least one year after the vote is calculated a certificate of mailing for each ballot mailed and the original or a photocopy of each ballot returned by the date specified in par. (a) 2.

(c) If the developer or a person on behalf of the developer communicates with an owner, other than as expressly authorized by sub. (5), (6) or (7), on the subject matter of any petition or ballot prepared under any of those subsections, the expense of that communication may not be assessed directly or indirectly in accordance with this subsection or in any manner permitted by the project instrument or document.

(d) The vote allocated to any time share and to any unit other than a time-share unit shall be counted as having been cast in accordance with the ballot of any owner of that time share or unit. If the ballots of different owners of the same time share, or of the same unit other than a time-share unit, are not in accord with one another, the vote allocated to that time share or unit shall be divided in proportion to the number of owners of the time share or unit voting each way and shall be counted accordingly. Any ballot that is not signed by an owner or is not received by the date specified under par. (a) 2 is void.

(e) The managing entity shall take action reasonably calculated to notify all owners of the resolution of any matter considered under sub. (5), (6) or (7).

(f) No right or power of an owner under this section may be waived, limited or delegated by contract, power of attorney, proxy or otherwise, in favor of the developer, an affiliate of a developer, a managing entity or a designee of any of them.

(4m) **Amendment to Project Instrument.** The project instrument may be amended by the owners by direct initiative under sub. (5) or by referendum under sub. (6). An amendment adopted under sub. (5) or (6) shall be promptly recorded by the managing entity with a statement of the vote and becomes effective upon recordation.

(5) **Direct Initiative by Owners.** (a) The owners may amend the project instrument or any unrecorded document governing the project, or approve or reject any proposed expenditure, in accordance with this subsection or in any manner permitted by the project instrument or document.

(b) An owner may deliver to the managing entity a petition containing the language of a proposed amendment and signed by the owners of at least one time share or other estate or interest in each of a number of units to which at least 33 1/3% of the votes are allocated or any smaller percentage specified by the document to be amended. A writing of not more than 750 words in support of the proposal may be attached to the petition and mailed with the ballots under par. (c).

(c) Within 20 days after receiving the petition under par. (b), the managing entity shall mail to each owner a ballot setting forth the language of the petition and affording an opportunity to approve or reject the proposal, together with a copy of the writing, if any, attached to the petition. A writing of not more than 750 words from the managing entity recommending approval or rejection of the proposal may be mailed with the ballots.

(d) 1. Within 10 days after the date specified under sub. (4) (a) 2, the managing entity shall examine the ballots that have been returned and determine the vote. A signature on the petition shall be treated for the purpose of sub. (4) (d) as a ballot from the signer indicating approval of the proposed amendment.

2. Except as provided in s. 707.20 (2), a simple majority of the votes counted shall be sufficient for the adoption of the proposal unless the document to be amended specifies a larger majority or, in the case of a proposed expenditure, the project instrument specifies a larger majority not exceeding 66 2/3%, except that no document may specify more than a simple majority for a proposal which the managing entity could effect unilaterally.

3. No proposal may be adopted by an initiative in which the ballots favoring the proposal represent less than 10% of the votes allocated to all owners.

(e) A proposal adopted under this subsection may not be repealed or modified within 3 years after adoption except by another initiative under this subsection.
After the 3-year period, the managing entity may not repeal or modify the result without the approval of the owners in a referendum under sub. (6). If the project instrument permits the managing entity to initiate a referendum for that purpose, no referendum may be initiated for that purpose more often than once every 3 years.

(6) REFERENDUM OF OWNERS. (a) The owners may amend the project instrument by referendum, and the project instrument may specify other matters which the owners may determine by referendum and may permit the managing entity to select matters which the owners may determine by referendum.

(b) If an amendment to a project instrument proposed by the managing entity, or other matter, is to be determined by referendum, the managing entity shall prepare and mail to each owner a ballot stating each matter to be determined and affording the opportunity to approve or reject each matter. The ballot may be accompanied by a writing of not more than 750 words from the managing entity recommending a particular decision.

(c) Within 10 days after the date specified under sub. (4) (a) 2, the managing entity shall examine the ballots and determine the vote. Except as provided in s. 707.20 (2), a simple majority of the votes counted shall determine each matter in question unless the project instrument specifies a larger majority, but no matter may be determined by referendum unless the ballots favoring the majority decision represent at least 10% of the votes allocated to all owners.

(7) RECALL OF MANAGER BY OWNERS. (a) In addition to any manner permitted by the project instrument, the owners may discharge the manager with or without cause in the manner provided by this subsection.

(b) 1. An owner may prepare a ballot affording the opportunity to indicate a preference between retaining the present manager and discharging the present manager in favor of a new manager. A writing of not more than 750 words supporting discharge of the manager may be attached to the ballot.

2. A copy of the ballot and of any writing that is to be mailed with the ballots shall be delivered to the manager. Not less than 10 days nor more than 30 days after the ballot and writing are delivered to the manager, the owner who prepared the ballot shall mail to each owner the ballot and writing, if any, supporting discharge, and a copy of any written reply from the manager of not more than 750 words.

(c) 1. Within 10 days after the date specified under sub. (4) (a) 2, the person who receives the ballots shall examine those that have been returned, determine the vote and promptly notify the manager of the result. If at least 66 2/3% of the vote, representing at least 33 1/3% of the votes allocated to all owners, favors discharging the manager, then all of the following shall occur:

a. The developer shall be notified of the result and the ballots or photocopies of the ballots shall be given promptly to the manager.

b. The developer shall diligently attempt to procure offers for management contracts from prospective managers. Any owner other than the developer also may attempt to procure such offers.

2. If the developer or any owner obtains an offer within 60 days after the date on which the vote was tabulated, the developer or owner shall promptly notify the developer and the owner who was responsible for tabulating the vote. If no offer is obtained from a prospective manager other than the current manager within the 60-day period, that period shall be extended for successive intervals of 30 days each until an offer is obtained.

3. At the end of any period under subd. 2 during which an offer from a prospective manager other than the current manager is obtained, the owner who prepared the ballot, or the developer if that owner so directs in a writing delivered to the developer, shall promptly prepare and mail to each owner a 2nd ballot stating the term and compensation provided by each offer that has been received and affording an opportunity to indicate a preference for any one of the offers or for retaining the current manager. A letter recommending that a particular offer be accepted or that the current manager be retained may accompany the ballot, and if the developer prepared the ballot, the developer shall enclose a copy of any letter submitted by the owner who was responsible for tabulating the vote.

4. The developer has no obligation under this paragraph and nothing need be delivered to the developer if the developer owned no estate or interest in any unit on the date that the first ballot was delivered to the developer and neither the developer nor the affiliates of the developer or the developer's appointees caused the current manager to be hired.

(d) Within 10 days after the date specified under sub. (4) (a) 2, the person who receives the ballots prepared under par. (c) 3 shall examine the ballots that have been returned, determine the vote, notify the manager of the result, and hold the ballots available for inspection by the manager and any proposed manager for at least 30 days. If more votes favor accepting a particular offer rather than retaining the manager, the manager shall be discharged 90 days after being notified of the result, except that if the ballot prepared under par. (b) was delivered to the manager before the current term of the manager began, the manager is discharged immediately upon being notified of the result. The person who received the ballots prepared under par. (c) 3 shall accept on behalf of the owners the offer that received the largest number of votes. The expenses under a contract accepted under this paragraph are time-share expenses.

(e) A manager discharged under this subsection is not entitled because of the discharge to any penalty or
other charge payable directly or indirectly in whole or in part by any owner other than the developer.

(f) If the manager is discharged under par. (d), the reasonable expenses incurred by the developer or any owner in obtaining offers and preparing and mailing ballots under this subsection, including reasonable attorney fees, shall be promptly collected by the managing entity from all owners as a time-share expense and paid to the developer or the owner.

SUBCHAPTER IV
PROTECTION OF PURCHASERS

707.40 Applicability; exemptions. This subchapter applies to all time shares subject to this chapter, except that ss. 707.41 to 707.45 and 707.48 do not apply to any of the following:

(1) The disposition of a time share in any of the following circumstances:
   (a) By gift.
   (b) By court order.
   (c) By a government or governmental agency.
   (d) By foreclosure or deed in lieu of foreclosure.
(2) The disposition of a time share if the purchaser may cancel at any time and for any reason without penalty.

(3) The disposition of a time share in a unit situated wholly outside this state under a contract executed wholly outside this state, if there has been no offering within this state.

(4) An offering by a developer of time shares in not more than one time-share unit at any one time.

(5) Disposition to one purchaser of a time-share property or all of the time shares in a time-share property.

(6) A transaction normal and customary in the hotel and motel business, including but not limited to acceptance of advance reservations, if the person engaging in the transaction operates or owns a motel or hotel substantially engaged in the business of accepting short-term, single reservation contracts with customers who obtain no associated long-term use rights.

707.41 Time-share disclosure statement. (1) Preparation of statement. (a) Except as provided in par. (b), a developer, before offering an interest in a time-share unit, shall prepare a time-share disclosure statement conforming to the requirements of this section and, if applicable, ss. 707.42 to 707.45.

(b) A developer may transfer responsibility for preparation of all or a part of the time-share disclosure statement to a successor developer or to a person in the business of selling real estate who intends to offer time shares in the time-share property for the person’s own account. The developer shall provide the transferee with any information necessary to enable the transferee to fulfill the requirements of this section.

(2) Delivery of statement; single statement. (a) A developer or other person in the business of selling real estate who offers a time share for the person’s own account to a purchaser shall deliver a time-share disclosure statement to a prospective purchaser in the manner prescribed in s. 707.47 (1).

(b) If a time-share property is part of any other real estate venture in connection with the sale of which the delivery of a disclosure statement is required under the laws of this state, a single disclosure statement conforming to the requirements of this section and, if applicable, ss. 707.42 to 707.45, as those requirements relate to all real estate ventures in which the time-share property is located, and to any other requirements imposed under the laws of this state, may be prepared and delivered in lieu of providing 2 or more disclosure statements.

(3) Liability for statement. The person who prepared all or a part of the time-share disclosure statement is liable under ss. 707.47 and 707.57 for any false or misleading statement set forth in, or any omission of material fact from, that portion of the time-share disclosure statement which the person prepared.

(4) Contents of statement. A time-share disclosure statement shall contain or fully and accurately disclose all of the following:

(a) A cover sheet bearing the title “Time-Share Disclosure Statement” and the name and principal business address of the developer and the developer’s agent, if any, the name and location of the time-share property and the following 3 statements in boldface type or capital letters no smaller than the largest type on the page:

1. THESE ARE THE LEGAL DOCUMENTS COVERING YOUR RIGHTS AND RESPONSIBILITIES AS A TIME-SHARE OWNER. IF YOU DO NOT UNDERSTAND ANY PROVISIONS CONTAINED IN THEM, YOU SHOULD OBTAIN PROFESSIONAL ADVICE.

2. THESE DISCLOSURE MATERIALS GIVEN TO YOU AS REQUIRED BY LAW MAY BE RELIED UPON AS CORRECT AND BINDING. ORAL STATEMENTS MAY NOT BE LEGALLY BINDING.

3. YOU MAY CANCEL IN WRITING ANY CONTRACT FOR THE PURCHASE OF A TIME SHARE, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN 5 BUSINESS DAYS FROM THE DATE YOU SIGN THE CONTRACT OR UNTIL 5 BUSINESS DAYS AFTER YOU RECEIVE THE TIME-SHARE DISCLOSURE STATEMENT, WHICHEVER IS LATER. IF YOU SO CANCEL THE CONTRACT, YOU ARE ENTITLED TO RECEIVE A FULL REFUND OF ANY DEPOSITS MADE, EXCEPT, IF YOU HAVE USED OR OCCUPIED THE TIME-SHARE PROPERTY FOR MORE THAN 12 HOURS, THE MANAGING ENTITY OR CAMPGROUND OPERATOR MAY SUBTRACT FROM DEPOSITS MADE A REASONABLE CHARGE TO
COVER THE LENGTH OF STAY PLUS THE COST FOR DAMAGES TO THE TIME-SHARE PROPERTY DIRECTLY ATTRIBUTABLE TO YOU OR ANY MEMBER OF YOUR PARTY.

(b) A general description of the time-share property and the time-share units, including the number of units in the time-share property and in any project of which it is a part, and the schedule of commencement and completion of all promised improvements as described in the time-share instrument, promotional materials, advertising and the time-share disclosure statements.

(c) As to all units owned or offered by the developer in the same project, all of the following:
1. The types and number of units.
2. Identification of units that are time-share units.
3. The types and durations of the time shares.
4. The maximum number of units that may become part of the time-share property.
5. A statement of the maximum number of time shares that may be created or a statement that there is no maximum.

(d) Copies and a brief narrative description of the significant features of the time-share instrument and any documents, other than plats and plans, referred to in the time-share instrument, copies of any contracts or leases to be signed by the purchaser at closing, and a brief narrative description of any contracts or leases that may be cancelled by the association under s. 707.32.

(e) The identity of the managing entity and the manner, if any, by which the developer may change the managing entity or its control.

(f) A current balance sheet and budget for the association, if there is an association, either within or as an exhibit to the time-share disclosure statement. During the 12 months after the date of the first transfer to a purchaser the budget may be a projected budget. The budget shall include all of the following:
1. A statement of who prepared the budget and the budgetary assumptions concerning occupancy and inflation factors.
2. A statement of the amount, or a statement that there is no amount, included in the budget as a reserve for repairs and replacement.
3. A statement of any other reserves.
4. The projected time-share expenses by category of expenditure, for the time-share units.
5. The projected time-share liability for each time share.

(g) A description of the nature and purposes of all charges, dues, maintenance fees and other expenses that may be assessed, the current amounts assessed and the method and formula for changes.

(h) Any services provided by the developer or expenses paid by the developer which the developer expects may become a time-share expense, and the projected time-share liability attributable to each of those services or expenses for each time share.

(i) Any initial or special fee due from the purchaser at closing and a description of the purpose of, and method of calculating, the fee.

(j) A statement of the effect on the time-share owners of liens, defects or encumbrances on, or affecting the title to, the time-share units.

(k) A description of any financing offered by the developer.

(L) The terms and significant limitations of any warranties provided by the developer, including statutory warranties and limitations on the enforcement of the warranties or on damages.

(m) If of significance to the time-share units, a statement of any unsatisfied judgments against the managing entity or the developer, the status of any pending suits involving the sale or management of real estate to which the managing entity or the developer or an affiliate of the developer is a defending party, and the status of any pending suits of which the developer has actual knowledge.

(n) A statement that an amount equal to 50% of the deposits, as defined in s. 707.49 (1) (b), made in connection with the purchase of a time share will be held in an escrow account, except as provided in s. 707.49 (4), until all of the events listed in s. 707.49 (3) (b) 3 have occurred or any later time specified in the contract to purchase the time share, and that the full amount of the deposit, minus any amount that may be withheld under s. 707.47 (6) (b), will be returned to the purchaser if the purchaser cancels the contract under s. 707.47.

(o) Any restraints on transfer of time shares or portions of time shares.

(p) A description of the insurance coverage provided for the benefit of time-share owners in accordance with s. 707.35.

(q) Any current or expected fees or charges to be paid by time-share owners for the use of any facilities related to the project.

(r) The extent to which financial arrangements have been provided for completion of all promised improvements as described in the time-share instrument, promotional materials, advertising and the time-share disclosure statements.

(s) The extent to which a time-share unit may become subject to a tax or other lien arising out of claims against other time-share owners of the same time-share unit.

(t) A description of the rights and remedies provided in the time-share instrument to a time-share owner who is prevented from enjoying exclusive occupancy of a time-share unit by others, or a statement that there are none provided in the time-share instrument.

(u) All unusual and material circumstances, features and characteristics of the project.
707.42 Exchange or reciprocal program; additional requirements. (1) Definitions. In this section:

(a) "Exchange company" means a person operating an exchange program.

(b) "Exchange program" means an arrangement where time-share owners exchange occupancy rights among themselves or with time-share owners of other time-share units or both.

(c) "Reciprocal program" means an arrangement allowing a campground member to use one or more campgrounds, the owners of which are persons other than the campground operator who entered into the campground contract with the campground member.

(2) Exchange program; disclosures. If time-share owners are permitted or required to become members of or to participate in an exchange program, the time-share disclosure statement or a supplement delivered with the statement shall contain or fully and accurately disclose, in addition to the information required by s. 707.41 (4) and, if applicable, ss. 707.43 to 707.45, all of the following information:

(a) Whether membership or participation in the exchange program by a time-share owner is voluntary or mandatory.

(b) The name and address of the exchange company, whether the exchange company is an affiliate of the developer, and whether the exchange company or any of its officers or directors has any legal or beneficial interest in any developer or manager of any time-share property participating in the exchange program.

(c) The names of all officers, directors and shareholders owning 5% or more of the outstanding stock of the exchange company.

(d) The terms and conditions of the contractual relationship between the time-share owner and the exchange company.

(e) The procedures whereby the contractual relationship between the time-share owner and the exchange company may be changed or terminated, and whether it may be terminated or otherwise affected by action or inaction of the developer or the managing entity or by other factors beyond the control of the time-share owner.

(f) A complete and accurate description of all limitations, restrictions or priorities used in the operation of the exchange program, including limitations on exchanges based on the season, unit size or levels of occupancy, expressed in boldface type, and if the limitations, restrictions or priorities are not uniformly applied by the exchange program, a clear description of the manner in which they are applied.

(g) The procedures to qualify for and effectuate exchanges and the manner in which exchanges are arranged by the exchange company.

(h) Whether exchanges are arranged on a space-available basis and whether the exchange program guarantees fulfilling specific requests for exchanges.

(i) Whether and under what circumstances a time-share owner, in dealing with the exchange company, may lose the use and occupancy of the time share in an exchange which the time-share owner properly applied for without being provided with substitute accommodations by the exchange company.

(j) The fees or range of fees for participation by time-share owners in the exchange program, a statement of whether the fees may be altered by the exchange company and the circumstances under which changes in the fees may be made.

(k) The name and address of the site of each time-share property, accommodation or facility that is participating in the exchange program.

(L) The number of units in each time-share property participating in the exchange program that are available for occupancy and that qualify for participation in the program, expressed with the following numerical groupings: 1-5, 6-10, 11-20, 21-50, and 51 and over.

(m) The number of time-share owners with respect to each time-share property who are eligible to participate in the exchange program expressed within the following numerical groups: 1-100, 101-249, 250-499, 500-999, and 1,000 and over.

(n) The disposition made by the exchange company of time shares deposited with the exchange program by time-share owners eligible to participate in the exchange program and not used by the exchange company in effecting exchanges.

(o) All of the following information, which shall be independently audited by an independent, certified public accountant or accounting firm in accordance with generally accepted accounting principles:

1. The number of time-share owners eligible to participate in the exchange program and a description of the relationship between the exchange company and time-share owners as either fee-paying or gratuitous.

2. The number of time-share properties, accommodations or facilities eligible to participate in the exchange program, categorized by those having a contractual relationship between the developer or the managing entity and the exchange company and those having solely a contractual relationship between the exchange company and time-share owners directly.

3. The percentage of confirmed exchanges, which shall be the number of exchanges confirmed by the exchange company divided by the number of exchanges properly applied for, together with a complete and accurate statement of the criteria used to determine whether an exchange request was properly applied for and the statement specified in sub. (4).

4. The number of time shares for which the exchange company has an outstanding obligation to provide an exchange to a time-share owner who relinquished a time share during the year in exchange for a time share in any future year.
5. The number of exchanges confirmed by the exchange company during the year.

(3) **DELIVERY.** If an exchange company offers an exchange program directly to the purchaser or time-share owner, the exchange company shall deliver to each purchaser or time-share owner the information set forth in sub. (2). This subsection does not apply to any renewal of the contract between a time-share owner and an exchange company, unless there are material changes in the information required by sub. (2) adversely affecting the interests of the time-share owner.

(4) **BOLDFACE STATEMENT.** Each exchange company offering an exchange program to purchasers in this state shall include the following statement in boldface type on all promotional brochures, pamphlets, advertisements or other materials disseminated by the exchange company which also contain the percentage of confirmed exchanges described in sub. (2) (o) 3: **THE PERCENTAGE OF CONFIRMED EXCHANGES IS A SUMMARY OF THE EXCHANGE REQUESTS ENTERED WITH THE EXCHANGE COMPANY IN THE PERIOD REPORTED. THE PERCENTAGE OF CONFIRMED EXCHANGES DOES NOT INDICATE A PURCHASER'S PROBABILITIES OF BEING CONFIRMED TO ANY SPECIFIC CHOICE OR RANGE OF CHOICES, SINCE AVAILABILITY AT INDIVIDUAL LOCATIONS MAY VARY.**

(5) **MISREPRESENTATION IN EXCHANGE COMPANY INFORMATION; REPRESENTATIONS BY DEVELOPER.** (a) If the developer relies in good faith on information provided by others in making disclosures required by this section, the developer shall be responsible for a misrepresentation based upon that information only if the developer has knowledge of its falsity.

(b) Except for written information provided to the developer by the exchange company, an exchange company is not liable for any of the following:

1. Representations made by the developer relating to the exchange program or the exchange company.

2. The use, delivery or publication by the developer of any information relating to the exchange program or the exchange company.

(6) **CAMPGROUNDS; RECIPROCAL PROGRAM.** A campground operator shall maintain any reciprocal program that is represented in a campground contract as available to a campground member when the campground contract is signed, except that the campground operator may cancel a reciprocal program if any of the following occurs:

(a) The campground operator acquires for the use of campground members the number of campgrounds specified in the campground contract as constituting a replacement for the reciprocal program.

(b) The term of the reciprocal program, as specified in the campground contract, expires.

(c) The campground operator substitutes a comparable reciprocal program, as provided in the campground contract.

707.43 Multilocation developer; additional requirements. (1) **DEFINITION.** As used in this section, “multilocation developer” means a developer creating or selling its own time shares in more than one time-share property under a program permitting time-share owners, by reservation or other similar procedure, to occupy time-share units in more than one time-share property.

(2) **ADDITIONAL REQUIREMENTS.** If time-share owners are permitted or required to participate in a multilocation program, the time-share disclosure statement or a supplement delivered with the statement shall contain or fully and accurately disclose, in addition to the information required by s. 707.41 (4) and, if applicable, ss. 707.42, 707.44 and 707.45, all of the following information:

(a) A complete and accurate description of the procedure to qualify for and effectuate use rights in time-share units in the multilocation program.

(b) A complete and accurate description of all limitations, restrictions or priorities employed in the operation of the multilocation program, including limitations on reservations, use or entitlement rights based on the season, unit size, levels of occupancy or class of owner, expressed in boldface type, and, if the limitations, restrictions or priorities are not uniformly applied by the multilocation program, a clear description of the manner in which they are applied.

(c) Whether use is arranged on a space-available basis and whether the multilocation developer guarantees fulfilling specific requests for use.

(d) The name and address of the site of each time-share property included in the multilocation program.

(e) The number of time-share units in each time-share property which is available for occupancy and all of the following about each such time-share unit:

1. The interest which the multilocation developer has in the time-share unit and, if less than fee ownership, a statement of all relevant terms of the multilocation developer’s interest in the time-share unit.

2. Whether the time-share unit may be withdrawn from the multilocation program.

(f) All of the following information, which shall be independently audited by an independent, certified public accountant or accounting firm in accordance with generally accepted accounting principles:

1. The number of time-share owners in the multilocation program.

2. For each time-share property in the multilocation program, the number of properly made requests for use of time-share units in the time-share property.

3. For each time-share property, the number of time-share owners who received the right to use a unit in the time-share property, expressed as a percentage of the time-share owners who properly requested such use in the time-share property.
(g) The following statement in boldface type: THE PERCENTAGE OF TIME-SHARE OWNERS WHO RECEIVED THE RIGHT TO USE A UNIT IN THE TIME-SHARE PROPERTY DOES NOT INDICATE A PURCHASER'S PROBABILITIES OF BEING ABLE TO USE ANY TIME-SHARE UNIT, SINCE AVAILABILITY AT INDIVIDUAL LOCATIONS MAY VARY.

707.44 Conversion building; additional requirements. (1) ADDITIONAL REQUIREMENTS. If a conversion building includes or will include one or more time-share units, is more than 10 years old and the developer or any affiliates of the developer own or control more than 50% of all units in the project, the time-share disclosure statement shall contain, in addition to the information required by s. 707.41 (4) and, if applicable, ss. 707.42, 707.43 and 707.45, all of the following information:

(a) A statement by the developer, based on a report prepared by an independent registered architect or engineer, describing the present condition of all structural components and mechanical and electrical installations which are material to the use and enjoyment of the time-share units.

(b) A statement by the developer of the expected useful life of each item reported on in par. (a) or a statement that no representations are made in that regard.

(c) A list of any outstanding notices of uncorrected violations of building codes or other state and municipal regulations, together with the estimated cost of correcting those violations.

(2) APPLICABILITY. This section applies only to units which may be used as a dwelling or for recreational purposes or both.

707.45 Amendments to statement. A developer shall promptly amend all of the following:

(1) The time-share disclosure statement to report any material change in the information required by s. 707.41 or 707.44.

(2) The time-share disclosure statement or any supplement to the statement to report any material change known to the developer in the information required by s. 707.42, except that:

(a) The developer shall report to purchasers any significant change in information required by s. 707.42 (2) (b), (c) and (k) that adversely affects purchasers' interests within 30 days after the change occurs, and if the developer reports the change as required, the developer is not liable to purchasers for any harm resulting because purchasers were not informed earlier of the change.

(b) The information required by s. 707.42 (2) (m) to (o) shall be calculated, at a minimum, from the records of the exchange company, as defined in s. 707.42 (1) (a), for each calendar year and shall be available no later than July 1 of the succeeding year.

(c) The time-share disclosure statement or any supplement to the statement to report any material change in the information required by s. 707.43, except that the information required by s. 707.43 (2) (d) to (f) shall be calculated, at a minimum, from the records of the multilocation developer, as defined in s. 707.43 (1), for the preceding calendar year and shall be available no later than July 1 of the succeeding year.

707.46 Contract; minimum requirements. (1) REQUIRED PROVISIONS. All contracts for the purchase of a time share shall contain at least all of the following provisions:

(a) The actual date that the contract is executed by each party.

(b) The name and address of the developer or seller and of any agent acting on behalf of the developer or seller, and, if different than the developer or seller, any owner of the land or buildings included in the project of which the time shares are a part.

(c) The total financial obligation of the purchaser, including the initial purchase price and any additional charges to which the purchaser may be subject, such as financing, reservation and recreation charges and time-share expenses.

(d) The projected date of completion of construction, as defined in s. 707.49 (1) (a), of each part of the project of which time shares are a part which is not completed at the time the purchase contract is executed.

(e) A description of the nature and duration of the time share being sold.

(f) A description of the purchaser's rights under s. 707.47.

(2) CAMPGROUNDS; ADDITIONAL PROVISIONS. In addition to the information required under sub. (1), a contract for the purchase of a time-share easement in a campground shall include all of the following information:

(a) Any policy or other existing obligation to allow persons who are not campground members to use the campground or campground amenities.

(b) The maximum ratio of campground contracts projected to be sold per campsite during the course of a campground contract.

707.47 Purchaser's right to cancel. (1) PROVISION OF STATEMENT. A person required to deliver a time-share disclosure statement under s. 707.41 (2) shall, before transfer of a time share and no later than the date of any contract for the purchase of a time share, provide a prospective purchaser with a copy of the time-share disclosure statement and all amendments and supplements to the statement.

(2) RIGHT TO CANCEL. If delivery of a time-share disclosure statement is required under s. 707.41 (2), the purchaser may cancel a contract for the purchase of a time share until midnight of the 5th business day after whichever of the following is later:

(a) The date that the contract is executed.
(b) The date on which the purchaser receives the last of the documents required to be provided to the purchaser under sub. (1).

(3) Activity before cancellation period expires. No title may be recorded, deed delivered or deposit released until the cancellation period under sub. (2) has expired. Nothing in this subsection or sub. (4) precludes the execution of documents before the cancellation period expires, for delivery after the cancellation period expires.

(4) Waiver prohibited. The purchaser or any person on behalf of the purchaser may not waive the right to cancel under sub. (2).

(5) Notice of cancellation. If a purchaser elects to cancel a contract under sub. (2), the purchaser may do so by personally-delivering notice of the cancellation to the seller or by mailing the notice to the developer or to the developer’s agent for service of process. If mailed, any notice of cancellation shall be considered given on the date that the notice is postmarked.

(6) Refund. (a) Cancellation under sub. (2) shall be without penalty, and, except as provided in par. (b), all payments made by the purchaser before cancellation shall be refunded within 20 days after receipt of the notice of cancellation or within 5 days after receipt of funds from the purchaser’s cleared check, whichever is later.

(b) If the purchaser has used or occupied the time-share property for more than 12 hours before cancellation, the funds to be returned to the purchaser may be reduced by a reasonable charge to cover the length of stay plus the cost for damages, if any, to the time-share property directly attributable to the purchaser’s use or occupancy of the time-share property.

707.48 Resales of time shares. (1) Required disclosures. Except as provided in s. 707.40 or except where delivery of a time-share disclosure statement is required under s. 707.41 (2), a seller of a time share shall furnish to the purchaser before execution of any contract for the purchase of a time share, or otherwise before the transfer of title, a copy of the time-share instrument, other than any plats or plans, and a certificate containing statements disclosing all of the following information:

(a) The effect on the proposed transfer of any right of first refusal or other restraint on transfer of all or any portion of the time share.

(b) The amount of the periodic time-share liability and any unpaid time-share expense or special assessment or other sums currently due and payable from the seller.

(c) Any other fees payable by time-share owners.

(d) Any judgments or other matters that are or may become liens against the time share or the time-share unit and the status of any pending suits that may result in those liens.

(2) Managing entity; preparation of certificate. (a) Except as provided in par. (b), the managing entity, within 10 days after a request by a time-share owner, shall furnish a certificate containing the information necessary to enable the time-share owner to comply with sub. (1).

(b) If there is no managing entity, the time-share owner shall furnish the information specified in sub. (1).

(3) Liability; voiding contract. (a) A purchaser is not liable for any unpaid time-share liability or fee greater than the amount set forth in a certificate prepared under sub. (2).

(b) A time-share owner is not liable to a purchaser for the failure or delay of the managing entity to provide the certificate in a timely manner or for any erroneous information provided by the managing entity and included in the certificate, except for information on judgment liens against the time share or the time-share unit.

(c) A purchaser may void a purchase contract until the certificate, whether prepared by the managing entity or time-share owner, is provided and for 5 business days after the certificate is provided or until transfer of the time share, whichever occurs first.

707.49 Deposits; escrow requirement. (1) Definitions. In this section:

(a) “Completion of construction” means that all accommodations of the time-share unit and all buildings, improvements and other facilities of the time-share property, including campground amenities, are available for use in a manner identical in all material respects to the manner portrayed by the time-share instrument, promotional materials, advertising and the time-share disclosure statements.

(b) “Deposit” means any money or property given by a purchaser as earnest money, downpayment or other payment in connection with the purchase of a time share, whether the payment is intended to be applied toward the purchase price or other obligation or returned to the purchaser, but excluding any dues payment.

(c) “Escrow account” means an account established solely for the purposes set forth in this section with a financial institution, as defined in s. 705.01 (3), which is located within this state and the accounts of which are insured by a governmental agency or instrumentality.

(d) “Escrow agent” means any of the following:

1. A savings and loan association, bank or trust company located in this state.

2. An attorney who is a member of the state bar of Wisconsin.

3. A real estate broker licensed under ch. 452.

4. A title insurance company authorized to do business in this state.

(2) Escrow agent. (a) Designation. Except as provided in sub. (4), before the sale of any time shares in a project, the developer shall establish an escrow account and shall designate an escrow agent for the purpose of protecting the deposits of purchasers. All escrow agents shall be independent of the developer,
and the developer, any affiliate of the developer or any officer, director, subsidiary or employee of the developer shall not serve as escrow agent.

(b) Duties. An escrow agent designated under par. (a) shall do all of the following:

1. Maintain, in accordance with generally accepted accounting practices, separate books and records for each time share.

2. Maintain the accounts required by this section only in such a manner as to be under the direct supervision and control of the escrow agent.

3. Retain for 5 years all affidavits received under sub. (3) (b).

4. Upon receipt of conflicting demands for the escrowed funds or property, immediately and with the consent of all parties either submit the matter to arbitration or, by interpleader or otherwise, seek an adjudication of the matter in court.

(3) Escrow Agreement; Release of Funds. (a) Until the deposit may be released from escrow under par. (b), an amount equal to 50% of the deposit shall be deposited in an escrow account under an escrow agreement.

(b) The escrow agreement shall provide that the deposit may be released from escrow only as follows:

1. If a purchaser gives a valid notice of cancellation under s. 707.47 (5) or is otherwise entitled to cancel the sale, the deposit shall be returned to the purchaser under s. 707.47 (6).

2. After expiration of the cancellation period under s. 707.47 (2), if the purchaser defaults in the performance of his or her obligations under the contract to purchase, the developer shall provide an affidavit to the escrow agent requesting release of the escrowed deposit and shall provide a copy of the affidavit to the purchaser who has defaulted. The developer’s affidavit shall include all of the following:

   a. A statement that the purchaser has defaulted and that the developer has not defaulted.

   b. A brief explanation of the nature of the default and the date of default.

   c. A statement that the developer is entitled under the contract to the deposit held by the escrow agent.

   d. A statement that the developer has not received from the purchaser any written notice of a dispute between the purchaser and developer or a claim by the purchaser to the escrowed deposit.

3. If no cancellation or default has occurred, the escrow agent may release the escrowed deposit upon presentation by the developer of an affidavit and, if the project is subject to a blanket encumbrance, as defined in s. 707.38 (1), a certified copy of a recorded nondisturbance agreement. The developer’s affidavit shall state that all of the following have occurred:

   a. Expiration of the cancellation period.

   b. Completion of construction of the time-share unit and amenities or, if ownership is not related to a specific unit, completion of construction of sufficient units to provide appropriate use of the completed time-share units by the purchaser.

   c. Completion of the closing.

   d. Execution and recording of a nondisturbance agreement meeting the requirements of s. 707.38 (1m).

(4) Surety Bond and Other Options. Instead of placing deposits in an escrow account, a developer may obtain a surety bond issued by a company authorized to do business in this state, an irrevocable letter of credit or a similar arrangement, in an amount which at all times is not less than the amount of the deposits otherwise subject to the escrow requirements of this section. The bond, letter of credit or similar arrangement shall be filed with the department of justice and made payable to the department of justice for the benefit of aggrieved parties.

707.50 Conversion building; tenants’ rights. (1) Notice of Conversion. A developer of a time-share property which includes all or part of a conversion building, and any person in the business of selling real estate for the person’s own account who intends to offer time shares in a time-share property which includes all or part of a conversion building, shall give each residential tenant and residential subtenant in possession of the proposed time-share units 120 days’ prior written notice of the conversion. The notice shall set forth generally the rights of tenants and subtenants under this section and shall be personally delivered to the unit or mailed to the tenant and subtenant at the address of the unit or any other mailing address provided by a tenant.

   (1m) Tenants’ Rights. (a) A residential tenant or residential subtenant shall not be required to vacate the property during the notice period required under sub. (1) unless the tenancy is properly terminated under s. 704.17 or unless, with respect to a tenancy under a lease, as defined in s. 704.01 (1), the term of the lease expires.

   (b) The terms of a residential tenancy may not be altered during the notice period required under sub. (1).

   (c) Failure to give notice as required by this section is a defense to an action for possession.

(2) Notice of Termination. If the notice provided under sub. (1) meets the requirements of s. 704.17 or 704.19, whichever may be applicable, and s. 704.21, the notice constitutes both a notice of conversion and notice of termination of tenancy.

(3) Priority of Lease. Nothing in this section permits termination of a lease by a developer in violation of the terms of the lease.

707.51 Protection of campground interests. (1) Increase in Dues Payments. (a) Except as provided in par. (b), the total amount of dues payments in any year required to be paid by a campground member may not be increased over the total amount of dues payments required during the previous year by a percentage greater than the percentage increase 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 previous year, plus 3%.

(b) The limit on a dues payment increase provided in par. (a) does not apply if all of the following occur:
1. The campground operator proposes an increase greater than the limit.
2. The campground operator mails a ballot to each campground member to whom the increase would apply, at the campground member’s last-known mailing address.
3. A majority of the campground members who return ballots approve the increase.

(2) USE OF DUES PAYMENTS. Dues payments may not be used for any purposes other than those stated in the campground contract.

(3) MODIFICATION OF CAMPGROUND RULES. (a) Except as provided in par. (b), with respect to a campground located in this state, the campground operator may not, in any manner that significantly degrades or diminishes the rights of the majority of campground members, adversely modify any campground rules or regulations or adversely modify rights to or the scope or nature of any campground or campground amenity, unless occasioned by unanticipated emergency circumstances, in which case the modifications may be made for a period not to exceed 90 days.

(b) Except as provided in par. (c), a campground operator may modify campground rules or regulations, or rights to or the scope or nature of a campground or campground amenity if all of the following occur:
1. The campground operator proposes a modification.
2. The campground operator mails a ballot to each campground member to whom the modification would apply, at the campground member’s last-known mailing address.
3. A majority of the campground members who return ballots approve the modification.

(c) A campground operator may not under par. (b) terminate a campground contract or suspend a campground member’s right or privilege to use a campground or campground amenities.

707.52 Campgrounds; breach by member. (1) TERMINATION FOR BREACH. A campground operator may not terminate a campground contract because of a campground member’s breach of rules or regulations or terms or conditions of the campground contract, other than terms or conditions for instalment payments of the purchase price or for dues payments, unless the campground member has been given at least 30 days’ prior written notice of the breach and an opportunity within that period to cure the breach, and unless the breach constitutes any of the following:
(a) A threat to others or to the property of others.
(b) A repeated violation of rules or regulations or terms or conditions, after notice has been given of a previous breach.
(c) A public nuisance.
(d) An unreasonable infringement upon the rights of other campground members.

(2) SUSPENSION. A campground operator, upon prior written notice, may immediately suspend a campground member’s right or privilege to use campgrounds and campground amenities upon a breach of rules or regulations or terms or conditions under sub. (1) (a) to (d) or upon failure to make instalment payments of the purchase price or to make dues payments.

(3) TERMINATION; INSTALMENT PAYMENTS. A campground operator may not terminate a campground contract because of a campground member’s failure to make instalment payments of the purchase price unless the campground member has been given at least 30 days’ prior written notice of the breach and an opportunity within that period to cure the breach.

(4) TERMINATION; DUES PAYMENTS. A campground operator may not terminate a campground contract because of a campground member’s failure to make dues payments unless the default continues for more than 6 months.

(5) REINSTATING A CAMPGROUND CONTRACT. A campground operator may reinstate a campground contract that was terminated or suspended for failure to make instalment payments of the purchase price or dues payments if the campground member pays all delinquent amounts, together with any interest or penalties specified in the campground contract.

(6) NO UNREASONABLE FORFEITURE. The termination of a campground contract because of a campground member’s breach may not result in an unreasonable forfeiture of the amount of the purchase price already paid. During the first 5 years after a campground contract is signed, the campground operator may not retain a forfeiture, as the result of a campground member’s breach, in an amount which exceeds that portion of the total purchase price which is equal to the percentage of the number of months the campground contract has been in effect during the first 5-year period plus 20% of the total purchase price.

707.53 Warranties. (1) EXPRESS WARRANTIES OF QUALITY. (a) Express warranties made by any seller of a time share to a purchaser, if relied upon by the purchaser, are created as follows:
1. Any affirmation of fact or promise which relates to the time share, the time-share unit, rights appurtenant to either, area improvements that would directly benefit the time share or the right to use or have the benefit of facilities not located on the time-share unit, creates an express warranty that the time share, the time-share unit and related rights and uses will conform to the affirmation or promise.
2. Any model or description of the physical characteristics of the time-share property, including plans and specifications of or for improvements, creates an
express warranty that the time-share property will
conform to the model or description.
3. Any description of the quantity or extent of the
real estate constituting the time-share property,
including plats or surveys, creates an express warranty
that the time-share property will conform to the
description, subject to customary tolerances.
4. A provision that a purchaser may put a time-
share unit only to a specified use is an express war-
ranty that the specified use is lawful.
   (b) Neither formal words, such as "warranty" or
   "guarantee", nor a specific intention to make a war-
   ranty, is necessary to create an express warranty of
   quality, but a statement purporting to be merely an
   opinion or commendation of the time share, the
time-share unit or the value of either does not create a
   warranty.
5. (c) Any transfer of a time share transfers to the pur-
chaser all express warranties of quality made by previ-
ous sellers.
6. (2) IMPLIED WARRANTIES OF QUALITY. (a) A devel-
oper and any person in the business of selling real estate
for the person's own account impliedly war-
rants all of the following:
   1. That except for reasonable wear and tear a time-
share unit will be in at least as good condition at the
   earlier of the time of the transfer or of the delivery of
   possession of the time-share unit as it was at the time
   of contracting.
   2. That a time-share unit and any other real prop-
erty that the time-share owners have a right to use in
conjunction with the time-share unit are suitable for
the ordinary uses of real estate of its type, and that any
improvements made or contracted for by the devel-
oper or the person in the business of selling real estate
for the person's own account, or made by any person
before transfer, will be all of the following:
   a. Free from defective materials.
   b. Constructed in accordance with applicable law,
according to sound engineering and construction
standards, and in a workmanlike manner.
   (b) In addition to par. (a), a developer impliedly
warrants to a purchaser of a time share that an
existing use of the time-share unit, continuation of
which is contemplated by the parties, does not violate
applicable law at the earlier of the time of transfer or
of the delivery of possession of the time-share unit.
   (c) For purposes of this subsection, improvements
made or contracted for by an affiliate of a developer
are made or contracted for by the developer.
   (d) Any transfer of a time share transfers to the pur-
chaser all of the developer's implied warranties of
quality.
   (3) ACCRUAL OF ACTIONS. (a) Subject to par. (b), a
cause of action for breach of warranty of quality,
regardless of the purchaser's lack of knowledge of the
breach, accrues, unless extended by agreement, as
follows:
1. As to a unit, at the time of the first transfer of a
time share in the unit by the seller to a bona fide
purchaser.
2. As to other improvements, at the time each
improvement is completed.
   (b) If a warranty of quality explicitly extends to
future performance or duration of any improvement
or component of the property, the cause of action
accrues at the time the breach is discovered or at the
end of the period for which the warranty explicitly
extends, whichever is earlier.
707.54 LABELING OF PROMOTIONAL MATERIAL. If any
improvement in the time-share property is not
required to be built, no promotional material may be
displayed or delivered to prospective purchasers
which describes or portrays that improvement unless
the description or portrayal of the improvement is
conspicuously labeled or identified as "NEED NOT
BE BUILT".
707.55 PROHIBITED ADVERTISING AND SALES PRACTICES. In
connection with the offer or sale of a time share, no
person may engage in any of the following practices:
   (1) FALSE OR MISLEADING STATEMENTS. Making any
   assertion, representation or statement of material fact
   that is false, deceptive or misleading.
   (2) INCENTIVES. Making any assertion, representa-
   tion or statement that any incentives, including dis-
   counts, special prices, merchandise awards, types of
   memberships or other financial benefits, are only
   available to a prospective purchaser for the remainder
   of the day on which the assertion, representation or
   statement is made, except that the person may state
   that the incentives are not guaranteed in the future
   and that they may be subject to negotiation in the
   future.
   (2m) VALUE OF INCENTIVES. Making any assertion,
   representation or statement that an incentive or
   inducement to purchase has a specified price or value
   unless the incentive or inducement is customarily sold
   apart from the sale of a time share.
   (3) RESALE VALUE. Misrepresenting the resale value
   of a time share.
   (4) FINANCIAL INVESTMENT. Representing a time
   share as a financial investment.
   (5) SALESPERSONS. Misrepresenting the identity,
function or authority of a salesperson, including a
time-share salesperson, as defined in s. 452.01 (9), or
team of salespersons.
   (6) CONTRADICTORY STATEMENTS. Making any
   assertion, representation or statement of material fact
which is inconsistent with or contradictory to the
terms or provisions of the purchase contract or mate-
rial provided with the purchase contract.
   (7) LENGTH OF SALES PRESENTATION. Misrepresent-
the reasonably estimated length of any sales pre-
sentation by a salesperson, including a time-share
salesperson, as defined in s. 452.01 (9), or team of
salespersons.
(8) **Seller's identity.** Failing to clearly disclose the seller's identity and that time shares are being offered for sale at the beginning of an initial contact with a prospective purchaser, if the contact is initiated by or on behalf of a seller.

(9) **Purpose of advertising material.** Failing to include the following disclosure, in boldface type, on any printed advertising material, including any lodging certificate, gift, award, prize, premium or discount: **THIS ADVERTISING MATERIAL IS BEING USED FOR THE PURPOSE OF SOLICITING THE SALE OF REAL PROPERTY OR INTERESTS IN REAL PROPERTY.**

(10) **Gifts and prizes.** With respect to any mail or coupon promotion sent to residents of this state that offers any award, gift or prize for visiting a development or attending any sales presentation:

(a) Failing to set forth a statement of the odds, in arabic numerals, of receiving each item offered in the promotion if an element of chance is involved in receiving any of the items offered in the promotion.

(b) Misrepresenting the approximate retail value of the items offered in the promotion through prices other than those reflecting fair market value for the region consisting of Wisconsin, Illinois, Michigan, Ohio and Indiana.

(c) Misrepresenting the approximate retail value of any item offered in the promotion through the graphic or pictorial clustering of the items offered or through a misleading description of the items.

(d) Failing to disclose the conditions, restrictions and any additional charges reasonably expected to be incurred in connection with the goods or services or both constituting the award, gift or prize.

(11) **Waiver.** Entering into or requesting a person to enter into any agreement or stipulation that binds the person to waive compliance with this section or that requests the person to certify the absence of any misrepresentation or other violation of this section.

**707.56 Developer's obligation to complete improvements.** The developer shall complete all promised improvements as described in the time-share instrument, promotional materials, advertising and the time-share disclosure statements. The developer shall be excused for the period or periods of delay in the completion of any promised improvement if delayed, hindered or prevented from doing so by causes beyond the developer's control, including any of the following:

1. Labor disputes not caused by the developer.
2. Riots.
3. Civil commotion or insurrection.
4. War or warlike operations.
5. Governmental restrictions, regulations or control.
6. Inability to obtain any materials or services.
7. Fire or other casualties.

(9) Forces not under the control or supervision of the developer.

**707.57 Remedies and penalties.** (1) **Private remedies.** (a) If a developer or any other person subject to this chapter fails to comply with this chapter or the time-share instrument, any person or class of persons adversely affected by the failure to comply has a claim for appropriate relief, including but not limited to damages, injunctive or declaratory relief, specific performance and rescission.

(b) A person or class of persons entitled to relief under par. (a) is also entitled to recover costs, disbursements and reasonable attorney fees, notwithstanding s. 814.04 (1).

(2) **Attorney general's authority.** (a) The department of justice, or any district attorney upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this chapter. Before entry of final judgment, the court may make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action if proof of these acts or practices is submitted to the satisfaction of the court.

(b) The department of justice may conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its investigation of violations of this chapter.

(3) **Penalty.** Any person who violates this chapter shall be required to forfeit not more than $5,000 for each offense. Forfeitures under this subsection shall be enforced by action on behalf of the state by the department of justice or by the district attorney of the county where the violation occurs.

(4) **Liberal construction.** The remedies provided by this chapter shall be liberally administered.

**707.58 Applicability to existing time shares.** (1) This chapter applies to all time shares created in units within this state on or after the effective date of this subsection .... [revisor inserts date], and to time shares created before the effective date of this subsection .... [revisor inserts date], as provided in subs. (2) to (12).

(2) Sections 707.03, 707.30 (5) (a) 1 to 9 and 14 to 16 and (c) 1, 707.35 (1) to (6) and (8), 707.36, 707.37 and 707.38 (1), (2), (3) and (5) apply to time shares created before the effective date of this subsection .... [revisor inserts date].

(3) Sections 707.06 and 707.07 apply to contracts relating to time shares created before the effective date of this subsection .... [revisor inserts date], if the contract is entered into on or after the effective date of this subsection .... [revisor inserts date].

(4) Section 707.23 applies to time-share units created before the effective day of this subsection .... [revisor inserts date], but s. 707.23 does not apply to actions for partition which are brought before the effective day of this subsection .... [revisor inserts date].
(5) Section 707.34 applies to actions relating to time shares created before the effective date of this subsection .... [revisor inserts date], if those actions accrued on or after the effective date of this subsection .... [revisor inserts date].

(6) Section 707.35 (7) applies to time-share property created before the effective date of this subsection .... [revisor inserts date], which is damaged or destroyed on or after the effective date of this subsection .... [revisor inserts date].

(7) Sections 707.38 (1m) and (4) and 707.48 apply to time shares which were created before the effective date of this subsection .... [revisor inserts date], and which are sold on or after the effective date of this subsection .... [revisor insert date].

(8) Section 707.49 applies to time shares created before the effective date of this subsection .... [revisor inserts date], with respect to deposits, as defined in s. 707.49 (1) (b), relating to those time shares which are received on or after the effective date of this subsection .... [revisor inserts date].

(9) Section 707.53 applies to time shares created before the effective date of this subsection .... [revisor inserts date], with respect to warranties relating to those time shares which are made on or after the effective date of this subsection .... [revisor inserts date].

(10) Section 707.57 applies to actions relating to time shares created before the effective date of this subsection .... [revisor inserts date], to the extent the time shares are subject to this chapter.

(11) Section 707.02 applies to time shares created before the effective date of this subsection .... [revisor inserts date] to the extent necessary to construe any of the provisions listed in subs. (2) to (10).

(12) The provisions listed in subs. (2) to (11) do not apply to time shares created before the effective date of this subsection .... [revisor inserts date], if the provision conflicts with any rights or obligations created by a time-share instrument, document transferring an estate or interest in real property, or contract, existing before the effective date of this subsection .... [revisor inserts date].

(13) The time-share instrument or similar document of a time-share property created before the effective date of this subsection .... [revisor inserts date], may be amended to accomplish any result permitted by this chapter if the amendment is adopted in conformity with the procedures and requirements specified by the time-share instrument or similar document. If the amendment grants to any person any rights, powers or privileges permitted by this chapter, all correlative obligations, liabilities and restrictions in this chapter also apply to that person.

707.59 Time-share units not within state. (1) Except as provided in sub. (2), if time shares in a time-share unit located outside of this state are offered or sold in this state, the laws of the state where the time-share unit is located which relate to a general matter covered by this chapter apply to the offer or sale of those time shares in this state. If the state in which the time-share unit is located has no laws relating to a general matter covered by this chapter, the provision in this chapter relating to that matter applies to the offer or sale of those time shares in this state.

(2) Section 707.55 applies to any offer or sale of a time share in a time-share unit, whether the time-share unit is located in this state or outside this state.

SECTION 458m. 767.45 (1) (j) of the statutes is created to read:

767.45 (1) (j) 1. A parent of a person listed under par. (b), (c) or (d), if the parent is liable or is potentially liable for maintenance of a child of a dependent person under s. 49.90 (1) (a) 2.

2. Subdivision 1 does not apply after December 31, 1989.
Vetoed in Part
Vetoed in Part

SECTION 472b. 778.25 (2) (g) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

778.25 (2) (g) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the failure to appear will be considered tender of a plea of no contest and submission to a forfeiture, penalty assessment and jail assessment plus costs, including any applicable fees prescribed in ss. 811.63 (1) and (2) and 811.635 ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant or, if the defendant is an adult, issue an arrest warrant for the defendant rather than accept the deposit and plea.

SECTION 472d. 778.25 (2) (h) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

778.25 (2) (h) Notice that if the defendant makes a deposit and signs the stipulation, the stipulation is treated as a plea of no contest and submission to a forfeiture, penalty assessment and jail assessment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant or, if the defendant is an adult, issue an arrest warrant for the defendant rather than accept the deposit and plea.

SECTION 472e. 778.25 (3) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

778.25 (3) If a person is issued a citation under this section the person may deposit the amount of money the issuing officer directs by mailing or delivering the deposit and a copy of the citation to the clerk of court of the county where the violation occurred or the sheriff's office or police headquarters of the officer who
issued the citation prior to the court appearance date. The basic amount of the deposit shall be determined under a deposit schedule established by the judicial conference. The judicial conference shall annually review and revise the schedule. In addition to the basic amount determined by the schedule the deposit shall include costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, penalty assessment and jail assessment.

SECTION 472f. 778.25 (5) of the statutes, as affected 1987 Wisconsin Act 27, is amended to read:

778.25 (5) Except as provided by sub. (6) a person receiving a deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, penalty assessment and jail assessment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, not to exceed the amount of the deposit which the court may accept. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, the check is the receipt.

SECTION 472g. 778.25 (6) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

778.25 (6) The person receiving a deposit and stipulation of no contest shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be considered to have submitted to a forfeiture, penalty assessment and jail assessment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in sub. (5).

SECTION 472h. 778.25 (8) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

778.25 (8) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant may be considered to have tendered a plea of no contest and submitted to a forfeiture, penalty assessment and jail assessment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, not exceeding the amount of the deposit. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant’s deposit returned.

SECTION 472i. 778.25 (8) (c) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

778.25 (8) (c) If the defendant has made a deposit and stipulation of no contest, the citation serves as the initial pleading and the defendant shall be considered to have tendered a plea of no contest and submitted to a forfeiture, penalty assessment and jail assessment plus costs, including any applicable fees prescribed in ss. 814.63 (1) and (2) and 814.635 ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons or arrest warrant, except if the defendant is a minor the court shall proceed under s. 48.28. Chapter 48 governs taking and holding a minor in custody. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects of the stipulation.

SECTION 472j. 779.14 (1) of the statutes is renumbered 779.14 (1m), and 779.14 (1m) (b) 2, as renumbered, is amended to read:

779.14 (1m) (b) 2. The bond shall carry a penalty of not less than the contract price, and shall be conditioned for the all of the following:

a. The faithful performance of the contract and the
b. The payment to every person entitled thereto, including every subcontractor or supplier, of all the claims that are entitled to payment for labor performed and materials furnished under the contract, to be used or consumed in for the purpose of making the public improvement or performing the public work as provided in the contract and this subsection.

SECTION 472k. 779.14 (1) of the statutes is created to read:

779.14 (1) In this section, “subcontractor or supplier” means the following:

(a) Any person who has a direct contractual relationship, expressed or implied, with the prime contractor or with any subcontractor of the prime contractor to perform labor or furnish materials, except as provided in par. (b).

(b) With respect to contracts entered into under s. 84.06 (2) for highway improvements, any person who
has a direct contractual relationship, expressed or implied, with the prime contractor to perform labor or furnish materials.

SECTION 472L. 779.14 (2) of the statutes is renumbered 779.14 (2) (a) and amended to read:

779.14 (2) (a) Not later than one year after the completion of work under the contract, any party in interest, including any subcontractor or supplier, may maintain an action in that party's name against the prime contractor and the sureties upon the bond for the recovery of any damages sustained by reason of the failure any of the following:

1. Failure of the prime contractor to comply with the contract or with the contract between the prime contractor and subcontractors. If the amount realized on the bond is insufficient to satisfy all claims of the parties in full, it shall be distributed among the parties proportionally.

SECTION 472m. 779.14 (2) (a) 2 and 3 and (b) of the statutes are created to read:

779.14 (2) (a) 2. Except as provided in subd. 3, failure of the prime contractor or a subcontractor of the prime contractor to comply with a contract, whether express or implied, with a subcontractor or supplier for the performance of labor or furnishing of materials for the purpose of making the public improvement or performing the public work that is the subject of the contract under sub. (1m).

3. With respect to contracts entered into under s. 84.06 (2) for highway improvements, failure of the prime contractor to comply with a contract, whether express or implied, with a subcontractor or supplier of the prime contractor for the performance of labor or furnishing of materials for the purpose of making the highway improvement that is the subject of the contract under sub. (1m).

(b) If the amount realized on the bond is insufficient to satisfy all claims of the parties in full, it shall be distributed among the parties proportionally.

SECTION 472ma. 779.41 (1) (c) (intro.) of the statutes is amended to read:

779.41 (1) (c) (intro.) A motor vehicle not included under par. (a) or (b) with a manufacturer's gross weight rating, including, with respect to road tractors, a manufacturer's gross weight rating for the combined carrying capacity of the tractor and trailer, of:

SECTION 472nb. 814.61 (1) (a) of the statutes, as affected by 1987 Wisconsin Acts 27, .... (Assembly Bill 205), is amended to read:

814.61 (1) (a) At the commencement of all civil actions and special proceedings not specified in s. 814.62 to 814.66, $60. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 472ng. 814.61 (1) (a) of the statutes, as affected by 1987 Wisconsin Acts 27, .... (Assembly Bill 205) and .... (this act), is repealed and recreated to read:

814.61 (1) (a) At the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, $60. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 472nj. 814.61 (1) (c) of the statutes, as created by 1987 Wisconsin Act .... (Assembly Bill 205), is amended to read:

814.61 (1) (c) Paragraphs (a) and (b) do not apply to any action to determine paternity brought by the state or its delegate under s. 767.45 (1) (g) or (h).

SECTION 472p. 814.61 (3) of the statutes is amended to read:

814.61 (3) (title) THIRD-PARTY COMPLAINT. When any defendant files a 3rd-party 3rd-party complaint, the defendant shall pay a fee of $40. The defendant shall pay only one such $40 fee in an action. Of the fees received by the clerk under this subsection, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 472q. 814.61 (4) of the statutes is amended to read:

814.61 (4) JURY FEE. For a jury in all civil actions, except a garnishment action under ch. 812, a nonrefundable fee of $6 per juror demanded to hear the case by the party demanding a jury trial. If the jury fee is not paid, no jury may be called in the action, and the action may be tried to the court without a jury.
814.61 (5) JUDGMENTS, WRITS, EXECUTIONS, LIENS, WARRANTS, AWARDS, CERTIFICATES. (intro.) The clerk shall collect a fee of $3 $5 for the following:

SECTION 472a. 814.61 (5) (b) of the statutes is amended to read:

814.61 (5) (b) Filing and docketing judgments, transcripts of judgments, liens, warrants and awards, including filing and docketing assignments or satisfactions of judgments, liens or warrants, except as provided in par. (c).

SECTION 472b. 814.61 (5) (c) of the statutes is created to read:

814.61 (5) (c) Any act of the clerk relating to withdrawal, satisfaction or voidance of a tax warrant under s. 71.13 (3) (fm).

SECTION 472c. 814.61 (6) of the statutes is amended to read:

814.61 (6) FOREIGN JUDGMENTS. On filing a foreign judgment under s. 806.24, $10 $15.

SECTION 472d. 814.61 (7) (a) of the statutes, as affected by 1987 Wisconsin Act .... (Assembly Bill 205), is amended to read:

814.61 (7) (a) Except as provided in par. (b), upon the filing of any petition under s. 767.32 (1) or any motion, by either party, for the revision of a judgment in an action affecting the family, $25 $30. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 472e. 814.61 (7) (a) 1 of the statutes is amended to read:

814.61 (7) (a) 1. If the appeal or review is by certiorari or on the record, $30 $35.

SECTION 472f. 814.61 (7) (a) 2 of the statutes is amended to read:

814.61 (7) (a) 2. If a new trial is authorized and requested, $45 $50.

SECTION 472g. 814.61 (9) of the statutes is amended to read:

814.61 (9) TRANSMITTING DOCUMENTS. For certifying and transmitting documents upon appeal, writ of error, change of venue, for enforcing real estate judgments in other counties, or for enforcing judgments in other states, $10 $15 plus postage.

SECTION 472h. 814.61 (10) of the statutes is amended to read:

814.61 (10) COPIES. For copies, certified or otherwise, of any document for which a specific fee is not established by this section, or for comparison and attestation of copies not provided by the clerk, $1 $1.25 per page.

SECTION 472i. 814.61 (11) of the statutes is amended to read:

814.61 (11) SEARCHES. For searching files or records to locate any one action when the person requesting the same does not furnish the docket or file number of the action, or to ascertain the existence or nonexistence of any instrument or record in the clerk's custody, $4 $5.

SECTION 472j. 814.62 (1) of the statutes is amended to read:

814.62 (1) GARNISHMENT ACTIONS. The fee for commencing a garnishment action under ch. 812, including actions under s. 799.01 (4) (b), is $42 $15. Of the fees received by the clerk under this subsection, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 472k. 814.63 (1) of the statutes is amended to read:

814.63 (1) In all forfeiture actions in circuit court, the clerk of court shall collect a fee of $10 $15 to be paid by the defendant when judgment is entered against the defendant.

SECTION 472l. 814.63 (4) of the statutes is amended to read:

814.63 (4) In forfeiture actions in which a municipality prevails, costs and disbursements shall be allowed to the municipality subject only to sub. (2) and such other limitation as the court may direct.

SECTION 472m. 814.65 (1) of the statutes is amended to read:

814.65 (1) COURT COSTS. In a municipal court action, the municipal judge shall collect a fee of $40 $15 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons or the action is tried as a contested matter. Of each $10 $15 fee received by the judge under this subsection, the municipal treasurer shall pay monthly 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the municipality.

SECTION 472n. 814.65 (1) of the statutes is amended to read:

814.65 (1) When a patient in any state or county hospital or mental hospital in any state institution for the mentally ill is, as a resident of the county, unable to pay the costs of a civil action, the county court or the court of a municipality or the municipal court shall order the county to pay the costs of the action. If the county or the municipality is unable to pay the costs, the court may order the patient to pay the costs.

Vetoed in Part

87 WisAct 399
SECTION 472zj. 885.235 (1) (intro.) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

885.235 (1) (intro.) In any action or proceeding in which it is material to prove that a person was under the influence of an intoxicant or had a blood alcohol concentration of 0.1% or more while operating or driving a motor vehicle, while operating a motorboat, except a sailboat operating under sail alone, while operating a snowmobile, while operating an all-terrain vehicle or while handling a firearm, evidence of the amount of alcohol in the person's blood at the time in question, as shown by chemical analysis of a sample of the person's blood or urine or evidence of the amount of alcohol in the person's breath, is admissible on the issue of whether he or she was under the influence of an intoxicant or had a blood alcohol concentration of 0.1% or more if the sample was taken within 3 hours after the event to be proved. The chemical analysis shall be given effect as follows without requiring any expert testimony as to its effect:

SECTION 472zk. 885.235 (1m) of the statutes is amended to read:

885.235 (1m) In any action under s. 23.33 (4c) (a) 3, 346.63 (2m) or 350.101 (1) (c), evidence of the amount of alcohol in the person's blood at the time in question, as shown by chemical analysis of a sample of the person's blood or urine or evidence of the amount of alcohol in the person's breath, is admissible on the issue of whether he or she had a blood alcohol concentration in the range specified in s. 23.33 (4c) (a) 3, 346.63 (2m) or 350.101 (1) (c) if the sample was taken within 3 hours after the event to be proved. The fact that the analysis shows that there was more than 0.0% but not more than 0.1% by weight of alcohol in the person's blood or more than 0.0 grams but not more than 0.1 grams of alcohol in 210 liters of the person's breath is prima facie evidence that the person had a blood alcohol concentration in the range specified in s. 23.33 (4c) (a) 3, 346.63 (2m) or 350.101 (1) (c).

SECTION 472zkag. 885.365 (1) of the statutes is amended to read:

885.365 (1) Evidence obtained as the result of the use of voice recording equipment for recording of telephone conversations, by way of interception of a communication or in any other manner, shall be totally inadmissible in the courts of this state in civil actions, except as provided in ss. 968.28 to 968.33. 968.37.

SECTION 472zkba. 891.45 of the statutes is amended to read:

891.45 Presumption of employment connected disease. In any proceeding involving the application by a municipal fire fighter or his or her beneficiary for disability or death benefits under s. 40.65 (2) or 66.191, 1981 stats., or any pension or retirement system applicable to fire fighters, where at the time of death or filing of application for disability benefits the deceased or disabled fire fighter had served a total of 5 years as a fire fighter and a qualifying medical examination given prior to the time of his or her joining the department showed no evidence of heart or respiratory impairment or disease, and where the disability or death is found to be caused by heart or respiratory impairment or disease, such finding shall be presumptive evidence that such impairment or disease was caused by such employment. In this section, "municipal fire fighter" includes any person designated as primarily a fire fighter under s. 61.66 (2) and any person under s. 61.66 whose duties as a fire fighter during the 5-year qualifying period took up at least two-thirds of his or her working hours.

SECTION 472zkba. 893.137 of the statutes is created to read:

893.137 Tolling of statute of limitations for certain time-share actions. Any statute of limitations affecting the right of an association organized under s. 707.30 (2) or a time-share owner, as defined in s. 707.02 (31),
against a developer, as defined in s. 707.02 (11), is
toll as provided in s. 707.34 (1) (bm).

SECTION 472zkb. 895.01 (1) of the statutes is amended to read:

895.01 (1) In addition to the causes of action which survive at common law, the following shall also survive: Causes of action for the recovery of personal property or the unlawful withholding or conversion of personal property, for the recovery of the possession of real estate and for the unlawful withholding of the possession of real estate, for assault and battery, false imprisonment, invasion of privacy, violation of s. 968.31 (2) (d) (2m) or other damage to the person, for all damage done to the property rights or interests of another, for goods taken and carried away, for damages done to real or personal estate, equitable actions to set aside conveyances of real estate, to compel a reconveyance of real estate, or to quiet the title to real estate, and for a specific performance of contracts relating to real estate. Causes of action for wrongful death shall survive the death of the wrongdoer whether or not the death of the wrongdoer occurred before or after the death of the injured person.

SECTION 472zkb. 895.50 (7) of the statutes is amended to read:

895.50 (7) No action for invasion of privacy may be maintained under this section if the claim is based on an act which is permissible under ss. 968.27 to 968.33.

SECTION 472zkb. 939.20 of the statutes is amended to read:

939.20 Provisions which apply only to chapters 939 to 948. Sections 939.22 and 939.23 to 939.25 apply only to crimes defined in chs. 939 to 948. Other sections in ch. 939 apply to crimes defined in other chapters of the statutes as well as to those defined in chs. 939 to 948.

SECTION 472zkb. 939.22 (14) of the statutes is amended to read:

939.22 (14) "Great bodily harm" means bodily injury which creates a high probability substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

SECTION 472zkb. 939.23 (3) and (4) of the statutes are amended to read:

939.23 (3) "Intentionally" means that the actor either has a purpose to do the thing or cause the result specified, or believes that his act, if successful, will be aware that his or her conduct is practically certain to cause that result. In addition, except as provided in sub. (6), the actor must have knowledge of those facts which are necessary to make his or her conduct criminal and which are set forth after the word "intentionally".

939.23 (4) "With intent to" or "with intent that" means that the actor either has a purpose to do the thing or cause the result specified, or believes that his act, if successful, will be aware that his or her conduct is practically certain to cause that result.

SECTION 472zkb. 939.24 of the statutes is created to read:

939.24 Criminal recklessness. (1) In this section, "criminal recklessness" means that the actor creates an unreasonable and substantial risk of death or great bodily harm to another human being and the actor is aware of that risk.

(2) If criminal recklessness is an element of a crime in chs. 939 to 948, the recklessness is indicated by the term "reckless" or "recklessly".

(3) A voluntarily produced intoxicated or drugged condition is not a defense to liability for criminal recklessness if, had the actor not been in that condition, he or she would have been aware of creating an unreasonable and substantial risk of death or great bodily harm to another human being.

SECTION 472zkb. 939.25 of the statutes is created to read:

939.25 Criminal negligence. (1) In this section, "criminal negligence" means ordinary negligence to a high degree, consisting of conduct which the actor should realize creates a substantial and unreasonable risk of death or great bodily harm to another.

(2) If criminal negligence is an element of a crime in chs. 939 to 948, the negligence is indicated by the term "negligent".

SECTION 472zkb. 939.42 (2) of the statutes is amended to read:

939.42 (2) (2) Negates the existence of a state of mind essential to the crime, except as provided in s. 939.24 (3).

SECTION 472zkb. 939.44 of the statutes is created to read:

939.44 Adequate provocation. (1) In this section:

(a) "Adequate" means sufficient to cause complete lack of self-control in an ordinarily constituted person.

(b) "Provocation" means something which the defendant reasonably believes the intended victim has done which causes the defendant to lack self-control completely at the time of causing death.

(2) Adequate provocation is an affirmative defense only to first-degree intentional homicide and mitigates that offense to 2nd-degree intentional homicide.

SECTION 472zkb. 939.46 (1) of the statutes is amended to read:

939.46 (1) A threat by a person other than the actor's coconspirator which causes the actor reasonably to believe that his or her act is the only means of preventing imminent death or great bodily harm to himself the actor or another and which causes him or her so to act is a defense to a prosecution for any crime based on that act, except that if the prosecution is for murder first-degree intentional homicide, the degree
of the crime is reduced to **manslaughter 2nd-degree intentional homicide**.

SECTION 472zkbL. 939.47 of the statutes is amended to read:

939.47 **Necessity.** Pressure of natural physical forces which causes the actor reasonably to believe that his or her act is the only means of preventing imminent public disaster, or imminent death or great bodily harm to himself the actor or another and which causes him or her so to act, is a defense to a prosecution for any crime based on that act, except that if the prosecution is for **murder first-degree intentional homicide**, the degree of the crime is reduced to **manslaughter 2nd-degree intentional homicide**.

SECTION 472zkbm. 939.48 (3) of the statutes is amended to read:

939.48 (3) The privilege of self-defense extends not only to the intentional infliction of harm upon a real or apparent wrongdoer, but also to the unintended infliction of harm upon a third 3rd person, except that if such the unintended infliction of harm amounts to the crime of injury by conduct regardless of life, injury by negligent use of weapon, homicide by reckless conduct or homicide by negligent use of vehicle or weapon **first-degree or 2nd-degree reckless homicide**,

**homicide by negligent handling of dangerous weapon, explosives or fire, first-degree or 2nd-degree reckless injury or injury by negligent handling of dangerous weapon, explosives or fire**, the actor is liable for whichever one of those crimes is committed.

SECTION 472zkbm. 939.74 (2) (a) of the statutes is amended to read:

939.74 (2) (a) A prosecution for **murder under s. 940.01, 940.02 or 940.03 may be commenced at any time**;

SECTION 472zkbm. 940.01 of the statutes is repealed and recreated to read:

940.01 **First-degree intentional homicide.** (1) **Offense.** Except as provided in sub. (2), whoever causes the death of another human being with intent to kill that person or another is guilty of a Class A felony.

(2) **Mitigating circumstances.** The following are affirmative defenses to prosecution under this section which mitigate the offense to 2nd-degree intentional homicide under s. 940.05:

(a) **Adequate provocation.** Death was caused under the influence of adequate provocation as defined in s. 939.44.

(b) **Unnecessary defensive force.** Death was caused because the actor believed he or she or another was in imminent danger of death or great bodily harm and that the force used was necessary to defend the endangered person, if either belief was unreasonable.

(c) **Prevention of felony.** Death was caused because the actor believed that the force used was necessary in the exercise of the privilege to prevent or terminate the commission of a felony, if that belief was unreasonable.

(d) **Coercion; necessity.** Death was caused in the exercise of a privilege under s. 939.45 (1).

(3) **Burden of proof.** When the existence of an affirmative defense under sub. (2) has been placed in issue by the trial evidence, the state must prove beyond a reasonable doubt that the facts constituting the defense did not exist in order to sustain a finding of guilt under sub. (1).

SECTION 472zkbm. 940.02 of the statutes, as affected by 1987 Wisconsin Act 662, is repealed and recreated to read:

940.02 **First-degree reckless homicide.** (1) Whoever recklessly causes the death of another human being under circumstances which show utter disregard for human life is guilty of a Class B felony.

(2) Whoever causes the death of another human being under any of the following circumstances is guilty of a Class B felony:

(a) By manufacture or delivery of a controlled substance classified in schedule I or II under ch. 161 in violation of s. 161.41 which another human being uses and dies as a result of that use. This paragraph applies:

1. Whether the human being dies as a result of using the controlled substance by itself or with any compound, mixture, diluent or other substance mixed or combined with the controlled substance.

2. Whether or not the controlled substance is mixed or combined with any compound, mixture, diluent or other substance after the violation of s. 161.41 occurs.

3. To any delivery described in this paragraph, regardless of whether the delivery is made directly to the human being who dies. If possession of the controlled substance classified in schedule I or II under ch. 161 is transferred more than once prior to the death as described in this paragraph, each person who delivers the controlled substance in violation of s. 161.41 is guilty under this paragraph.

(b) By administering or assisting in administering a controlled substance classified in schedule I or II under ch. 161, without lawful authority to do so, to another human being and that human being dies as a result of the use of the substance. This paragraph applies whether the human being dies as a result of using the controlled substance by itself or with any compound, mixture, diluent or other substance mixed or combined with the controlled substance.

SECTION 472zkbm. 940.03 of the statutes is created to read:

940.03 **Felony murder.** Whoever causes the death of another human being while committing or attempting to commit a crime specified in s. 940.225 (1) or (2) (a), 943.02, 943.10 (2) or 943.32 (2) may be imprisoned for not more than 20 years in excess of the maximum period of imprisonment provided by law for that crime or attempt.
SECTION 472zkcq. 940.05 of the statutes is repealed and recreated to read:

**940.05 Second-degree intentional homicide.** (1) Whoever causes the death of another human being with intent to kill that person or another is guilty of a Class B felony if:

(a) In prosecutions under s. 940.01, the state fails to prove beyond a reasonable doubt that the mitigating circumstances specified in s. 940.01 (2) did not exist as required by s. 940.01 (3); or

(b) The state concedes that it is unable to prove beyond a reasonable doubt that the mitigating circumstances specified in s 940.01 (2) did not exist. By charging under this section, the state so concedes.

(2) In prosecutions under this section, it is sufficient to allege and prove that the defendant caused the death of another human being with intent to kill that person or another.

(3) The mitigating circumstances specified in s. 940.01 (2) are not defenses to prosecution for this offense.

SECTION 472zkcr. 940.06 of the statutes is repealed and recreated to read:

**940.06 Second-degree reckless homicide.** Whoever recklessly causes the death of another human being is guilty of a Class C felony.

SECTION 472zkcs. 940.08 (1) (c) A person may be charged with and a prosecutor may proceed upon an information based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b) in the information, the crimes shall be joined under s. 940.01 (3); or

(2) SECOND-DEGREE RECKLESS INJURY. Whoever recklessly causes great bodily harm to another by a high degree of negligence in the negligent operation or handling of a vehicle, firearm, airgun, knife or bow and arrow dangerous weapon, explosives or fire is guilty of a Class D felony.

SECTION 472zkct. 940.08 (2) of the statutes is repealed.

SECTION 472zkd. 940.09 (1) (c) and (3) of the statutes are amended to read:

940.09 (1) (c) A person may be charged with and a prosecutor may proceed upon an information based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b) in the information, the crimes shall be joined under s. 971.12. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under s. 23.33 (13) (b) 2 and 3, under s. 30.80 (6) (a) 2 and 3 and counting convictions under ss. 343.30 (1q) and 343.305 or under s. 350.11 (3) (a) 2 and 3. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(3) An officer who makes an arrest for a violation of this section shall make a report as required under s. 23.33 (4t), 30.686 or 346.635 or 350.106.

SECTION 472zkg. 940.10 of the statutes is created to read:

**940.10 Homicide by negligent operation of vehicle.** Whoever causes the death of another human being by the negligent operation or handling of a vehicle is guilty of a Class E felony.

SECTION 472zkh. 940.19 (3) (intro.) of the statutes is amended to read:

940.19 (3) (intro.) Whoever intentionally causes bodily harm to another by conduct which creates a high probability of great bodily harm is guilty of a Class E felony. A rebuttable presumption of conduct creating a high probability substantial risk of great bodily harm arises:

SECTION 472zki. 940.23 of the statutes is repealed and recreated to read:

**940.23 Reckless injury.** (1) FIRST-DEGREE RECKLESS INJURY. Whoever recklessly causes great bodily harm to another human being under circumstances which show utter disregard for human life is guilty of a Class C felony.

(2) SECOND-DEGREE RECKLESS INJURY. Whoever recklessly causes great bodily harm to another human being is guilty of a Class D felony.

SECTION 472zkk. 940.24 (1) of the statutes is renumbered 940.24 and amended to read:

**940.24 (title) Injury by negligent handling of dangerous weapon, explosives or fire.** Whoever causes bodily harm to another by a high degree of negligence in the negligent operation or handling of a firearm, airgun, knife or bow and arrow dangerous weapon, explosives or fire is guilty of a Class E felony.

SECTION 472zkkk. 940.24 (2) of the statutes is repealed.

SECTION 472zkkb. 940.245 of the statutes is repealed.

SECTION 472zkl. 940.25 (1) (c) and (3) of the statutes are amended to read:

940.25 (1) (c) A person may be charged with and a prosecutor may proceed upon an information based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b) in the information, the crimes shall be joined under s. 971.12. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under s. 23.33 (13) (b) 2 and 3, under s. 30.80 (6) (a) 2 or 3 and counting convictions, under ss. 343.30 (1q) and 343.305 or under s. 350.11 (3) (a) 2 and 3. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(3) An officer who makes an arrest for a violation of this section shall make a report as required under s. 23.33 (4t), 30.686 or 346.635 or 350.106.

SECTION 472zklc. 940.01 (2) of the statutes is repealed.

SECTION 472zkld. 940.01 (3) of the statutes is renumbered 940.01 (2) and amended to read:
941.01 (2) Upon conviction hereunder under sub. (1), no revocation or suspension of an operator's license shall may follow.

SECTION 472zkle. 941.03 of the statutes is repealed.

SECTION 472zklf. 941.04 of the statutes is repealed.

SECTION 472zklg. 941.10 (2) of the statutes is amended to read:

941.10 (2) Burning material is handled in a highly negligent manner if handled with criminal negligence under s. 939.25 or under the circumstances, in which the person should realize that he creates an a substantial and unreasonable risk and high probability of death or great bodily harm to another or serious damage to another's property is created.

SECTION 472zkllh. 941.20 (title) and (1) (a) of the statutes are amended to read:

941.20 (title) Endangering safety by use of dangerous weapon. (1) (a) Endangers another's safety by reckless conduct in the negligent operation or handling of a firearm, airgun, knife or bow and arrow dangerous weapon; or

SECTION 472zklm. 941.20 (3) of the statutes is repealed.

SECTION 472zkn. 941.237 of the statutes is created to read:

941.237 Possessing loaded firearm while on a highway. (1) Whoever knowingly possesses a loaded firearm while on a highway as defined in s. 940.01 (2) or in any city or village is guilty of a Class B misdemeanor.

(2) Subsection (1) does not apply to peace officers or armed forces or military personnel who are acting in the line of duty or to any person duly authorized by the owner of a vehicle or in the line of duty, if the circumstances of such possession under the circumstances described under this subsection.

SECTION 472zklo. 941.30 of the statutes is repealed and recreated to read:

941.30 Recklessly endangering safety. (1) FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY. Whoever recklessly endangers another's safety under circumstances which show utter disregard for human life is guilty of a Class D felony.

(2) SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY. Whoever recklessly endangers another's safety is guilty of a Class E felony.

SECTION 472zklt. 943.01 (2) (a) 2 and amended to read:

943.01 (2) (a) 2. The property damaged is a vehicle or highway as defined in s. 941.03 (2) and the damage is of a kind which is likely to cause injury to a person or further property damage; or

SECTION 472zklu. 943.01 (2) (a) 1 of the statutes is created to read:

943.01 (2) (a) 1. In this paragraph, "highway" means any public way or thoroughfare, including bridges thereon, any roadways commonly used for vehicular traffic, whether public or private, any railroad, including street and interurban railways, and any navigable waterway or airport.

SECTION 472zklt. 943.70 (2) (b) 4 and (3) (b) 4 of the statutes are amended to read:

943.70 (2) (b) 4. A Class C felony if the offense creates a situation of substantial and unreasonable risk and high probability of death or great bodily harm to another.

(3) (b) 4. A Class C felony if the offense creates a situation of substantial and unreasonable risk and high probability of death or great bodily harm to another.
Vetoed in Part

SECTION 472zL. 945.041 (9) of the statutes is amended to read:

945.041 (9) A written record shall be kept by every officer and district attorney shall keep a written record of reports made by or to him under sub. (2). On the first day of January, April, July and October in each year each district attorney shall report in writing to the governor the name, address and office, if any, of each person who has reported to him knowledge of gambling devices or any horse race betting under sub. (2). He shall also set out the disposition of such reports, the status of all cases instituted thereon and the status of cases not shown by any prior report to be finally determined.

SECTION 472zm. 946.13 (2) (a) of the statutes is amended to read:

946.13 (2) (a) Contracts in which any single public officer or employee is privately interested which do not involve receipts and disbursements by the state or its political subdivision aggregating more than $5,000 $7,500 in any year.
SECTION 472zn. 968.27 (intro.) of the statutes is amended to read:

968.27 Definitions. (intro.) As used in ss. 968.28 to 968.33 968.37:

SECTION 472zna. 968.27 (1) of the statutes is renumbered 968.27 (17) and amended to read:

968.27 (17) “Wire communication” means any communication aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, microwave or other like connection between the point of origin and the point of reception, including the use of the connection in any switching station, furnished or operated by any person engaged as a public utility in providing or operating such the facilities for the transmission of intrastate, interstate or foreign communications. “Wire communication” includes the electronic storage of any such aural transfer, but does not include the radio portion of a cordless telephone communication that is transmitted between the cordless telephone handset and the base unit.

SECTION 472znb. 968.27 (2) of the statutes is renumbered 968.27 (12) and amended to read:

968.27 (12) “Oral communication” means any oral communication uttered by a person exhibiting an expectation that such the communication is not subject to interception under circumstances justifying such the expectation. “Oral communication” does not include any electronic communication.

SECTION 472znc. 968.27 (3) of the statutes is renumbered 968.27 (9) and amended to read:

968.27 (9) “Intercept” means the aural or other acquisition of the contents of any wire, electronic or oral communication through the use of any electronic, mechanical or other device.

SECTION 472znd. 968.27 (3m) of the statutes is renumbered 968.27 (7), and 968.27 (7) (intro.) and (a) 1 and 2, as renumbered, are amended to read:

968.27 (7) “Electronic, mechanical, or other device” means any device or apparatus which can be used to intercept a wire, electronic or oral communication other than:

(a) 1. Furnished to the subscriber or user by a communications common carrier provider of electronic or wire communication service in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business or furnished by the subscriber or user for connection to the facilities of the

SECTION 472zne. 968.27 (4) of the statutes is renumbered 968.27 (10) and amended to read:

968.27 (10) “Electronic or wire communication service” includes the transmission of intrastate, interstate or foreign communications. “Electronic or wire communication service” does not include any of the following:

(a) Any wire communication.
(b) Any oral communication.
(c) Any communication through a tone-only paging device.
(d) Any communication from a tracking device.

SECTION 472znf. 968.27 (5) of the statutes is renumbered 968.27 (3) and amended to read:

968.27 (3) “Contents” when used with respect to any wire, electronic or oral communication, includes any information concerning the identity of the parties to such communication or the existence, substance, purport or meaning of that communication.

SECTION 472zng. 968.27 (5) of the statutes is renumbered 968.27 (1) and amended to read:

968.27 (1) “[Aggrieved person]” means any person who was a party to any intercepted wire, electronic or oral communication or a person against whom the interception was directed.

SECTION 472znh. 968.27 (6) of the statutes is renumbered 968.27 (6) and amended to read:

968.27 (6) “Electronic communications system” means any wire, radio, electromagnetic, photooptical or photoelectronic facilities for the transmission of electronic communications, and any computer facili-
ties or related electronic equipment for the electronic storage of those communications.

SECTION 472zpa. 968.27 (7) of the statutes is renumbered 968.27 (11) and amended to read:

968.27 (11) “Judge” means the judge sitting at the time an application is made under s. 968.30 or his or her successor.

SECTION 472zpp. 968.27 (8) of the statutes is created to read:

968.27 (8) “Electronic storage” means any of the following:

(a) Any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof.

(b) Any storage of a wire or electronic communication by an electronic communication service for purposes of backup protection of the communication.

SECTION 472zpaq. 968.27 (13) of the statutes is created to read:

968.27 (13) “Pen register” means a device that records or decodes electronic or other impulses that identify the numbers dialed or otherwise transmitted on the telephone line to which the device is attached. “Pen register” does not include any device used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by the provider or any device used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business.

SECTION 472zpar. 968.27 (14) of the statutes is created to read:

968.27 (14) “Readily accessible to the general public” means, with respect to a radio communication, that the communication is not any of the following:

(a) Scrambled or encrypted.

(b) Transmitted using modulation techniques whose essential parameters have been withheld from the public with the intention of preserving the privacy of the communication.

(c) Carried on a subcarrier or other signal subsidiary to a radio transmission.

(d) Transmitted over a communication system provided by a common carrier, unless the communication is a tone-only paging system communication.

(e) Transmitted on frequencies allocated under 47 CFR part 25, subpart D, E or F of part 74, or part 94, unless in the case of a communication transmitted on a frequency allocated under 47 CFR part 74 that is not exclusively allocated to broadcast auxiliary services, the communication is a 2-way voice communication by radio.

SECTION 472zpas. 968.27 (15) of the statutes is created to read:

968.27 (15) “Trap and trace device” means a device that captures the incoming electronic or other impulses that identify the originating number of an instrument or device from which a wire or electronic communication was transmitted.

SECTION 472zpat. 968.27 (16) of the statutes is created to read:

968.27 (16) “User” means any person who or entity that:

(a) Uses an electronic communication service; and

(b) Is duly authorized by the provider of the service to engage in that use.

SECTION 472zppa. 968.28 of the statutes is amended to read:

968.28 Application for court order to intercept communications. The attorney general together with the district attorney of any county may approve a request of an investigative or law enforcement officer to apply to the chief judge of the judicial administrative district for the county where the interception is to take place for an order authorizing or approving the interception of wire, electronic or oral communications. The chief judge may under s. 968.30 grant an order authorizing or approving the interception of wire, electronic or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offense for which the application is made. The authorization shall be permitted only if the interception may provide or has provided evidence of the commission of the offense of murder, kidnapping, commercial gambling, bribery, extortion or dealing in controlled substances or a computer crime which that is a felony under s. 943.70 or any conspiracy to commit any of the foregoing offenses.

SECTION 472zppb. 968.28 of the statutes, as affected by 1987 Wisconsin Act .... (this act), is amended to read:

968.28 Application for court order to intercept communications. The attorney general together with the district attorney of any county may approve a request of an investigative or law enforcement officer to apply to the chief judge of the judicial administrative district for the county where the interception is to take place for an order authorizing or approving the interception of wire, electronic or oral communications. The chief judge may under s. 968.30 grant an order authorizing or approving the interception of wire, electronic or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offense for which the application is made. The authorization shall be permitted only if the interception may provide or has provided evidence of the commission of the offense of homicide, felony murder, kidnapping, commercial gambling, bribery, extortion or dealing in controlled substances or a computer crime that is a felony under s. 943.70 or any conspiracy to commit any of the foregoing offenses.

SECTION 472zppc. 968.29 of the statutes is amended to read:

968.29 (title) Authorization for disclosure and use of intercepted wire, electronic or oral communications. (1) Any investigative or law enforcement officer who, by
any means authorized by ss. 968.28 to 968.33 968.37 or 18 USC 2510 to 2520, has obtained knowledge of the contents of any wire, electronic or oral communication, or evidence derived therefrom, may disclose such the contents to another investigative or law enforcement officer only to the extent that such the disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure.

(2) Any investigative or law enforcement officer who, by any means authorized by ss. 968.28 to 968.33 968.37 or 18 USC 2510 to 2520, has obtained knowledge of the contents of any wire, electronic or oral communication or evidence derived therefrom may use such the contents only to the extent such the use is appropriate to the proper performance of his or her official duties.

(3) Any person who has received, by any means authorized by ss. 968.28 to 968.33 968.37 or 18 USC 2510 to 2520 or by a like statute of any other state, any information concerning a wire, electronic or oral communication or evidence derived therefrom intercepted in accordance with ss. 968.28 to 968.33 968.37, may disclose the contents of that communication or such that derivative evidence only while giving testimony under oath or affirmation in any proceeding in any court or before any magistrate or grand jury in this state, or in any court of the United States or of any state, or in any federal or state grand jury proceeding.

(4) No otherwise privileged wire, electronic or oral communication intercepted in accordance with, or in violation of, ss. 968.28 to 968.33 968.37 or 18 USC 2510 to 2520, shall may lose its privileged character.

(5) When an investigative or law enforcement officer, while engaged in intercepting wire, electronic or oral communications in the manner authorized, intercepts wire, electronic or oral communications relating to offenses other than those specified in the order of authorization or approval, the contents thereof, and evidence derived therefrom, may be disclosed or used as provided in subs. (1) and (2). Such The contents and any evidence derived therefrom may be used under sub. (3) when authorized or approved by the judge who acted on the original application where such the judge finds on subsequent application, made as soon as practicable but no later than 48 hours, that the contents were otherwise intercepted in accordance with ss. 968.28 to 968.33 968.37 or 18 USC 2510 to 2520 or by a like statute.

SECTION 472zpcf. 968.30 (title) of the statutes is amended to read:

968.30 (title) Procedure for interception of wire, electronic or oral communications.

SECTION 472zpcg. 968.30 (1) (intro.) of the statutes is amended to read:

968.30 (1) (intro.) Each application for an order authorizing or approving the interception of a wire, electronic or oral communication shall be made in writing upon oath or affirmation to the court and shall state the applicant's authority to make such the application and may be upon personal knowledge or information and belief. Each application shall include the following information:

SECTION 472zpc. 968.30 (1) (e) of the statutes is amended to read:

968.30 (1) (e) A full and complete statement of the facts concerning all previous applications known to the individual authorizing and making the application, made to any court for authorization to intercept, or for approval of interceptions of, wire, electronic or oral communications involving any of the same persons, facilities or places specified in the application, and the action taken by the court on each such application; and

SECTION 472zpcj. 968.30 (3) (intro.) of the statutes is amended to read:

968.30 (3) (intro.) Upon such the application the court may enter an ex parte order, as requested or as modified, authorizing or approving interception of wire, electronic or oral communications, if the court determines on the basis of the facts submitted by the applicant that all of the following exist:

SECTION 472zpcL. 968.30 (3) (d) of the statutes is amended to read:

968.30 (3) (d) There is probable cause for belief that the facilities from which, or the place where, the wire, electronic or oral communications are to be intercepted are being used, or are about to be used, in connection with the commission of such the offense, or are leased to, listed in the name of, or commonly used by such the person.

SECTION 472zpcK. 968.30 (4) (intro.) of the statutes is amended to read:

968.30 (4) (intro.) Each order authorizing or approving the interception of any wire, electronic or oral communication shall specify:

SECTION 472zpcL. 968.30 (5) of the statutes is amended to read:

968.30 (5) No order entered under this section may authorize or approve the interception of any wire, electronic or oral communication for any period longer than is necessary to achieve the purposes for which it was granted and in no event longer than 30 days. The period of extension shall be no longer than the authorizing judge deems necessary to achieve the purposes for which it was granted and in no event for longer than 30 days. Every order and extension thereof shall contain a provision that the authorization to intercept shall be executed as soon as practicable, shall be con-
ducted in such a way as to minimize the interception of communications not otherwise subject to interception under this chapter, and must terminate upon attainment of the authorized objective, or in any event in 30 days. In the event the intercepted communication is in a code or foreign language, and an expert in that foreign language or code is not reasonably available during the interception period, minimization may be accomplished as soon as practicable after the interception.

SECTION 472zpcm. 968.30 (7) (a) of the statutes is amended to read:

968.30 (7) (a) The contents of any wire, electronic or oral communication intercepted by any means authorized by ss. 968.28 to 968.33 968.37 shall, if possible, be recorded on tape or wire or other comparable device. The recording of the contents of any wire, electronic or oral communication under this subsection shall be done in such way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order or extensions thereof all such recordings and records of an intercepted wire, electronic or oral communication shall be filed with the court issuing such the order and the court shall order the same to be sealed. Custody of the recordings and records shall be wherever the judge handling the application shall order. They shall not be destroyed except upon an order of the issuing or denying judge and in any event shall be properly kept and preserved for 10 years. Duplicate recordings and other records may be made for use or disclosure pursuant to the provisions for investigations under s. 968.29 (1) and (2). The presence of the seal provided for by this subsection, or a satisfactory explanation for the absence thereof, shall be a prerequisite for the use or disclosure of the contents of any wire, electronic or oral communication or evidence derived therefrom under s. 968.29 (3).

SECTION 472zpcn. 968.30 (7) (d) 3 of the statutes is amended to read:

968.30 (7) (d) 3. The fact that during the period wire, electronic or oral communications were or were not intercepted.

SECTION 472zpcq. 968.30 (8) of the statutes is amended to read:

968.30 (8) The contents of any intercepted wire, electronic or oral communication or evidence derived therefrom shall not be received in evidence or otherwise disclosed in any trial, hearing or other proceeding in any court of this state unless each party, not less than 10 days before the trial, hearing or proceeding, has been furnished with a copy of the court order, and accompanying application, under which the interception was authorized or approved. This 10-day period may be waived by the judge if he or she finds that it was not possible to furnish the party with the above information 10 days before the trial, hearing or proceeding and that the party will not be prejudiced by the delay in receiving such the information.

SECTION 472zpcq. 968.30 (9) (a) of the statutes is amended to read:

968.30 (9) (a) Any aggrieved person in any trial, hearing or proceeding in or before any court, department, officer, agency, regulatory body or other authority of this state, or a political subdivision thereof, may move before the trial court or the court granting the original warrant to suppress the contents of any intercepted wire, electronic or oral communication, or evidence derived therefrom, on the grounds that 1) the communication was unlawfully intercepted; 2) the order of authorization or approval under which it was intercepted is insufficient on its face; or 3) the interception was not made in conformity with the order of authorization or approval. Such the motion shall be made before the trial, hearing or proceeding unless there was no opportunity to make such the motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted wire, electronic or oral communication, or evidence derived therefrom, shall be treated as having been obtained in violation of ss. 968.28 to 968.33 968.37. The judge may, upon the filing of such the motion by the aggrieved person, make available to the aggrieved person or his or her counsel for inspection such portions of the intercepted communication or evidence derived therefrom as the judge determines to be in the interest of justice.

SECTION 472zpcr. 968.31 (title) of the statutes is amended to read:

968.31 (title) Interception and disclosure of wire, electronic or oral communications prohibited.

SECTION 472zpcs. 968.31 (1) (a) of the statutes is amended to read:

968.31 (1) (a) Intentionally intercepts, attempts to intercept or procures any other person to intercept or attempt to intercept, any wire, electronic or oral communication;

SECTION 472zpcr. 968.31 (1) (b) of the statutes is amended to read:

968.31 (1) (b) Intentionally uses, attempts to use or procures any other person to use or attempt to use any electronic, mechanical or other device to intercept any oral communication;

SECTION 472zpcu. 968.31 (1) (c) of the statutes is amended to read:

968.31 (1) (c) Discloses, or attempts to disclose, to any other person the contents of any wire, electronic or oral communication, knowing or having reason to know that the information was obtained through the interception of a wire or oral communication in viola-
tion of this section or under circumstances constituting violation of this section.

SECTION 472zpcw. 968.31 (1) (d) of the statutes is amended to read:

968.31 (1) (d) Uses, or attempts to use, the contents of any wire, electronic, or oral communication, knowing or having reason to know that the information was obtained through the interception of a wire, electronic or oral communication in violation of this section or under circumstances constituting violation of this section.

SECTION 472zpcw. 968.31 (1) (e) of the statutes is amended to read:

968.31 (1) (e) Intentionally discloses the contents of any oral, electronic or wire communication obtained by authority of ss. 968.28, 968.29 and 968.30, except as therein provided.

SECTION 472zpcw. 968.31 (1) (f) of the statutes is amended to read:

968.31 (1) (f) Intentionally alters any wire, electronic or oral communication intercepted on tape, wire or other device.

SECTION 472zpcwb. 968.31 (2) (intro.) of the statutes is amended to read:

968.31 (2) (intro.) It is not unlawful under ss. 968.28 to 968.33 968.37.

SECTION 472zpcxc. 968.31 (2) (a) of the statutes is amended to read:

968.31 (2) (a) For an operator of a switchboard, or an officer, employee or agent of any telecommunications utility provider of a wire or electronic communication service, whose facilities are used in the transmission of a wire or electronic communication to intercept, disclose or use that communication in the normal course of his or her employment while engaged in any activity which is a necessary incident to the rendition of his or her service or to the protection of the rights or property of the carrier of such communication, but telecommunications utilities, provider of that service, except that a provider of a wire or electronic communication service shall not utilize service observing or random monitoring except for mechanical or service quality control checks.

SECTION 472zpcxd. 968.31 (2) (b) of the statutes is amended to read:

968.31 (2) (b) For a person acting under color of law to intercept a wire, electronic or oral communication, where such the person is a party to the communication or one of the parties to the communication has given prior consent to such the interception unless such the communication is intercepted for the purpose of committing any criminal or tortious act in violation of the constitution or laws of the United States or of any state or for the purpose of committing any other injurious act.

SECTION 472zpcxf. 968.31 (2) (d) of the statutes is renumbered 968.31 (2m), and 968.31 (2m) (intro.), as renumbered, is amended to read:

968.31 (2m) (intro.) Any person whose wire, electronic or oral communication is intercepted, disclosed or used in violation of ss. 968.28 to 968.33 968.37 shall 4 have a civil cause of action against any person who intercepts, discloses or uses, or procures any other person to intercept, disclose, or use, such the communication, and 2 shall be entitled to recover from any such person:

SECTION 472zpcxg. 968.31 (2) (d) to (j) of the statutes are created to read:

968.31 (2) (d) For any person to intercept or access any electronic communication made through an electronic communication system that is configured so that the electronic communication is readily accessible to the general public.

(e) For any person to intercept any radio communication that is transmitted:

1. By any station for the use of the general public, or that relates to ships, aircraft, vehicles or persons in distress;
2. By any governmental, law enforcement, civil defense, private land mobile or public safety communications system, including police and fire, readily accessible to the general public;
3. By a station operating on an authorized frequency within the bands allocated to the amateur, citizens band or general mobile radio services; or
4. By any marine or aeronautical communications system.

(f) For any person to engage in any conduct that:

1. Is prohibited by section 633 of the communications act of 1934; or
2. Is excepted from the application of section 705 (a) of the communications act of 1934 by section 705 (b) of that act.

(g) For any person to intercept any wire or electronic communication the transmission of which is causing harmful interference to any lawfully operating station or consumer electronic equipment, to the extent necessary to identify the source of the interference.

(h) For users of the same frequency to intercept any radio communication made through a system that utilizes frequencies monitored by individuals engaged in the provision or the use of the system, if the communication is not scrambled or encrypted.

(i) To use a pen register or a trap and trace device as authorized under ss. 968.34 to 968.37; or

(j) For a provider of electronic communication service to record the fact that a wire or electronic com-
munication was initiated or completed in order to protect the provider, another provider furnishing service toward the completion of the wire or electronic communication, or a user of that service, from fraudulent, unlawful or abusive use of the service.

SECTION 472zpcxh. 968.31 (3) of the statutes is amended to read:

968.31 (3) Good faith reliance on a court order or on s. 968.30 (7) shall constitute a complete defense to any civil or criminal action brought under ss. 968.28 to 968.33 968.37.

SECTION 472zpcxi. 968.34 of the statutes is created to read:

968.34 Use of pen register or trap and trace device restricted. (1) Except as provided in this section, no person may install or use a pen register or a trap and trace device without first obtaining a court order under s. 968.36 or 18 USC 3123 or 50 USC 1801 to 1811.

(2) The prohibition of sub. (1) does not apply with respect to the use of a pen register or a trap and trace device by a provider of electronic or wire communication service:

(a) Relating to the operation, maintenance and testing of a wire or electronic communication service or to the protection of the rights or property of the provider, or to the protection of users of that service from abuse of service or unlawful use of service;

(b) To record the fact that a wire or electronic communication was initiated or completed in order to protect the provider, another provider furnishing service toward the completion of the wire communication, or a user of that service, from fraudulent, unlawful or abusive use of service; or

(c) Where the consent of the user of that service has been obtained.

(3) Whoever knowingly violates sub. (1) shall be fined not more than $10,000 or imprisoned not more than one year or both.

SECTION 472zpcxj. 968.35 of the statutes is created to read:

968.35 Application for an order for a pen register or a trap and trace device. (1) The attorney general or a district attorney may make application for an order or an extension of an order under s. 968.35 authorizing the installation and use of a pen register or a trap and trace device within the jurisdiction of the court if the court finds that the applicant has certified to the court that the information likely to be obtained by the installation and use is relevant to an ongoing criminal investigation.

(2) An order issued under this section shall do all of the following:

(a) Specify the identity, if known, of the person to whom is leased or in whose name is listed the telephone line to which the pen register or trap and trace device is to be attached.

(b) Specify the identity, if known, of the person who is the subject of the criminal investigation.

(c) Specify the number and, if known, the physical location of the telephone line to which the pen register or trap and trace device is to be attached and, in the case of a trap and trace device, the geographic limits of the trap and trace order.

(d) Provide a statement of the offense to which the information likely to be obtained by the pen register or trap and trace device relates.

(e) Direct, upon the request of the applicant, the furnishing of information, facilities and technical assistance necessary to accomplish the installation of the pen register or trap and trace device under s. 968.37.

(3) An order issued under this section shall authorize the installation and use of a pen register or a trap and trace device for a period not to exceed 60 days.

(4) Extensions of the order may be granted, but only upon an application for an order under s. 968.35 and upon the judicial finding required by sub. (1). The period of extension shall be for a period not to exceed 60 days.

(5) An order authorizing or approving the installation and use of a pen register or a trap and trace device shall direct that:

(a) The order be sealed until otherwise ordered by the court; and

(b) The person owning or leasing the line to which the pen register or a trap and trace device is attached, or who has been ordered by the court to provide assistance to the applicant, not disclose the existence of the pen register or trap and trace device or the existence of the investigation to the listed subscriber, or to any other person, unless or until otherwise ordered by the court.

SECTION 472zpcxL. 968.37 of the statutes is created to read:

968.37 Assistance in the installation and use of a pen register or trap and trace device. (1) Upon the request of the attorney general, a district attorney or an officer of a law enforcement agency authorized to install and
use a pen register under ss. 968.28 to 968.37, a provider of wire or electronic communication service, landlord, custodian or other person shall furnish the investigative or law enforcement officer forthwith all information, facilities and technical assistance necessary to accomplish the installation of the pen register unobtrusively and with a minimum of interference with the services that the person so ordered by the court accords the party with respect to whom the installation and use is to take place, if the assistance is directed by a court order under s. 968.36 (5) (b).

(2) Upon the request of the attorney general, a district attorney or an officer of a law enforcement agency authorized to receive the results of a trap and trace device under ss. 968.28 to 968.37, a provider of a wire or electronic communication service, landlord, custodian or other person shall install the device forthwith on the appropriate line and shall furnish the investigative or law enforcement officer all additional information, facilities and technical assistance including installation and operation of the device unobtrusively and with a minimum of interference with the services that the person so ordered by the court accords the party with respect to whom the installation and use is to take place, if the installation and assistance is directed by a court order under s. 968.36 (5) (b). Unless otherwise ordered by the court, the results of the trap and trace device shall be furnished to the officer of a law enforcement agency, designated by the court, at reasonable intervals during regular business hours for the duration of the order.

(3) A provider of a wire or electronic communication service, landlord, custodian or other person who furnishes facilities or technical assistance under this section shall be reasonably compensated for the reasonable expenses incurred in providing the facilities and assistance.

(4) No cause of action may lie in any court against any provider of a wire or electronic communication service, its officers, employees or agents or other specified persons for providing information, facilities or assistance in accordance with the terms of a court order under s. 968.36.

(5) A good faith reliance on a court order, a legislative authorization or a statutory authorization is a complete defense against any civil or criminal action brought under ss. 968.28 to 968.37.

SECTION 472zpe. 969.001 (2) of the statutes, as affected by 1987 Wisconsin Act 90, is amended to read:

969.001 (2) "Serious bodily harm" means bodily injury which causes or contributes to the death of a human being or which creates a high probability substantial risk of death or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

SECTION 472zpf. 969.305 (1), (2), (3) of the statutes, as affected by 1987 Wisconsin Act 27, are amended to read:

969.001 (1) In this section, "violent crime" means any crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.10, 940.19 (2), 940.201, 940.21, 940.225 (1), 940.23, or 941.327.

SECTION 472zpg. 971.35 of the statutes is repealed.
SECTION 473. 977.02 (7r) of the statutes is created to read:

977.02 (7r) (a) Promulgate rules to reduce payment rates under s. 977.08 (4m) for either or both of the following:

1. A reduction of not more than $2 per hour for time spent in court.
2. A reduction of not more than $2 per hour for time spent out of court, excluding travel.

(b) Any reduction under par. (a) applies to cases assigned on or after the effective date of the applicable rule promulgated under par. (a).

SECTION 474m. 977.07 (3) of the statutes, as affected by 1987 Wisconsin Act 61, is amended to read:

977.07 (3) A circuit court may review any indigency determination upon its own motion or the motion of the defendant and shall review any indigency determination upon the motion of the district attorney or the state public defender. The court, district attorney or state public defender may summon the defendant. The defendant may be compelled to testify only as to his or her financial eligibility under this section. If the defendant refuses to testify, the court may find the defendant is not eligible to have counsel assigned for him or her under s. 977.08. If the defendant testifies at this hearing, his or her testimony as to his or her financial eligibility under this section may not be used directly or indirectly in any criminal action except in a criminal action regarding a subsequent charge of perjury or false swearing.

SECTION 476. 977.08 (4m) of the statutes is amended to read:

977.08 (4m) For cases assigned prior to December 1, 1987, private local attorneys shall be paid $40 per hour for time spent in court; $30 per hour for time spent out of court, excluding travel, related to a case; and $25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney’s principal office is located. For cases assigned on or after December 1, 1987, private local attorneys shall be paid $45 per hour for time spent in court; $35 per hour for time spent out of court, excluding travel, related to a case; and $25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney’s principal office is located.

SECTION 479m. Chapter 977 of the statutes is amended to read:

87 WisAct 399
Vetoed in Part

97.02 Eligibility for office. No person is eligible to hold the office of district attorney unless he or she is licensed to practice law in this state and resides in the prosecutorial unit from which he or she was elected.

97.03 Deputy and assistants in certain prosecutorial units. The district attorney of any prosecutorial unit having a population of 300,000 or more may appoint one or more deputy district attorneys who shall have all the necessary authority to carry out the duties assigned to the district attorney under this section. The district attorney or the district attorney's deputy shall be ex officio president of the organization of the district attorneys. The district attorney or the district attorney's deputy may perform any duty required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least two years prior to appointment under this section. An any such assistant district attorney shall be an attorney admitted to practice law in this state and may perform any duty required by law to be performed by the district attorney. The district attorney of the prosecutorial unit may appoint such temporary counsel as may be authorized by the prosecutor council.

97.04 Assistant. The district attorney of any prosecutorial unit having a population of less than 300,000 may appoint one or more assistant district attorneys necessary to carry out the duties of the office or the order of the district attorney, or as may be authorized by the prosecutor council in accordance with s. 97.01. Any such assistant district attorney must be an attorney admitted to practice law in this state and may perform any duty required by law to be performed by the district attorney.

97.05 Duties of the district attorney. The district attorney shall:

(a) Prosecute and defend. Except as otherwise provided by law, prosecute all criminal actions before any court within the county of his or her prosecutorial unit.

(b) Appoint attorneys. Except as otherwise provided by law, appoint all state attorneys to write on appeal and to manage the cases of county prisoners which are in conflict with state criminal courts or the courts within the county of the prosecutorial unit.

(c) Attend jury. Participate in jury selection proceedings under s. 908.26.

(d) Serve as court. When requested by a grand jury of any county, a district attorney may serve as court for any proceeding before it.

97.06 Restriction on district attorney. (1) No district attorney may receive any fee or toward travel or in the payment of any expense to any person for any prosecution or any other purpose in any criminal or civil case.
(2) No district attorney may be convicted as an officer of another, or be held for the state or county, or the act of another, as in the action described in the above, upon which any judgment of conviction pronounced by any court shall depend.

(3) No district attorney, while in office may hold any judicial office, or hold the office of an act in corporation counsel or city, village, or town attorney.

(4) No person who acts as district attorney, justice, district attorney, or special district attorney for or as a result of the time of an act, examination, or investigation, of any person charged with a crime in that county may thereafter appear for, or defend that person or any one charged in the complaint, information, of indictment.

(5) No district attorney, deputy district attorney, or assistant district attorney, may engage in a private practice of law, but he or she is authorized to represent an interest, for the company or corporation, of the county, or any corporation of the county, in which he or she is counsel pending in court before he or she took office.

(6) No district attorney, deputy district attorney, or assistant district attorney, may appear in civil actions or proceedings under ss. 46.25 (7) 591.07 (67), 779.42, and 779.66.

978.07 Prosecution districts. The state is divided into prosecution districts as follows:

1. The 1st district consists of Milwaukee county.
2. The 2nd district consists of Racine, Kenosha, and Walworth counties.
4. The 4th district consists of Calumet, Fond du Lac, Winnebago, and Waukesha counties.
5. The 5th district consists of Dodge, Green, Lafayette, and Rock counties.
6. The 6th district consists of Adams, Clark, Columbia, Dodge, Green Lake, Manitowoc, Outagamie, Portage, Rock, Waushara, and Wood counties.
7. The 7th district consists of Butte, Crawford, Grant, Iowa, Jackson, La Crosse, Monroe, Pepin, Pierce, Richland, Trempealeau, and Vernon counties.
8. The 8th district consists of Brown, Door, Kewaunee, Marinette, Oconto, and Shawano and Winnebago counties.
9. The 9th district consists of Florence, Forest, Langlade, Lincoln, Marathon, Menominee, Oneida, Price, Shawano, Taylor, and Vilas counties.

978.09 Election of chief district prosecutors. The district attorney of each prosecution district shall, on the third Tuesday of November in even-numbered years, or on the third Tuesday of the month of odd-numbered years, or on the first Tuesday of the month of even-numbered years following the first Tuesday of the month of odd-numbered years, hold the election of the chief district prosecutor for the district.
(a) District attorneys. District attorneys shall be compensated on the basis of prosecutorial body populations as follows:

1. For prosecutorial units having a population of more than 20,000 but not more than 50,000, 70% of the annual salary of a circuit judge.

2. For prosecutorial units having a population of more than 50,000 but not more than 100,000, 90% of the annual salary of a circuit judge.

3. For prosecutorial units having a population of more than 100,000 but not more than 200,000, 95% of the annual salary of a circuit judge.

4. For prosecutorial units having a population of more than 200,000 but not more than 300,000, 100% of the annual salary of a circuit judge.

5. For prosecutorial units having a population of more than 300,000 but not more than 400,000, 110% of the annual salary of a circuit judge.

6. For prosecutorial units having a population of more than 400,000 but not more than 600,000, 120% of the annual salary of a circuit judge.

7. For prosecutorial units having a population of more than 600,000 but not more than 800,000, 150% of the annual salary of a circuit judge.

8. For prosecutorial units having a population of more than 800,000 but not more than 1,000,000, 180% of the annual salary of a circuit judge.

9. For prosecutorial units having a population of more than 1,000,000, 200% of the annual salary of a circuit judge.

(b) Deputy district attorneys. Deputy district attorneys shall be employed outside the classified service. The state shall pay a salary to deputy district attorneys which shall not exceed the maximum of any pay range in which assistant district attorney positions are assigned. Except that a deputy district attorney may receive additional compensation for supervisory duties in accordance with supplementary provisions for supervisory and managerial employees in the state compensation plan.

(c) Assistant district attorneys. Assistant district attorneys shall be employed outside the classified service. For purposes of salary administration, the prosecutor council shall establish one or more classifications for assistant district attorneys in accordance with the classification or classifications established for assistant attorneys general. Except as provided in s. 111.93 (3), 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 included in the classification or classifications established by the prosecutor council.

(d) Continuation of service. For a county employee transferring to state employment under ch. 207 Wisconsin Act 1987, the employment date for determining the length of employment period for purposes of vesting shall be the employee's service continuity date under the county. State seniority shall be accrued from that date.

(e) Special provision. For purposes of computing seniority for state employment under ch. 207 Wisconsin Act 1987, sick and leave carried over under the employee leave plan or to exceed the amount of sick leave the employee would have earned and accrued under the state system for the same period shall be transferred to the transferred employee's sick leave account if the employee is able to provide substantiation of accounting for these leave years during the annual period with the county. If there is formal plan, but no adequate documentation of accounting credit may be granted on the basis of the unreported years of service under the other method of computation.

(f) Pension law. The annual leave for the district attorneys and state employees of the office of the district attorney shall be accrued at the rate provided in s. 238.15, using the continuity of service established under sub. (2) as a continuous service date. Annual leave shall be earned on a calendar year basis commencing from the effective date of the employee's transfer or acquisition for the fiscal year of the calendar year.

(g) Additional benefits. An employee receiving employer compensation for the same period in which the employee retires under the retirement plan of the county shall be entitled to the same medical or similar benefits as other state employees described in s. 44.207 (4) or otherwise, upon termination of employment, including the continuation of health insurance benefits for the employee or the employee's dependents.

(h) Layoff. Layoffs of employees of the office of district attorney shall be accomplished in accordance with the layoff and reduction in force provisions of the personnel rules of the Department of Administration.
Vetoed in Part

SECTION 476mac. 979.04 (1) of the statutes is amended to read:

979.04 Inquests: when called. (1) If the district attorney has notice of the death of any person and there is reason to believe from the circumstances surrounding the death that murder, manslaughter, homicide resulting from negligent control of a vicious animal, homicide by reckless conduct, felony murder, first-degree or 2nd-degree intentional homicide, first-degree or 2nd-degree reckless homicide, homicide by negligent use of a handling of dangerous weapon, explosives or fire, homicide by negligent operation of vehicle or firearm, homicide resulting from negligent control of a vicious animal or homicide by intoxicated use of a vehicle or firearm may have been committed, or that death may have been due to suicide or unexplained or suspicious circumstances, the district attorney may order that an inquest be conducted for the purpose of inquiring how the person died. The district attorney shall order such inquest within 10 days of notice or cause provided by the prosecution system that the district attorney was involved under 977 Wisconsin Acts. (See sec. 977.07.)

(2) Each county shall make the following payments to the state treasurer for deposit in the general fund:

(a) For the period beginning July 1, 1989, ending December 31, 1989, 4.5 times its monthly amount.

(b) For the period beginning July 1, 1990, ending December 31, 1990, 3 times its monthly amount.

(c) For the period beginning January 1, 1991, and ending June 30, 1991, 2 times its monthly amount.

(d) For the period beginning January 1, 1992, and ending June 30, 1992, 1.5 times its monthly amount.

(e) For the period beginning January 1, 1993, and ending June 30, 1993, 1 time its monthly amount.

(f) For the period beginning January 1, 1994, and ending June 30, 1994, 0.75 times its monthly amount.

(g) For the period beginning January 1, 1995, and ending June 30, 1995, 0.5 times its monthly amount.

(h) For the period beginning January 1, 1996, and ending June 30, 1996, 0.25 times its monthly amount.
attorney shall appear in any such inquest representing the state in presenting all evidence which may be relevant or material to the inquiry of the inquest. The inquest may be held in any county in this state in which venue would lie for the trial of any offense charged as the result of or involving the death. An inquest may only be ordered by the district attorney under this subsection or by the circuit judge under sub. (2).

SECTION 476mag. 990.01 (7g) of the statutes is created to read:

990.01 (7g) “Fire chief” or “chief of a fire department” includes the chief of a department under s. 61.66.

SECTION 476mb. 990.01 (7m) of the statutes is created to read:

990.01 (7m) “Fire department” includes a department under s. 61.66.

SECTION 476mc. 990.01 (7r) of the statutes is created to read:

990.01 (7r) “Fire fighter” includes a person serving under s. 61.66.

SECTION 476mf. 990.01 (28g) of the statutes is created to read:

990.01 (28g) “Police chief” or “chief of a fire department” includes the chief of a department under s. 61.66.

SECTION 476mh. 990.01 (28m) of the statutes is created to read:

990.01 (28m) “Police department” includes a department under s. 61.66.

SECTION 476mj. 990.01 (28r) of the statutes is created to read:

990.01 (28r) “Police officer” includes a person serving under s. 61.66.

Vetoed in Part

SECTION 481m. 1987 Wisconsin Act 4, sections 20 and 20m are repealed.

SECTION 482m. 1987 Wisconsin Act 4, section 24 (2) is amended to read:

(1987 Wisconsin Act 4) Section 24 (2) The treatment of sections 13.02 (3m) (by SECTION 1m), 13.09 (4) (by SECTION 2m), 13.093 (2) (b) (by SECTION 3m), 13.101 (3) (b) (by SECTION 4m), 13.101 (4) (by SECTION 5m), 16.40 (1) (by SECTION 6m), 16.42 (1) (intro.) (by SECTION 7m), 16.45 (by SECTION 8m), 16.47 (1m) (by SECTION 9m), 16.47 (2) (by SECTION 10m), 16.476 (by SECTION 11m), 16.50 (3) (by SECTION 12m), 16.50 (5) (by SECTION 13m), 16.50 (7) (a) (by SECTION 14m), 16.50 (8) (by SECTION 15m), 16.517 (by SECTION 16m), 16.54 (8) (by SECTION 17m), 20.001 (3) (b) (by SECTION 18m), 20.001 (5) (by SECTION 19m), 20.002 (1) (by SECTION 20m), 20.928 (3) (by SECTION 21m), 36.09 (1) (j) (by SECTION 22m) and 73.03 (32) (by SECTION 23m) of the statutes takes effect July 1, 1989.

SECTION 485ja. 1987 Wisconsin Act 27, sections 132g and 132gb are repealed.

SECTION 485jb. 1987 Wisconsin Act 27, sections 133b and 133ga are repealed.

SECTION 485jc. 1987 Wisconsin Act 27, sections 133gb and 133gm are repealed.

SECTION 485jd. 1987 Wisconsin Act 27, sections 133gp and 133gr are repealed.

SECTION 485je. 1987 Wisconsin Act 27, sections 134bc and 134bf are repealed.

SECTION 485jf. 1987 Wisconsin Act 27, sections 134bg and 134bj are repealed.

SECTION 485jj. 1987 Wisconsin Act 27, section 134cm is repealed.

SECTION 485jk. 1987 Wisconsin Act 27, sections 135gt and 136m are repealed.

SECTION 486. 1987 Wisconsin Act 27, section 3024 (4) (a) is amended to read:

(1987 Wisconsin Act 27) Section 3024 (4) (a) For community youth and family aids under section 46.26 of the statutes, as affected by this act, amounts not to exceed $17,745,900 for the last 6 months of 1987, $35,491,800 for 1988 and $17,745,900 for the first 6 months of 1989.

SECTION 487. 1987 Wisconsin Act 27, section 3024 (4) (bn) is amended to read:

(1987 Wisconsin Act 27) Section 3024 (4) (bn) For counties not eligible for payments under paragraph (b), amounts not to exceed $200,000 for 1988 and $100,000 for the first 6 months of 1989.

SECTION 488. 1987 Wisconsin Act 27, section 3024 (4) (e) is amended to read:

(1987 Wisconsin Act 27) Section 3024 (4) (e) For adjustments to have allocations to compensate for increases in per person daily cost assessments, amounts not to exceed $114,600 for the last 6 months of 1987, $368,200 for 1988 and $171,500 for the first 6 months of 1989. The department of health and social services shall allocate funds under this paragraph in
accordance with the requirements of section 46.26 (3) (d) of the statutes.

SECTION 490. 1987 Wisconsin Act 27, section 3024 (8) is amended to read:

(1987 Wisconsin Act 27) Section 3024 (8) COMMUNITY OPTIONS PROGRAM; ALZHEIMER'S DISEASE. For services to persons with Alzheimer's disease who are eligible under section 46.27 (6r) (a) or (d) of the statutes or section 46.27 (6r) (c) of the statutes, as affected by this act, for services, the department of health and social services shall allocate from the appropriation under section 20.435 (4) (bd) of the statutes, as affected by this act, $513,700 for the last 6 months of 1987, $1,006,600 for 1988 and $500,100 for the first 6 months of 1989.

SECTION 490m. 1987 Wisconsin Act 27, section 3024 (10) (a) is amended to read:

(1987 Wisconsin Act 27) Section 3024 (10) (a) Total reimbursement to all centers, excluding amounts available for resident activity therapy and amounts collected from other state facilities under shared services agreements, may not exceed $88,001,900 in fiscal year 1987-88 and $92,028,400 in fiscal year 1988-89, unless a supplement to section 20.435 (2) (gk) of the statutes, as affected by this act, is received under section 16.515 of the statutes.

SECTION 490p. 1987 Wisconsin Act 27, section 3203 (47) (y) Federalizing the corporate tax; general issues. The treatment of sections 70.375 (4) (e) and (k) (intro.), 70.40 (3) (in respect to the cross-reference change), 70.41 (3), 70.415 (3), 70.42 (3), 70.421 (3), 71.01 (1), (2) and (4) (a) (intro.), 2, 6g, 7 and 9 and (g) 7 to 10, 71.02 (1) (intro.), (b), (bc), (bg), (bi), (c) (intro.) and 8 to 12, (d), (dm), (fm) and (m) and (2) (intro.), 71.03 (title), (1), (2) (a), (b) and (f), (5) and (6), 71.035, 71.041, 71.043 (1) and (2), 71.045, 71.046, 71.047, 71.05 (2r), (2t) and (2u), 71.06 (1), 71.07 (2) (intro.) and (cr) 8, 71.09 (2h), (2m) and (11) (a) 6. b (by SECTION 1407am and (13) (cm), 71.10 (1) (am), (3m) (a), (5) (a) and (10) (a) and (bn), 71.11 (8) (a) and (b), (8m), (9) and (21) (g) 2, 71.135 (1m) and (3), 71.301 to 71.372, 77.51 (14g) (g), 97.28 (2m) (e) and 895.51 (1) (b) of the statutes and the repeal of section 71.04 of the statutes first apply to taxable year 1987.

SECTION 491. 1987 Wisconsin Act 27, section 3204 (4) (bj) is repealed.

SECTION 491m. 1987 Wisconsin Act 27, section 3204 (4) (bj) is repealed.

SECTION 491r. 1987 Wisconsin Act 70, section 37 (1) is amended to read:

(1987 Wisconsin Act 70) Section 37 (1) The treatment of sections 118.125 (1) (a) and (d), (2m) (a) and (3) and 146.81 (4) of the statutes takes effect on September 1, 1989 1990.

SECTION 493. 1987 Wisconsin Act 96, section 2 (1) is amended to read:

(1987 Wisconsin Act 96) Section 2 (1) The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (2) (gk) of the statutes, as affected by the acts of 1987, are increased by $48,500 for fiscal year 1987-88 and by $72,700 for fiscal year 1988-89 to provide an increase of 4.5 FTE PRO positions for the provision of assessment and treatment under the Anchorage program at Winnebago mental health institute, as created by this act. In addition, the funding of the ROAD (Reflections of a Dream) program under section 20.432 20.435 (2) (gk) of the statutes is terminated, and $113,400 for fiscal year 1987-88 and $170,100 for fiscal year 1988-89 and 5.5 FTE PRO positions are transferred from the ROAD program to the Anchorage program for the provision of assessment and treatment under the Anchorage program at Winnebago mental health institute, as created by this act.

SECTION 494. 1987 Wisconsin Act 107, section 8 is amended to read:

(1987 Wisconsin Act 107) Section 8. Nonstatutory provisions; Employee trust funds. (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department of employee trust funds are increased by 1.5 FTE SEG positions beginning on the first day of the 2nd month after the effective date of this subsection, to be funded from the appropriation under section 20.515 (1) (s) (w) of the statutes, for the purposes of making informational mailings to all current annuitants and of performing administrative responsibilities.

SECTION 494u. 1987 Wisconsin Act .... (Senate Bill 379), section 33 is repealed and recreated to read:

(1987 Wisconsin Act .... (Senate Bill 379)) Section 33. Effective dates. This act takes effect on January 1, 1989.
(2) The creation of sections 800.09 (1) (c) and 800.095 (4) (b) 4 of the statutes takes effect on the first day of the 12th month commencing after publication.

SECTION 3001. Nonstatutory provisions; administration.

(1) DESEGREGATION LAWSUIT REIMBURSEMENT.

(a) The department of administration shall audit the expert witness fees and the actual and necessary expenses of the expert witnesses paid by the school districts listed under paragraph (b) resulting from the recently settled desegregation lawsuit, Civil Action No. 84-C-877, U.S. District Court for the Eastern District of Wisconsin. The department of administration shall determine the amount of the expert witness fees and the actual and necessary expenses of the expert witnesses that were related to the state's defense of the lawsuit and were paid by the school districts listed under paragraph (b) and shall submit a plan for the reimbursement of such fees and expenses to the joint committee on finance for its approval. Notwithstanding section 20.865 (4) (a) of the statutes, upon the approval of the joint committee on finance, the department of administration shall certify payment of the approved fees and expenses from the appropriation under section 20.865 (4) (a) of the statutes to the school board of each school district entitled to such reimbursement. The department of administration shall ensure that fees and expenses previously reimbursed through state aids under sections 121.08 and 121.085 of the statutes are not reimbursed under this paragraph. The sum of all payments made under this paragraph shall not exceed $250,000.

(b) Brown Deer school district, Cudahy school district, Elmbrook school district, Fox Point joint no. 2 school district, Franklin school district, Germantown school district, Glendale joint no. 1 school district, Greendale school district, Hamilton school district, Menomonee Falls school district, Mequon-Thiensville school district, Muskego-Norway school district, New Berlin school district, Nicolet union high school district, Oak Creek-Franklin school district, St. Francis school district, Shorewood school district, South Milwaukee school district, Wauwatosa school district, West Allis school district, Whitefish Bay school district and Whitnall school district.

SECTION 3004. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) RECEIPT OF FEES; ISSUANCE OF LICENSE OR PERMIT. The department of agriculture, trade and consumer protection, or an agent city or county authorized by the department under section 97.41 of the statutes, may accept an application and issue a license or permit under chapter 97 of the statutes, as affected by this act, prior to the first day on which the license or permit is required under chapter 97 of the statutes, as affected by this act.

(2) RETAIL FOOD ESTABLISHMENTS; RULES. The department of health and social services and the department of agriculture, trade and consumer protection shall submit rules under sections 50.51 (1) (d) and 97.30 (2) (b) 1. c of the statutes, as created by this act, and shall submit those proposed rules to the legislative council under section 227.15 (1) of the statutes no later than April 1, 1989.

SECTION 3006. Nonstatutory provisions; banking.

(1g) LEGISLATIVE INTENT; CHARITABLE TRUSTS. It is the legislature's intent that the treatment of sections 220.02 (2) (e) and 221.56 (1) of the statutes and the creation of sections 701.107, 701.108 and 701.109 of the statutes, by this act, are enacted pursuant to 12 USC 1842 (d) solely to aid charitable trusts, as defined in section 701.107 (3) of the statutes, as created by this act, to dispose of certain assets to avoid liability for the tax imposed under section 4943 (a) and (b) of the internal revenue code of 1954.

SECTION 3008. Nonstatutory provisions; building commission.

(1) 1987-89 STATE BUILDING PROGRAM CHANGE. In 1987 Wisconsin Act 27, section 3008 (1), the following project is added to the 1987-89 state building program and the appropriate totals are adjusted accordingly:

1. In paragraph (m) 2, under projects financed by program revenue supported borrowing:
   Madison - Synchrotron radiation center addition $1,000,000
(1r) 1987-89 STATE BUILDING PROGRAM CHANGES. In 1987 Wisconsin Act 27, section 3008 (1), the following project is added to the 1987-89 state building program and the appropriate totals are adjusted accordingly:

1. In paragraph (h) 3, under projects financed by segregated fund revenue:

   Kewaunee River/Lake Michigan
   Coho Salmon handling facility $ 440,000

(2m) ATHLETIC FACILITIES SURVEY. The building commission shall provide for a survey of the athletic facilities on the university of Wisconsin-Madison campus, which shall be completed no later than February 15, 1989.

SECTION 3011. Nonstatutory provisions; community development finance authority.

(1) COMMUNITY DEVELOPMENT FINANCE COMPANY.

(a) On the effective date of this paragraph, the community development finance authority shall transfer all of its stock or partnership interest in the community development finance company to the Wisconsin housing and economic development authority.

(b) On the effective date of this paragraph, the chairperson of the board of directors of the community development finance authority shall end his or her term as a member of the board of directors of the community development finance company and the chairperson of the Wisconsin housing and economic development authority, or his or her designee, shall become a member of the board of directors of the community development finance company. New members may be elected to the community development finance company’s board of directors consistent with section 234.95 of the statutes, as affected by this act, and section 180.32 of the statutes.

(c) Records of the community development finance authority pertaining to community development finance company stock or partnership interest are transferred to the Wisconsin housing and economic development authority on the effective date of this paragraph.

(2) GENERAL TRANSFER PROVISIONS.

(a) On the effective date of this paragraph the remaining assets and liabilities of the community development finance authority shall become the assets and liabilities of the Wisconsin housing and economic development authority. Subject to section 234.96 (1) (h) of the statutes, as affected by this act, the Wisconsin housing and economic development authority shall use any surplus of assets over liabilities to purchase stock or partnerships interests in the community development finance company established under section 234.95 of the statutes, as affected by this act, or to make grants and loans to community development corporations, as defined in section 234.94 (2) of the statutes, as affected by this act. The assets and liabilities transferred from the community development finance authority shall be separate from all other assets and liabilities of the Wisconsin housing and economic development authority. The obligations or liabilities of the community development finance authority which are outstanding on the effective date of this paragraph shall be paid only from the assets transferred from the community development finance authority under this paragraph.

(b) On the effective date of this paragraph, the secretary of development shall appoint 4 of the employees of the community development finance authority who provide technical assistance to community development corporations to fill 4.0 FTE GPR positions authorized for the department of development.

(c) The employees appointed under paragraph (b) shall have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes as if they had been employed by the department of development since the date of their original appointment with the community development finance authority. If an employee appointed under paragraph (b) was employed by the community development finance authority long enough to have achieved permanent status in class in the classification established by the secretary of employment relations under paragraph (d), the employee is not required to serve a probationary period.

(d) The secretary of employment relations shall incorporate the positions identified in paragraph (b) into the classified service in accordance with section 230.15 (1) of the statutes and paragraph (c). However, the secretary of employment relations shall assign pay rates or ranges to the positions which are at least equal to the pay rates or ranges assigned by the community development finance authority.

(e) Records of the community development finance authority pertaining to technical assistance to community development corporations and persons who are forming community development corporations are transferred to the department of development on the effective date of this paragraph.

(f) Records of the community development finance authority pertaining to vocational rehabilitation are transferred to the subunit of the department of health and social services which deals with vocational rehabilitation on the effective date of this paragraph.

(g) Subject to subsection (1) (c) and paragraphs (e) and (f), all furniture, equipment, supplies and records of the community development finance authority are transferred to the department of development on the effective date of this paragraph.

(3) DEBT AND LOAN OBLIGATIONS. The community development finance authority need not repay amounts appropriated or loaned to it by the state as required under sections 233.04 (2) (d) and 233.08, 1985 stats. The community development finance authority shall repay, before July 1, 1988, any other loans made to it or debt obligations issued by it.
Vetoed in Part

Vetoed in Part

(4g) PLAT ADMINISTRATION TRANSFER.

(a) On July 1, 1988, the assets and liabilities of the department of development shall become the assets and liabilities of the department of agriculture, trade and consumer protection.

(b) On July 1, 1988, 4.0 FTE positions associated with plat administration are transferred from the department of development to the department of agriculture, trade and consumer protection.

(c) Employees transferred under paragraph (b) to the department of agriculture, trade and consumer protection shall have the same rights and status under subchapter V of chapter III of chapter 230 of the statutes in the department of agriculture, trade and consumer protection which they enjoyed in the department of development immediately before the transfer. Employees with permanent status in class are not required to serve a probationary period.

(d) On July 1, 1988, all furniture, equipment, supplies and records of the department of development relating to plat administration are transferred to the department of agriculture, trade and consumer protection.

(e) All contracts entered into by the department of development relating to plat administration in effect on July 1, 1988, 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 such contractual obligations.

(f) All rules promulgated and orders issued by the department of development relating to plat administration in effect on July 1, 1988, remain in effect until their specified expiration date or until modified or rescinded by the secretary of agriculture, trade and consumer protection.

(g) Any matter pending with the department of development on July 1, 1988, is transferred to the department of agriculture, trade and consumer protection and all materials submitted to or actions taken by July 1, 1988, with respect to the pending matter are considered as having been submitted to or taken by the department of agriculture, trade and consumer protection.

(h) The department of agriculture, trade and consumer protection may collect any amount payable under the statutes before July 1, 1988, for the costs of materials, activities or services provided by the department of development, and the amounts collected shall be credited to the appropriation under section 20.115 (8) (ig) of the statutes.

(4m) EMPLOYEE OWNERSHIP LOANS.

(a) In this section:

1. “Employee group” means a group formed by or on behalf of employees or former employees of a business, which is considering substantial layoffs or closing, to explore the feasibility of assuming control of the business and reorganizing it as an employee-owned business.

2. “Employee-owned business” has the meaning given in section 560.16 (1) (c) of the statutes.

(b) From the appropriation under section 20.143 (1) (d) of the statutes, as created by 1987 Wisconsin Act 27 and as affected by this act, the department of development may expend not more than $200,000 for a loan to an employee group, if all of the following apply:

1. The employee group will use the proceeds of the loan for financial, legal and organizational services related to assuming control of an existing business and reorganizing the business as an employee-owned business.

2. The department of development determines that the employee group has developed a financially sound plan to implement the steps described in subdivision 1.

3. The department determines that the criteria in section 560.605 (1) (a) to (d) and (h) of the statutes, as created by 1987 Wisconsin Act 27, apply.

4. The employee group will contribute, from funds not provided by this state, not less than 25% of the cost of the services described in subdivision 1.

5. Funds from the loan will not be used to pay overhead costs or to replace funds from any other source.

(c) An employee group seeking an employee-ownership loan under paragraph (b) shall provide the department of development with a proposed budget and any other documents or information that the department of development requests.

(d) In connection with a loan under paragraph (b), the department of development shall do all of the following:

1. Determine whether an employee group has developed a financially sound plan to implement the steps
necessary to reorganize an existing business as an employee-owned business.

If the department determines that the plan under subsection 1. the department shall disburse loan funds to the employee group in 1 to 15 working days and in amounts at any one stage of $100,000.

1. For any application for a loan under this subsection or for funding under subsection 1. Within 10 days after receipt of the application or request for additional funding.

(e) If the department of development or an employee group determines at any time that a proposed reorganization into an employee-owned business is not economically feasible, the employee group shall return any unexpended moneys received from the department of development for the loan and the department of development may advance no more funds.

(f) After receiving a loan under this subsection and reorganizing a business into an employee-owned business, an employee group shall submit quarterly financial statements for the employee-owned business to the department of development. If the department of development determines that the employee-owned business has had 2 successive profitable quarters, the department of development and employee-owned business shall negotiate the repayment of the loan under this subsection.

(g) 1. The department shall deposit any moneys returned or repaid under paragraph (e) or (f) into the appropriation under section 20.143 (1) (i) of the statutes, as created by 1987 Wisconsin Act 27.

2. No funds may be expended under this subsection after June 30, 1989.

(4m) EMPLOYEE OWNERSHIP ASSISTANCE PROGRAM. Notwithstanding section 560.16 (4) (a) of the statutes, the employe ownership board may approve, and the department of development may make, a loan under section 560.16 of the statutes of not more than $50,000 without the approval of the joint committee on finance, if the loan is made to an employee group receiving a loan under subsection (4m). This subsection does not apply after June 30, 1989.

SECTION 3017. Nonstatutory provisions; educational communications board.

(1gg) GENERAL PROGRAM OPERATIONS. From the appropriation under section 20.225 (1) (a) of the statutes, the educational communications board shall not spend or encumber $6,000 for fiscal year 1988-89 to provide funds to purchase a final drive tube for the Adams county television translator without the approval of the department of administration.

(c) Oil overcharge funds directed to be expended under paragraph (b) shall be used to contract with the university of Wisconsin-extension for not more than 2 community energy demonstration projects.

(d) The university of Wisconsin-extension shall ensure that one project which is the subject of a con-
tract under paragraph (c) is located in a municipality with a population of not more than 1,500, and that one such project is located in a municipality with a population of not more than 4,000. For purposes of this paragraph, the population of a municipality shall be determined by the department of administration 1986 population estimates.

(e) Oil overcharge funds allocated for expenditure under paragraph (b) may be used only for those purposes permitted under the court order governing their disbursements to this state.

(f) The department of administration shall submit, for the purpose of information only, to the committees under section 14.065 (3) of the statutes a detailed budget and description of any project funded under this subsection.

SECTION 3024. Nonstatutory provisions; health and social services.

(1) Funding source for position authorizations. Notwithstanding section 16.505 of the statutes, as affected by 1987 Wisconsin Act 27, on July 1, 1988, the department of health and social services may change the funding source for not more than 15.0 FTE GPR management support positions from one of the department's sum certain general purpose revenue appropriations for general program operations to another of the department's sum certain general purpose revenue appropriations for general program operations. Any such change shall be implemented only as necessary to decrease general purpose revenue by $500,000 for fiscal year 1988-89 as reflected under section 20.005 (3) (schedule) of the statutes and a decrease of 15.0 FTE GPR management support positions for fiscal year 1988-89 and is subject to the prior approval of the department of administration.

(7) Plan for delivery of service to mentally ill persons. The department of health and social services shall, following consultation with service providers and other interested groups or persons, develop a long-range plan for delivery of service to persons in this state who are mentally ill and are aged 21 to 64 and shall, by October 1, 1988, submit the plan for review to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes.

(8) Rules on institutions for mental diseases.

(a) The department of health and social services shall promulgate rules defining “convalescent leave” and “conditional release” under sections 49.46 (2) (dm) and 49.47 (6) (c) 4 of the statutes, as affected by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than January 1, 1989.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules defining “convalescent leave” and “conditional release” under sections 49.46 (2) (dm) and 49.47 (6) (c) 4 of the statutes, as affected by this act, for the period beginning on the first day of the 3rd month beginning after publication to the effective date of the rules submitted under paragraph (a). Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. Notwithstanding section 227.24 (1) (e) of the statutes, a rule promulgated under this paragraph remains in effect until January 1, 1989, or until the rule submitted under paragraph (a) takes effect, whichever is earlier.

(8m) Institution for mental diseases licensure; rules.

(a) The department of health and social services shall submit any proposed rules for the administration of section 50.03 (1m) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than October 1, 1988.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules for the administration of section 50.03 (1m) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a). Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. Notwithstanding section 227.24 (1) (e) of the statutes, a rule promulgated under this paragraph remains in effect until January 1, 1990, or until the corresponding rule submitted under paragraph (a) goes into effect, whichever is earlier.

(9) Contract for services for certain mentally ill persons. No later than the first day of the 4th month following the effective date of this subsection, a county department under section 46.23 or 51.42 of the statutes shall determine the level of need in that county for the 2nd 6 months of 1988 and for calendar year 1989 for services in a skilled nursing facility or an intermediate care facility which is an institution for mental diseases, as defined under 42 CFR 435.1009,
The department of health and social services shall submit in proposed form rules required under section 46.266 (1) (am) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than January 1, 1989.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules under section 46.266 (1) (am) of the statutes, as created by this act, for the period beginning on the first day of the 3rd month after the effective date of this paragraph to the effective date of the rules submitted under paragraph (a). Notwithstanding section 227.24 (1) and (3) of the statutes, the department of health and social services is not required to make a finding of emergency. Notwithstanding section 227.24 (1) (c) of the statutes, a rule promulgated under this subsection remains in effect until January 1, 1989, or until a permanent rule under section 49.45 (10) of the statutes requiring prior authorization of those services in excess of 35 days, takes effect, whichever is earlier.

(11m) MEDICAL ASSISTANCE HOSPICE COVERAGE REPORT. The department of health and social services shall study the cost-effectiveness of providing coverage of hospice care under the medical assistance program and shall report the results of the study to the joint committee on finance on or before April 1, 1989.

(12n) PAYMENT FOR SERVICES IN A FACILITY IN RACINE COUNTY.

(a) In this subsection, "state share" means that portion of the medical assistance costs payable to a facility under section 49.45 (6m) of the statutes for the provision of authorized services that is not reimbursed by federal funds, unless no federal financial participation is available for these services. If no federal financial participation is available for a service which is payable under section 49.45 (6m) of the statutes, "state share" means that portion of the costs which would be the state share if federal financial participation were available.

(b) Notwithstanding sections 20.435 (1) (b) and 49.45 (2) (a) 11 of the statutes of providers of personal care services under the medical assistance program, including county departments and independent living centers. Notwithstanding section 227.24 (1) and (3) of the statutes, the department of health and social services is not required to make a finding of emergency.

(10r) CANCER CONTROL GRANT RULES. The department of health and social services shall submit proposed rules on the procedures and criteria for the awarding of grants for control and prevention of cancer under section 146.027 (3) of the statutes, as created by this act, in final draft form to the legislative council staff for review under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after publication.

(11) RULES ON RELOCATION FUNDS FOR COMMUNITY SERVICES.
(13r) Long-term domestic abuse services. From the appropriation under section 20.435 (4) (cb) of the statutes, the department of health and social services shall fund long-term housing and support services provided to victims of domestic abuse by an organization which on May 15, 1987, operated a long-term housing and support services program for victims of domestic abuse who have left the abusive relationship. In addition to the moneys authorized under section 46.95 (2) of the statutes, the department of health and social services shall expend $50,000 in fiscal year 1988-89 for long-term housing and support services funded under this subsection. Any amounts received under this subsection shall be excluded from the amounts received and the operating budget in making determinations under section 46.95 (2) (d) 1 of the statutes in fiscal year 1988-89.

(16m) Office of health care information.

| Board on health care information membership. Notwithstanding the length of terms specified under section 15.195 (6) of the statutes, the members of the board on health care information under section 15.195 (6) of the statutes, the mem-
| As created by this act, the department of health and social services shall contract with a statewide repository service association for provision of technical assistance to runaway service programs.
bers initially appointed to the board shall be appointed for the following terms:

1. One member, for a term that expires on May 1, 1989.
2. Two members, for terms that expire on May 1, 1990.
3. Two members, for terms that expire on May 1, 1991.
4. Two members, for terms that expire on May 1, 1992.

(b) Rules on health care providers.

1. The department of health and social services shall submit to the legislative council staff under section 227.15 (1) of the statutes the rules required under section 153.75 (1) (a), (b) and (d) to (j) of the statutes, as created by this act, by September 30, 1988.

2. By January 1, 1991, the department of health and social services shall submit to the legislative council staff under section 227.15 of the statutes proposed rules required under section 153.75 (1) (c) in final draft form with a proposed effective date of April 1, 1992.

(d) Submission of information from hospitals. Information that is required to be submitted by a hospital under section 153.05 (5) (b) and (bm) of the statutes, as created by this act, for submission to the legislature under section 153.05 (5) (b) and (bm) of the statutes, as created by this act, shall include information for the hospital's 1987, 1988 and 1989 fiscal years.

(e) Report by the office of health care information.

The office of health care information shall, by July 1, 1990, submit to the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes a report concerning the feasibility and cost-effectiveness of action by the office of health care information with respect to the following:

1. Obtaining more detailed information than is permitted under chapter 153 of the statutes, as created by this act, concerning the numbers of times during a hospital's entire fiscal year that the hospital charges patients for each of up to 100 charge elements, as defined in section 153.01 (3) of the statutes, as selected by the office.

2. Establishing methods by formula under which net hospital revenue increases or decreases may be identified in increases or decreases charged by hospitals for charge elements, as defined in section 153.01 (3) of the statutes.

(f) Health care status report by the office of health care information. The office of health care information shall submit to the governor and the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes a report that shall include all of the following:

1. The status of implementation, by the office of health care information, of the requirements of chapter 153 of the statutes, as created by this act.

3. Other information collected under section 153.05 of the statutes, as created by this act, which the board on health care information determines should be included in the report under this subsection and for which the board has determined all of the following:
   a. That the information meets the applicable procedures for data verification and review under section 153.40 of the statutes, as created by this act.
   b. That the information meets the applicable requirements for protection of patient confidentiality under section 153.50 of the statutes, as created by this act.

(18g) Paramedic and ambulance attendant licensure renewal rules. The department of health and social services, in conjunction with the board of vocational, technical and adult education, shall submit in proposed form the rules required under sections 20.435 (6) and 146.50 (10) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than April 1, 1989.

3. Reconciliation of acts. The amendment of section 20.435 (1) (km), (kx), (ky) and (kz) and (8) (k), (kx) and (ky) of the statutes, the repeal and recreation of sections 103.155 (2) (b) 1 and 146.25 (1), (2), (4), (5) and (6) of the statutes and the creation of section 146.25 (1m) of the statutes by this act are void unless 1987 Wisconsin Act .... (Assembly Bill 247) is enacted into law.

SECTION 3027. Nonstatutory provisions; historical society.

(1c) Stonefield Village. The legislature recognizes the special needs of the Stonefield Village his-
toric site, including the renovation of artifacts and the interiors of the buildings.

SECTION 3030. Nonstatutory provisions; industry, labor and human relations.

(1g) Relocation Assistance; Report. Within 3 months after the date the U.S. department of transportation issues regulations implementing the Uniform Relocation Act Amendments of 1987, the department of industry, labor and human relations, in cooperation with the department of transportation, shall prepare and submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees. The report shall include recommended changes to chapter 32 of the statutes necessary to achieve compliance with the revised federal regulations.

(2m) Insulation Requirements. The prohibition under section 101.122 (2) (a) 3 of the statutes, as created by this act, applies to any requirement which is the subject of a stipulation under section 101.122 (4) (c) of the statutes which is in effect on the effective date of this subsection.

(3r) Petroleum Storage Environmental Cleanup Council. Notwithstanding section 15.227 (18) of the statutes, as created by this act, the members of the petroleum storage environmental cleanup council initially appointed under section 15.227 (18) of the statutes, as created by this act, shall be appointed as follows:

(a) Two members shall serve for terms which shall expire on July 1, 1989.

(b) Three members shall serve for terms which shall expire on July 1, 1991.

SECTION 3037 Nonstatutory provisions; legislature.

(1g) Legislative Computer and Data Processing System. The individuals who are employed on June 30, 1988, in 1.0 FTE GPR position funded under section 20.765 (1) (a) of the statutes, 2.0 FTE GPR positions funded under section 20.765 (1) (b) of the statutes and 1.0 FTE GPR position funded under section 20.765 (1) (d) of the statutes and who are providing data processing services in relation to the legislative computer and data processing system are transferred on July 1, 1988, to the 4.0 FTE GPR positions authorized by this act and funded under section 20.765 (3) (em) of the statutes, as created by this act.

(1r) Nursing Home Reimbursement Formula Study. The legislative council shall study the effects of the medical assistance nursing home reimbursement formula on nursing homes and shall report its findings and recommendations to the presiding officer of each house of the legislature on or before June 30, 1989.

(2g) Milk Certification Services Audit. The legislative audit bureau shall, by December 31, 1988, conduct a program and performance audit of the services performed by the department of health and social services in certifying the compliance rating of certain milk sheds under section 146.24 of the statutes to determine whether the services could be performed more efficiently, with fewer personnel and at a reduced cost, by the department of agriculture, trade and consumer protection, rather than by the department of health and social services.

(2u) Homeless Shelter Grant Audit. The legislative audit bureau shall conduct an audit of the use, through December 31, 1988, of funds granted for the provision of shelter for homeless individuals and families under section 46.97 of the statutes and shall report its findings to the presiding officer of each house of the legislature on or before April 1, 1989.

(3m) Disadvantaged Business Demonstration and Training Audit. On or before January 1, 1990, the legislative audit bureau shall conduct a financial and program audit of the disadvantaged business demonstration and training program under section 84.076 of the statutes, as created by this act.

(3r) Medical Assistance Mental Health Coverage Audit. The legislative audit bureau shall conduct an audit, and shall report its findings to the presiding
officer of each house of the legislature no later than November 1, 1991, to determine all of the following:

(c) The effectiveness of the process for inpatient psychiatric review under medical assistance in section 49.46 (2) (i) of the statutes.

(d) Whether the process for inpatient psychiatric review under medical assistance in section 49.46 (2) (i) of the statutes and medical assistance coverage of community support program services have resulted in savings in general program revenue expenditures under the medical assistance program.

SECTION 3040. Nonstatutory provisions; natural resources.

(1g) LEGISLATIVE DECLARATION; DEER DAMAGE. The legislature declares that its purpose in authorizing the department of natural resources to issue permits to capture or destroy deer causing damage to land is to aid in crop damage abatement and is not to create exceptions to the regulations governing the hunting of deer.

(2m) SALMON IN BIG GREEN LAKE. The department of natural resources shall examine the effects of salmon in Big Green Lake in Green Lake county if salmon were introduced into that lake and shall report its findings to the presiding officer of each house of the legislature on or before January 1, 1989.

(3n) LEGISLATIVE FINDINGS. The legislature finds that financial assistance for the planning, design and construction or replacement of water pollution abatement facilities and management of nonpoint sources of water pollution is a public purpose and proper state government function in that the state is the trustee of the waters of the state and that this financial assistance is necessary to protect the purity of state waters and the health of persons in this state.

(4m) WATERWAYS COMMISSION GRANT. The waterways commission shall provide a grant of at least $10,000 in fiscal year 1988-89 from the appropriation under section 20.370 (4) (bu) of the statutes, as affected by this act, to the east central Wisconsin regional planning commission.

(4x) MILWAUKEE RIVER REVITALIZATION COUNCIL. Notwithstanding section 15.347 (15) of the statutes, as created by this act, the initial members of the Milwaukee river revitalization council appointed under section 15.347 (15) (c) of the statutes, 3 shall be appointed for terms expiring on July 1, 1991, 3 shall be appointed for terms expiring on July 1, 1992, and 3 shall be appointed for terms expiring on July 1, 1993.

(5m) SENIOR CITIZEN RECREATION CARD FEE ALLOCATION. In fiscal year 1987-88, the department of natural resources shall allocate revenues from the sale of senior citizen recreation cards under section 29.095 of the statutes to the parks account of the conservation fund in an amount sufficient to maintain positive balances in the parks account during the 1987-88 fiscal year.

(6d) KENOSHA MARINA FEASIBILITY STUDY. The department of natural resources shall provide to the city of Kenosha $100,000 of financial assistance in fiscal year 1988-89 from the appropriation under section 20.370 (4) (bu) of the statutes, as affected by this act, to fund a feasibility study for a marina for the city of Kenosha.

(6e) LOCAL PARKS LAND ACQUISITION AIDS. In fiscal year 1988-89, the department of natural resources shall pay state aid of at least $50,000 under section 23.09 (20) of the statutes, as created by 1987 Wisconsin Act .... (Senate Bill 364), to a 4th class city in a county having a population of 250,000 or more for the acquisition of land on which an Indian mound is located, for inclusion in the city’s park system.

(7g) PUBLIC EDUCATION RULES. The department of natural resources shall submit the proposed rules required under sections 23.33 (4z) (a) and 350.108 (1) of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 6th month beginning after the effective date of this subsection.

(11dx) CLEAN WATER REPORTS.
(a) The department of natural resources, before July 1, 1991, shall report to the joint committee on finance and to each standing committee of each house of the legislature that has jurisdiction over environmental matters, as determined by the presiding officer of each house, on the status of financial assistance under section 144.241 of the statutes for unsewered municipalities. The report shall include information on the number of unsewered municipalities requesting financial assistance, the amount of the financial assistance needed to meet the unsewered project loan requests, what effect section 144.241 (10) (f) of the statutes has had on projects under section 144.241 (7) (b) 1 and 2 of the statutes, the amount of unsewered projects funded under section 144.241 of the statutes, and how the priority ranking system under section 144.241 (7) (b), (10) (a) and (f) and (12) (a) of the statutes is affecting unsewered projects in relation to other kinds of projects.

(b) The department of natural resources shall appoint a committee to review section 144.241 of the statutes as it relates to providing financial hardship assistance. The committee shall include, at the minimum, a representative of the department of administration, legislators and persons who are not officers or employees of this state. The department shall submit its recommendations as legislation to the legislature by January 1, 1989.

SECTION 3044. Nonstatutory provisions; public instruction.

(1) American Indian language and culture education aid. Subject to section 115.75 (1) (b) of the statutes, during the 1988-89 fiscal year the state superintendent of public instruction may use amounts in the appropriation under section 20.255 (1) (cw) of the statutes to pay aid to alternative schools under section 115.75 of the statutes for pupils who completed the fall 1987 semester in the American Indian language and culture program. Notwithstanding section 115.75 (2) of the statutes, aid under this subsection may be paid prior to April 1989.

(2g) Teacher induction study. Notwithstanding section 20.255 (1) (hg) of the statutes, the state superintendent of public instruction may use up to $51,200 of the amount in the appropriation under section 20.255 (1) (hg) of the statutes in the 1987-88 fiscal year and up to $53,400 of the amount in the appropriation under section 20.255 (1) (hg) of the statutes in the 1988-89 fiscal year to conduct a teacher induction study.

(2h) Intersystem borrowing agreements. By January 1, 1989, the state superintendent of public instruction shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees. The report shall make recommendations on borrowing agreements between library systems, including recommendations on reimbursement provisions when justified by usage.

(3e) Debt service fund. Notwithstanding section 121.004 (6) of the statutes, for the purpose of calculating shared cost under section 121.07 (6) (a) of the statutes for the payment of state aid under section 121.08 of the statutes in the 1987-88 school year, if a school district was required in the 1986-87 school year by section 67.11 (1) (a) of the statutes to include in its debt service fund all moneys accruing to its borrowed money fund that were not needed for the purpose for which borrowed, only that portion of the included moneys that were used to repay the principal and interest on the loan shall be deducted from the gross cost of its debt service fund. For the purpose of calculating the payment of state aid under section 121.08 of the statutes in the 1988-89 school year, the remaining
amount of the included moneys shall be deducted from the gross cost of the school district's debt service fund.

(2p) LEGISLATIVE INTENT REGARDING OCCUPATIONAL THERAPY. The legislature intends by this act to provide for the regulation of persons offering occupational therapy in order to safeguard the public health, safety and welfare; to protect the public from incompetent or unauthorized persons; to assure the highest degree of professional conduct by occupational therapists and occupational therapy assistants; and to assure the availability of occupational therapy of high quality to persons in need of it.

(2q) OCCUPATIONAL THERAPY EXAMINING COUNCIL.

(a) Notwithstanding the requirements for certification of members of the occupational therapy examining council under section 15.407 (1) (c) of the statutes, as created by this act, the initial occupational therapist members of the occupational therapy examining council shall meet the requirements for occupational therapy certification under section 448.05 (1) of the statutes, but need not be so certified at the time of appointment. The initial occupational therapy assistant member of the occupational therapy examining council shall meet the requirements for occupational therapy assistant certification under section 448.05 (1) of the statutes but need not be so certified at the time of appointment.

(b) Notwithstanding the length of terms specified under section 15.407 (1) (c) of the statutes, as created by this act, the initial members of the occupational therapy examining council under section 15.407 (1) (c) of the statutes, the following shall be appointed by the first day of the 4th month after the effective date of this paragraph for the following terms:

1. One occupational therapist and one public member, for terms expiring on July 1, 1988.

2. The occupational therapy assistant and one public member, for terms expiring on July 1, 1989.

3. One occupational therapist, for a term expiring on July 1, 1990.

(2r) OCCUPATIONAL THERAPY; RULES. The medical examining board shall submit in final draft form the rules required under section 448.40 (2) (b) to (d) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than October 1, 1986.
this act, is required to be added to, or subtracted from, income in order to avoid the double inclusion, or omission, of any item of income, loss or deduction, except that the adjustments required to the deductions for depreciation and amortization shall be made under section 71.02 (1) (d) of the statutes, as affected by this act. If the amount required to be added or subtracted is $25,000 or less, the proper amount shall be added or subtracted for taxable year 1987. If the amount required to be added or subtracted is more than $25,000, it shall be added or subtracted in amounts as nearly equal as possible over the 5 taxable years beginning with 1987, except that if the final taxable year that the tax-option corporation is subject to tax under chapter 71 of the statutes, as affected by this act, occurs before the total amount is added or subtracted all of the remaining amount shall be added or subtracted for that final taxable year.

(2g) TRANSITION; MIRROR SUBSIDIARIES. The transitional rules under section 10223 (d) of P.L. 100-203, as they apply for federal income tax purposes, apply for purposes of the taxes under chapter 71 of the statutes.

(2h) TRANSITION; REGULATED INVESTMENT COMPANIES. The transitional rules under section 10104 of P.L. 100-203, as they apply for federal income tax purposes, apply for purposes of the taxes under chapter 71 of the statutes.

(2i) TRANSITION; PUBLICLY TRADED PARTNERSHIPS. The transitional rules under section 10211 of P.L. 100-203, as they apply for federal income tax purposes, apply for purposes of the taxes under chapter 71 of the statutes.

(3m) STUDY OF TELECOMMUNICATIONS TAX.

(a) The legislature recognizes the need to study the sales and gross receipts taxes paid by telecommunications companies.

(b) In order to address these issues, the legislature directs the department of revenue to establish a study committee composed of the department's representatives, representatives of the telecommunications industry, local government, and other interested parties.

(c) The committee's report shall be submitted to the governor and the joint committee on finance by November 1, 1988.

SECTION 3051. Nonstatutory provisions; supreme court.
sin's truck and other vehicle weight and size laws. The study shall examine alternative weight and size configurations to improve freight transport efficiency for Wisconsin shippers. The study shall analyze the potential effects of each alternative on highway safety, highway and bridge construction and maintenance costs, and on rail and water transportation. The study shall include the anticipated highway costs to the public for each alternative and, as appropriate, recommend potential adjustments in truck and other vehicle registration fees. The study shall include information on truck and other vehicle weight and size limitations in other states. The department shall report its findings and recommendations from the study to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under section 13.172 (3) of the statutes.

SECTION 3054. Nonstatutory provisions; university of Wisconsin system.

(1g) PROFESSIONAL THEATER TRAINING PROGRAM.

(a) The board of regents may not spend or encumber any funds in the appropriation under section 20.285 (1) (a) of the statutes in the 1988-89 fiscal year for additional support for the professional theater training program unless:

1. The board of regents receives, in the 1988-89 fiscal year, a total of at least $265,000 in gifts and grants for the program; and
2. By January 1, 1989, the university of Wisconsin-Milwaukee identifies and the board of regents approves the program as a center of excellence. Unless such identification and approval occur by January 1, 1989, the additional support for the professional theater training program shall not be included in calculating the base level of funding for the university of Wisconsin system under section 20.285 (1) (im) of the statutes for the 1989-90 fiscal year and thereafter.

(b) The board of regents may not spend or encumber any funds in the appropriation under section 20.285 (1) (im) of the statutes in the 1988-89 fiscal year for additional support for the professional theater training program unless:

1. The board of regents receives, in the 1988-89 fiscal year, a total of at least $265,000 in gifts and grants for the program; and
2. By January 1, 1989, the university of Wisconsin-Milwaukee identifies and the board of regents approves the program as a center of excellence. Unless such identification and approval occur by January 1, 1989, the additional support for the professional theater training program shall not be included in calculating the base level of funding for the university of Wisconsin system under section 20.285 (1) (im) of the statutes for the 1989-90 fiscal year and thereafter.

(2m) CHANCELLORS' SALARIES; RECONCILIATION.

(a) The treatment of section 40.02 (30) of the statutes by this act supersedes the treatment of that section by 1987 Wisconsin Act .... (Assembly Bill 795).

(b) If 1987 Assembly Bill 619 is enacted, the treatment of section 40.02 (17) (c) and (31) of the statutes by that act supersedes the treatment of those provisions by 1987 Wisconsin Act .... (Assembly Bill 795) and by this act.

SECTION 3055. Nonstatutory provisions; veterans affairs.

(1) TRANSFER OF MOTOR VEHICLE FLEET. On the effective date of this subsection, all assets and liabilities of the department of veterans affairs relating to motor vehicle fleet functions, as determined by the department of administration, shall become the assets and liabilities of the department of administration. The department of administration shall reimburse the department of veterans affairs for the value of all assets transferred under this subsection, as determined by the secretary of administration, from the appropriation under section 20.505 (1) (kb) of the statutes, as affected by 1987 Wisconsin Act 27. The department of administration shall deposit $2,400 of the reimbursement in the veterans trust fund under section 25.36 of the statutes and the remainder in the veterans mortgage loan repayment fund under section 45.79 (7) of the statutes.

(2g) MEMORIAL GRANTS. For fiscal year 1988-89, $300,000 of the amount in the appropriation under section 20.485 (2) (s) of the statutes, as affected by the acts of 1987, for the memorial honoring veterans of the Korean conflict may not be expended unless approved by the joint committee on finance.

SECTION 3057. Nonstatutory provisions; other.

(1) Revised title 26, chap. 261, subch. 2 of the statutes immediately following the effective date of this subsection, the district attorney in each judicial administrative district, and the attorney general of the state may be members of the council. The attorney general of the state may also be a member of this council.

(b) Power and duties. Prior to the first election under section 15.38 of the statutes of members of the council, the council shall:

1. Plan and administer the implementation of the federal provisions relating to and not by state laws relating to the operation of the federal provisions relating to and not by state laws relating to

Vetoed in Part
Vetoed in Part

Develop a plan for and administer the selection of the prosecutor's council under section 16.25 of the statutes. The plan shall provide that for the first such election, district attorneys shall be elected for a 4-year term. District attorneys for a 4-year term shall be elected for a 4-year term. All subsequent elections, district attorneys shall be elected for a 3-year term. The first such election shall be held earlier than June 1, 1989, and not later than June 1, 1989.

Prepare the initial budget of the prosecution system established in this act for submission to the department of administration under section 16.24 of the statutes. The department of justice shall assist the council in the preparation of the budget.

Appoint an executive secretary and support staff subject to section 16.26 of the statutes, outside the classified service, who shall provide the board with all personnel, accounting and personnel records and services required by the prosecution districts and perform the functions and duties assigned by the council.

Recommend additional legislation necessary to the efficient and effective implementation of the prosecution system provided under this act.

Meet as necessary to carry out its duties. The meetings shall be called by the chairperson or in the absence of the chairperson by the vice chairperson.

Advised from the department of finance. The department of justice shall provide the prosecutors with adequate office space and such administrative and clerical assistance as necessary for the performance of its duties under this act.

(a) The sessions of the council are annual. For the period beginning January 1, 1989, and ending June 30, 1989, district attorneys in 2-county prosecutorial units under section 17.25 (1) (b) of the statutes, as created by the act, shall receive monthly salary of $2,200 plus fringe benefits determined by the county plan of the county within the 2-county prosecutorial unit having the greater population under the most recent regular or special election. The counties in each such 2-county district shall each pay 50% of the costs of these salaries and fringe benefits.

(b) Removal of prosecutor under section 17.25 (4).
Vetoed in Part

(2g) PORT WASHINGTON LAKE BED GRANT.

(a) The state of Wisconsin cedes, grants and conveys to the city of Port Washington all rights, title and interest to all of the land and any part or parcel of the lands described under paragraph (b) to be held and used by the city of Port Washington for wastewater treatment plant functions.

(b) The lands granted to the city of Port Washington under paragraph (a) consist of partly submerged lands in Lake Michigan and are described as follows:

A part of Lake Michigan, being a part of the fractional NE-1/4 of Sec. 28, T. 11N, R. 22 E, City of Port Washington, Ozaukee County, Wisconsin, containing 2.079 acres of land and being more particularly described as follows:

Commencing at an existing 1-inch diameter iron pipe at the intersection of the South line of Pier Street with the West line of Lot 6, Block 13, Original Plat of the City of Port Washington; thence E 696.91 feet along the South line of Pier Street and its extension; thence N 0 degrees 00 minutes 00 seconds E, 885.83 feet to the point of beginning; thence N 64 degrees 44 minutes 35 seconds E, 68.88 feet along the limit of
encroachment of the existing wastewater treatment plant into Lake Michigan; thence N 25 degrees 02 minutes 37 seconds E, 412.00 feet along said limit of encroachment; thence N 19 degrees 57 minutes 23 seconds W, 105.00 feet along said limit of encroachment to the waters edge of Lake Michigan; thence N 25 degrees 02 minutes 37 seconds E, 95.66 feet along the waters edge of Lake Michigan; thence S 30 degrees 00 minutes 00 seconds E, 233.34 feet; thence S 25 degrees 02 minutes 37 seconds W, 577.20 feet; thence S 90 degrees 00 minutes 00 seconds W, 168.69 feet to the waters edge of Lake Michigan; thence N 19 degrees 57 minutes 34 seconds E, 142.58 feet along said waters edge; thence N 64 degrees 44 minutes 35 seconds E, 7.00 feet to the point of beginning.

(c) The lands described in paragraph (b) may be filled. The filling and use of the lands shall be subject to all requirements of local, state and federal law, including but not limited to chapters 144 and 147 of the statutes.

(d) The legislature finds that the provisions of this subsection reflect the state's interest in a matter of state responsibility of statewide dimension. The construction, replacement and expansion of water pollution abatement facilities is a public purpose and proper state government function in that the state is the trustee of the waters of the state and that properly sized and constructed water pollution abatement facilities are necessary to protect the purity of state waters and the health of people in this state.

(e) The legislature finds that water pollution is a critical problem in this state.

(f) The legislature finds that this subsection will directly and immediately affect the statewide concern under paragraph (e). The effect will be direct because this subsection allows water pollution abatement facilities to be expanded. The effect will be immediate because, upon completion of the expansion, the treatment plant will not be operated beyond capacity, thereby immediately alleviating to a degree, the water pollution of Lake Michigan.

(2m) COMBINED PROTECTIVE SERVICES. The legislature, by its consideration of section 61.66 of the statutes, as created by this act, does not intend to imply that the practice of any village authorized under section 61.66 of the statutes, as created by this act, is not already authorized under the law in effect on April 20, 1988.

2w APPROPRIATIONS SCHEDULE.

(a) The dollar amounts shown for any sum certain appropriation in the appropriations schedule under section 20.005 (3) (figure) of the statutes, as contained in this act, include any amount in the schedule under section 20.005 (3) (figure) of the statutes for that appropriation provided in 1987 Wisconsin Acts 1 to 299.

(b) The dollar amounts shown for any appropriation other than a sum certain appropriation in the appropriations schedule under section 20.005 (3) (figure) of the statutes, as contained in this act, include all anticipated expenditures from that appropriation under 1987 Wisconsin Acts 1 to 299.

3g AUTHORIZATION OF STRUCTURE ON RIVER BED.

(a) Legislative findings. The legislature finds that:
1. The Neenah Paper Division proposes to expand its Whiting paper mill located at the Whiting-Plover dam on Wisconsin river flowage number 1, a location at which the Wisconsin river is navigable in fact.
2. The proprietor of the Whiting Mill is a riparian owner operating a mill which was constructed, in part, on the bed of the river.
3. The existing mill was constructed at its current location in connection with, and in substantial reliance upon, the construction, maintenance and continued operation of the Whiting-Plover dam, which was previously authorized and ratified by the enactment of chapter 283, laws of 1889.
4. The placement and shape of the existing mill on the site dictates, as a matter of practical necessity, that the proposed expansion must be constructed, in part, riverward of the existing structure and placed, in part, on the bed of the Wisconsin river.
5. The proposed structure, if placed and located on the bed of the river as described and limited in paragraph (c), will not be detrimental to the public interest and will not materially obstruct navigation at this location.

(b) Authorization. Subject to the conditions under paragraph (d), the state of Wisconsin authorizes the owner of the Neenah Paper Division paper mill at Whiting to place on the bed of the Wisconsin river a structure having the general dimensions described in paragraph (c).

(c) Description. The structure authorized by paragraph (b) shall consist of 2 parts:
1. A concrete building foundation extending approximately 285 feet north of the eastern portion of the north wall of the existing hydro-powerhouse and approximately 65 feet west of the existing north/south wall constructed upon the riverbed immediately north of the hydro-powerhouse, and also containing an additional square-shaped portion with sides of approximately 90 feet extending east of the northern portion of the new foundation.
2. A concrete building foundation immediately south of the existing 35 feet by 110 foot structure which abuts the eastern portion of the south side of the hydro-powerhouse, which new foundation extends approximately 60 feet to the south of the abutting structure and approximately 110 feet to the west of the existing north/south wall constructed upon the riverbed.

(d) Conditions. The placement and construction of the structure authorized by paragraph (b) shall not materially reduce the effective flood flow capacity of the Wisconsin river or cause environmental pollution as defined in section 144.01 (3) of the statutes, both as determined by the department of natural resources. The owner of the Whiting Mill, as a condition of the authorization granted by paragraph (b) shall:

1. Provide to the department of natural resources all information required by the department as necessary to determine the effects of the structure on flood flow capacity and causation of environmental pollution.

2. Cooperate with the department of natural resources in making any modifications deemed necessary to avoid a material reduction in flood flow capacity or the causing of environmental pollution.

(e) Duration. The authorization under this subsection shall terminate at such time as the structure authorized to be placed on the bed of the Wisconsin river by paragraph (b) is either dismantled or converted to a use other than a use associated with the operation of a paper mill or other business operation.

(4m) Wisconsin Retirement System Study Committee. Of the funds appropriated under section 20.865 (4) (a) of the statutes, not to exceed $200,000 shall be available only for the purpose of the Wisconsin retirement system study committee to be established as provided in subsection (t) of this section. The study committee has submitted to the joint committee on finance a detailed plan regarding proposed expenditure of funds for the study. After submission, the joint committee on finance may approve, disapprove or modify the plan. For the purpose of the consideration of the plan, the procedures under section 13.10 of the statutes do not apply. Release of funds from the appropriation under section 20.865 (4) (a) of the statutes shall, notwithstanding section 13.101 of the statutes, be made only in accordance with the approved plan and may not exceed $200,000.

SECTION 3203. Initial applicability.

(a) Food processing plants. The treatment of section 97.29 of the statutes first applies on April 1, 1988 or on the day after publication of this act, whichever is later, to any person holding a valid license under section 97.26, 97.28, 97.34, 97.36, 97.38 or 97.40, 1985 stats. If such person’s license under section 97.26, 97.28, 97.34, 97.36, 97.38 or 97.40, 1985 stats., expires on or after December 31, 1988, the department of agriculture, trade and consumer protection shall credit the fee for that license toward the fee required for a license under section 97.29 of the statutes, as created by this act, for the license year ending March 31, 1989. If the fee for a license under section 97.29 of the statutes, as created by this act, is less than the total amount which the department of agriculture, trade and consumer protection credits toward that fee under this paragraph, the difference is nonrefundable.

(b) Milk production. The treatment of sections 97.20, 97.21 and 97.22 of the statutes first applies on May 1, 1988, or on the day after publication of this act, whichever is later, to any person holding a valid license under section 97.20, 97.22 or 97.24, 1985 stats. If such person’s license under section 97.20, 97.22 or 97.24, 1985 stats., expires on or after April 30, 1989, the department of agriculture, trade and consumer protection shall credit the fee for that license toward the fee required for a license under section 97.20 or 97.22 of the statutes, as repealed and recreated by this act, or section 97.21 of the statutes, as created by this act, for the license year ending April 30, 1989. If the
fee for a license under section 97.20 or 97.22 of the statutes, as repealed and recreated by this act, or section 97.21 of the statutes, as created by this act, exceeds the amount which the department of agriculture, trade and consumer protection credits toward that fee under this paragraph, the difference is nonrefundable.

(c) Food warehouses. The treatment of section 97.27 of the statutes first applies on July 1, 1988, to any person holding a valid license under section 99.20 or 99.30, 1985 stats.

(10) Circuit courts.

(bf) Court fees. The treatment of sections 814.61 (3), (4), (5) (intro.), (b) and (c), (6), (7), (a), (8) (a) 1 and 2, (9), (10) and (11), 814.62 (1), 814.63 (1) and (4) and 814.65 (1) of the statutes and the amendment of section 814.61 (1) (a) of the statutes apply to fees collected on or after the first day of the 2nd month commencing after publication of this act, regardless of when the action or special proceeding was commenced.

(30) Industry, labor and human relations.

(ab) Reimbursement. The treatment of sections 32.185, 32.19 (2) (b) and (e), (3) (a) to (c), (4) (a) 2, (ag), (b) (intro.) and 2 and (bm) 2, 4(m) (a) 2 and (b), 32.20 and 32.25 (1) and (2) (i) of the statutes first applies to anyone who moves from real property or who moves his or her personal property from real property, as described under section 32.19 (2) (e) of the statutes, as affected by this act, on April 2, 1989.

(31) Insurance.

(am) Patients compensation fund fees. The treatment of section 655.27 (3) (br) 3 of the statutes first applies to fees set by rule under section 655.27 (3) (b) of the statutes for the fiscal year beginning on July 1, 1988.

(40) Natural resources.

(ad) Intoxicated operation of all-terrain vehicles and snowmobiles. The treatment of sections 23.33 (1) (am), 32.37 (1) (am), 32.37 (2) (am) and 97.09 (5m) of the statutes applies to any violation which occurs on or after the effective date of this paragraph, regardless of when the violation occurred.
Public Instruction

(a) Membership for pupils enrolled in a residential school. The treatment of section 121.05 (1) (a) 8 of the statutes first applies to state aids paid in the 1988-89 school year.

Vetoed in Part

(bd) Membership for pupils enrolled in a residential school. The treatment of sections 121.05 (1) (a) 8 of the statutes first applies to state aids paid in the 1989-90 school year.

(c) Membership for pupils enrolled in a residential school. The treatment of sections 121.05 (1) (a) 8 of the statutes first applies to state aids paid in the 1990-91 school year.

Vetoed in Part

(V) PUBLIC INSTRUCTION.

(44) PUBLIC INSTRUCTION.

(a) Membership for pupils enrolled in a residential school. The treatment of section 121.05 (1) (a) 8 of the statutes first applies to state aids paid in the 1988-89 school year.

(bd) Membership for pupils enrolled in a residential school. The treatment of sections 121.05 (1) (a) 8 of the statutes first applies to state aids paid in the 1989-90 school year.

Vetoed in Part

Vetoed in Part

(c) Membership for pupils enrolled in a residential school. The treatment of sections 121.05 (1) (a) 8 of the statutes first applies to state aids paid in the 1989-90 school year.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

(47) REVENUE.

(am) Manufacturers' rights in appeals. The treatment of sections 70.995 (8) (a) (by SECTION 215) and 73.015 (1) of the statutes first applies to appeals against the tax on the dairy herd buyout program) first applies to taxable year 1987.

Vetoed in Part

Vetoed in Part

Vetoed in Part

(b) Waste treatment denials. The treatment of sections 70.11 (21) (e) and (f) and 73.014 (4) (a) and (5) (a) of the statutes first applies to appeals related to state aids paid in the 1988-89 school year.

(bm) Refunds on exempt manufacturing property. The treatment of sections 70.511 (2) (b) and 74.135 (3) of the statutes first applies to assessments as of January 1, 1987.

(c) Tax-option corporations. The treatment of sections 71.02 (1) (intro.), (bg) (intro.) (in regard to the cross-reference change involving section 71.02 (1) (bh) of the statutes) and 25, (bh) and (d), 71.042 (7) and 71.05 (2tm) of the statutes first applies to tax-option corporations' taxable year 1987 and to taxable year 1988, as appropriate to conform the shareholder's treatment of income, loss and deduction to the corporation's treatment.

Vetoed in Part

(c) Tax-option corporations. The treatment of sections 71.02 (1) (intro.), (bg) (intro.) (in regard to the cross-reference change involving section 71.02 (1) (bh) of the statutes) and 25, (bh) and (d), 71.042 (7) and 71.05 (2tm) of the statutes first applies to tax-option corporations' taxable year 1987 and 1988, as appropriate to conform the shareholder's treatment of items of income, loss and deduction to the corporation's treatment.

(cm) Additions to tax. The treatment of sections 71.21 (1m) (am), (11) and (12) (intro.) and (c), 71.22 (1) (a), (7) and (8) (intro.) and 71.23 of the statutes first applies to taxable year 1988.

(d) Small business stock. The treatment of section 71.02 (2) (fr) 2 of the statutes first applies to taxable year 1988.

(dm) Corporate capital loss carry-backs. The treatment of section 71.10 (10) (d) and (em) of the statutes first applies to capital losses carried back to taxable year 1987.

(e) Earnings and profits. The treatment of section 71.05 (1) (a) 31 of the statutes first applies to taxable year 1987 or to taxable year 1988, as appropriate to conform the shareholder's treatment of income, loss and deduction to the corporation's treatment.


(f) Expenses on fiduciary returns. The treatment of section 71.05 (1) (b) 1 of the statutes first applies to taxable year 1988.

(fm) Capital gains.

1. The treatment of section 71.05 (1) (b) 16 of the statutes (as it relates to assets acquired from a decedent) first applies to taxable year 1987.

2. The treatment of section 71.05 (1) (b) 16 of the statutes (as it relates to capital gains derived under the dairy herd buyout program) first applies to taxable year 1987.

(g) Partnership income. The treatment of section 71.05 (1) (b) 16 of the statutes (as it relates to assets acquired from a decedent) first applies to taxable year 1987.

(h) Gross rent definition. The treatment of section 71.09 (7) (a) 2 of the statutes first applies to claims filed for taxable year 1988.

(i) Farm losses. The treatment of section 71.09 (7) (a) 2 of the statutes first applies to claims filed for taxable year 1988.

(jm) Proration of property taxes. The treatment of section 71.09 (11) (a) 7 of the statutes first applies to claims filed for taxable year 1988.

(k) Farm losses. The treatment of section 71.09 (11) (a) 7 of the statutes first applies to claims filed for taxable year 1988.

(lm) Farmland credit minimum. The treatment of section 71.09 (11) (bm) of the statutes first applies to claims filed for taxable year 1988.

(m) Additions to tax. The treatment of sections 71.21 (1m) (am), (11) and (12) (intro.) and (c), 71.22 (1) (a), (7) and (8) (intro.) and 71.23 of the statutes first applies to taxable year 1988.

(n) Small business stock. The treatment of section 71.02 (2) (fr) 2 of the statutes first applies to taxable year 1988.

(nm) Corporate capital loss carry-backs. The treatment of section 71.10 (10) (d) and (em) of the statutes first applies to capital losses carried back to taxable year 1987.
(j) Corporate estimated taxes. The treatment of section 71.22 (8) (b) of the statutes first applies to taxable year 1989.

(ka) Lottery winnings. The treatment of section 71.07 (1) of the statutes first applies to taxable year 1988.

(kn) Tax benefit rule. The treatment of section 71.60 (4) of the statutes first applies to taxable year 1988.

(Lm) Unrelated business income. The treatment of sections 71.01 (3) (a), 71.02 (1) (bg) 17 and 18 and 71.07 (2) (intro.) and (f) of the statutes first applies to taxable year 1988.

(Ln) "Internal revenue code" definition and exception. The creation of section 71.02 (1) (bg) (intro.) and (bhm) of the statutes first applies to taxable year 1988.

(Lo) Definition of "corporation". The treatment of section 71.02 (1) (f) of the statutes first applies to taxable year 1988.

(Lp) Basis continuation. The treatment of section 71.04 of the statutes first applies to taxable year 1988.

(Lq) Filing exception. The treatment of section 71.10 (1) (intro.) and (Lm) of the statutes first applies to taxable year 1988.

(Lr) Forest cropland withdrawal. The treatment of section 77.10 (2) (a) 1 of the statutes first applies to taxes due in respect to declarations of withdrawal filed on the effective date of this paragraph.

(mcm) Farmland credit. The treatment of section 71.09 (11) (a) 5 of the statutes first applies to claims filed for taxable year 1988.

(mp) Historic preservation credit. The treatment of sections 71.09 (12q) and 71.65 (1) (fr) and (2) (fh) of the statutes first applies to taxable year 1989 for projects begun after December 31, 1988.

(mr) Internal revenue code. The treatment of sections 72.01 (17), 72.12 (4) (c) 1 and 72.22 (4) (a) of the statutes first applies to transfers because of deaths occurring on January 1, 1988.

(nb) Farmland credit. The treatment of section 71.09 (11) (a) 3 and 3m and (h) (intro.) of the statutes first applies to claims filed for taxable year 1988.

(52) Transportation.

(ag) Mass transit aids. The treatment of section 85.20 (1) (k) and (2m) (a) and (h) of the statutes first applies to urban mass transit operating assistance contracts for calendar year 1989 executed between the department of transportation and eligible applicants on the effective date of this paragraph.

(am) Urban mass transit system operating expenses and audits. The treatment of section 85.20 (1) (g), (3) (c) and (cm) and (4m) (er) of the statutes first applies to urban mass transit system contracts executed between the department of transportation and eligible applicants for urban mass transit operating assistance on the effective date of this paragraph.

(ar) Driver improvement surcharge. The treatment of section 346.655 (1) of the statutes first applies to a driver improvement surcharge imposed by a court on July 1, 1988.

(53) Treasurer.

(ab) Unclaimed property. The treatment of section 177.35 of the statutes first applies to agreements entered into on the effective date of this paragraph.

(54) University of Wisconsin System.

(a) Nonresident tuition exemption. The treatment of section 36.27 (2) (cm) of the statutes first applies in the 1988-89 academic year.

(57) Other.

(ab) Public improvement payment bonds. The treatment of sections 60.24 (3) (zm) and 84.06 (2) of the statutes, the renumbering and amendment of section 779.14 (1) and (2) of the statutes and the creation of section 779.14 (1) and (2) (a) 2 and 3 and (b) of the statutes first applies to contracts for the furnishing of labor or materials for the purpose of making public improvements or performing public work that are entered into on the first day of the 2nd month beginning after publication.

(a) Crime revisions. The treatment of sections 118.29 (1) (d), 343.31 (1) (a), 346.62, 346.65 (1), (3) and (5), 351.02 (1) (a) 1, 939.20, 939.22 (14), 939.23 (3) and (4), 939.24, 939.25, 939.42 (2), 939.44, 939.46 (1), 939.47, 939.48 (3), 939.74 (2) (a), 940.01, 940.02, 940.03, 940.05, 940.06, 940.08 (1) and (2), 940.10, 940.19 (3) (intro.), 940.23, 940.24 (1) and (2), 940.245, 941.01 (2) and (3), 941.03, 941.04, 941.10 (2), 941.20 (title), (1) (a) and (3), 941.30, 943.70 (2) (b) 4 and (3) (b) 4, 949.03 (1) (b), 968.28 (by section 472zc), 969.001 (2), 969.035 (1), 969.08 (10) (b) and 971.35 of the statutes, the repeal and recreation of section 345.27 (1) of the statutes, the renumbering and amendment of section 943.01 (2) (a) of the statutes and the creation of 943.01 (2) (a) 1 of the statutes apply to offenses committed on or after January 1, 1989.

(am) Form retention and disposal. The treatment of section 134.345 of the statutes applies to any form, whether it was last used before, on or after the effective date of this paragraph.
SECTION 3204. Effective dates. This act takes effect on the day after publication, except as follows:

(4) Agriculture, trade and consumer protection.

(a) Food production. The treatment of sections 77.54 (20) (b) 4, 97.29, 97.34 (title), (2), (3), (4), (5) and (6) to (11), 97.42 (1) (d) 1 and (2) (a) and 100.03 (1) (k), (2) (intro.), (3) (a) 1, (4) (a) and (5) (intro.) of the statutes, the amendment of sections 97.28 (1), 97.36, 97.38 and 97.40 (1) of the statutes and the repeal of section 97.28 (2) (a) of the statutes take effect on April 1, 1988, or on the day after publication, whichever is later.

(b) Milk production. The treatment of sections 97.20, 97.21, 97.22, 97.24 (3), (4), (4m), (5) and (6) and 100.06 (6) of the statutes takes effect on May 1, 1988, or on the day after publication, whichever is later.

(c) Retail food. The treatment of sections 20.115 (1) (gb) (by Section 35), 50.51 (1) (d), 97.26, 97.28 (by Section 322), 97.30, 97.41 (1), (4) (a), (5), (7) and (9) (intro.) and (c), 97.415 and 100.201 (6) (a) of the statutes and the repeal of sections 97.36, 97.38 and 97.40 of the statutes take effect on July 1, 1988.

(d) Food warehouses. The treatment of sections 97.27, 99.01 (1) to (4), (5), (6) to (10), (11), (12), (13), (14) to (16) and (17), 99.015 (1) and 99.40 to 99.42, chapter 99 (title) and subchapters I (title), II (title), III, IV and V (title) of chapter 99 of the statutes takes effect on July 1, 1988.

(e) Farmland preservation. The treatment of section 91.37 (4) (by Section 307meg) of the statutes takes effect on January 1, 1989.

(6) Banking.

(a) Charitable trusts. The treatment of sections 220.02 (2) (e), 221.56 (1), 701.107, 701.108 and 701.109 of the statutes takes effect on May 1, 1988, or on the day after publication, whichever is later.

(10) Circuit courts.

(bf) Court fees.

1. The treatment of sections 814.61 (3), (4), (5) (intro.), (b) and (c), (6), (7) (a), (8) (a) 1 and 2, (9), (10) and (11), 814.62 (1), 814.63 (1) and (4) and 814.65 (1) of the statutes and the amendment of section 814.61 (1) (a) of the statutes take effect on the first day of the 2nd month commencing after publication.

2. The repeal and recreation of section 814.61 (1) (a) of the statutes and the amendment of section 814.61 (1) (c) of the statutes take effect July 1, 1988.

(11) Community development finance authority.

(a) Abolition. The treatment of sections 13.172 (1), 13.62 (2), 15.155 (2), 16.01 (1) (b), 16.41 (4), 16.52 (7), 16.528 (1), 16.53 (2), 16.54 (9) (a) 1, 16.70 (1) and (2), 16.85 (2), 16.865 (8), 16.963 (2), 16.98 (1), 36.25 (24), 40.02 (54) (e), 71.09 (12m) (title) and 71.65 (2) (f), 101.28 (2) and (3), 233.01, 233.02 (intro.), (1), (2), (3) (intro.), (a), (b) and (c), (4), (5) and (7) to (10), 233.03, 233.04 (title), (1) and (2) (intro.), (a) to (c) and (e), 233.05, 233.06, 233.07 (title), (1) and (2), 234.03 (31) and (32), 234.94 (intro.) and (2) (b), 234.97, 234.98 and 560.07 (2m) and chapter 233 (title) of the statutes and Sections 3011 (1) and (2) and 3116 (9) of this act take effect on July 1, 1988.


(a) Plat administration transfer. The treatment of sections 20.143 (1) (i), 93.07 (22) (title), 236.02 (4) and 560.04 (2) (d) of the statutes takes effect on July 1, 1988.

(17) Educational communications board.

(a) Contract with Milwaukee area technical college. The treatment of sections 20.225 (1) (d), 38.125 (1) and (2) and 39.11 (18) of the statutes take effect on July 1, 1988.

(19) Employee trust funds.

(a) Employee-funded reimbursement account plan. The treatment of sections 49.46 (2) (a) 4, a and (b) 6, e and (i) of the statutes takes effect on January 1, 1989.

(b) Medical assistance; inpatient psychiatric services. The treatment of section 49.46 (2) (b) 10 of the statutes takes effect on July 1, 1988.

(c) Rules on relocation funds for community services. The treatment of section 46.266 (1) (a) and (am) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(cm) Garnishment of aid to families with dependent children checks. The treatment of sections 49.41 (1) and (2) and 812.233 of the statutes takes effect on April 1, 1988.

(dm) Cancer control grants. The treatment of sections 20.435 (1) (cc) and 146.027 (1) and (2) of the statutes takes effect on the first day of the 6th month after publication.

(fx) Laboratory urine analyses. The repeal and recreation of section 146.25 (1), (2), (4) and (6) of the statutes and the creation of section 146.25 (1m) of the statutes take effect on October 1, 1989.
(37) Legislature.

(a) Legislative computer and data processing system. The treatment of section 20.765 (1) (d) and (3) (em) of the statutes takes effect on July 1, 1988.

(40) Natural resources.

(a) Fox river management. The repeal and recreation of section 25.40 (2) of the statutes takes effect on July 1, 1989.

(c) Pupil minimum competency tests. The treatment of sections 20.255 (2) (f), 118.30 (3) (c) 1 and 2 and 118.30 (3) (d) of the statutes takes effect on July 1, 1988.

(45) Public Service Commission.

(a) Fire protection services. The treatment of section 196.03 (3) of the statutes and the creation of section 196.03 (3) (b) of the statutes take effect on the first day of the 3rd month beginning after publication.

(46) Regulation and Licensing.

(a) Occupational therapy. The treatment of sections 448.02 (2), (3) (a), (b), (c), (e) and (h), (4), (5) and (6), 448.03 (3) (i) and (g) and (4), 448.04 (1) (g) and (h), 448.05 (5m), 448.06 (title) and (1) and 448.07 (1) (d) of the statutes, the renumbering of sections 440.05 (3) (n) 1 and 448.13 of the statutes and the creation of sections 440.05 (3) (n) 1g and 1n and 448.13 (2) of the statutes take effect on the first day of the 13th month beginning after publication.

(c) Time-share salespersons. The treatment of sections 452.025 (1) (a) and (2) to (5), 452.05 (1) (a), 452.10 (4) (b), 452.11 (1), 452.12 (3) and (6) (a), 452.13, 452.14 (1) and (3) (intro.), (b), (e), (f), (h), (i) and (jm), 452.16 (1), 452.17 (2) and (4) (a), 452.20, 452.21 and 452.22 (2) of the statutes and the creation of section 452.13 (2) of the statutes take effect on the first day of the 2nd month beginning after publication.

(47) Revenue.

(a) Review of assessment practices.

1. The treatment of sections 70.57 (1) and 73.08 (1) of the statutes and the amendment of section 73.08 (2) of the statutes take effect on July 1, 1988.

2. The treatment of section 20.566 (2) (h) of the statutes and the repeal of section 73.08 (2) of the statutes take effect on July 1, 1989.

3. The amendment of section 73.08 (2) of the statutes takes effect on January 1, 1992.

(b) Manufacturers' objections. The treatment of section 70.995 (8) (a) (by Section 215) of the statutes takes effect on January 1, 1989.

(c) Excise tax interest. The treatment of sections 20.913 (1) (b), 78.13 (2), 78.50 (2), 78.52 (2), 78.65 (2), 78.68, 139.05 (6) and (7) (e), 139.07, 139.08 (4), 139.092, 139.098, 139.25 (1), (1m), (2) and (3), 139.32 (7), 139.44 (9) to (12), 139.77 (5) and (6) and 139.85 of the statutes and the creation of section 139.25 (4) to (8) of the statutes take effect on the first day of the first month beginning after the effective date of this paragraph.

(44) Public instruction.

(ba) Five-year-old kindergarten, early childhood education and mentor programs. The treatment of sections 20.255 (2) (cc), 119.71, 119.72, 119.73 and 119.74 of the statutes takes effect on July 1, 1988.
Time-share property.

(eg) Appeals. The treatment of sections 73.01 (4) (a) of the statutes (by SECTION 269m) takes effect on January 1, 1992.

(fc) Publishers. The treatment of sections 77.51 (13g) (intro.) and (13h) of the statutes takes effect on January 1, 1992.

(fd) Occasional sales. The treatment of sections 77.51 (9) (c), 77.52 (7) and 77.54 (7m) of the statutes takes effect on January 1, 1989.

(fm) Loggings. The treatment of section 77.54 (39) of the statutes takes effect on April 1, 1989.

(gb) Boats. The treatment of section 70.111 (3) of the statutes takes effect on January 1, 1989.

(gd) Mining continuing claims. The treatment of sections 20.566 (1) (ha), 139.03 (2m) and (2t) and 139.06 (1) (a) and (b) and (2) (c) of the statutes takes effect on July 1, 1988.

(hn) Secondary containment structures. The treatment of section 70.11 (15m) of the statutes takes effect on the January 1 after publication.

(49) Secretary of state.

(am) Change of registered agent. The treatment of sections 181.09 (3), 181.651 (1) (bm) and 181.68 (1) (e) of the statutes and the creation of section 181.09 (3) (a) 2 and (b) of the statutes takes effect on the first day of the 4th month beginning after publication.

(52) Transportation.

(ag) Driver improvement surcharge. The treatment of section 346.655 (1) of the statutes takes effect on July 1, 1988.

(bk) Fire schools. The treatment of sections 20.292 (1) (gm) (title) and (gr), 20.445 (1) (l) and 38.12 (9) of the statutes takes effect on July 1, 1988.

(56) Vocational, technical and adult education.

(bg) Fire schools. The treatment of sections 20.292 (1) (gm) (title) and (gr), 20.445 (1) (l) and 38.12 (9) of the statutes takes effect on July 1, 1988.

(57) Other.

(ag) Crime revisions. The treatment of sections 118.29 (1) (d), 343.31 (1) (a), 346.62, 346.65 (1), (3) and (5), 351.02 (1) (a) 1, 939.20, 939.22 (14), 939.23 (3) and (4), 939.24, 939.25, 939.42 (2), 939.44, 939.46 (1), 939.47, 939.48 (3), 939.74 (2) (a), 940.01, 940.02, 940.03, 940.05, 940.06, 940.08 (1) and (2), 940.10, 940.19 (3) (intro.), 940.23, 940.24 (1) and (2), 940.25, 941.01 (2) and (3), 941.03, 941.04, 941.10 (2), 941.20 (title), (1) (a) and (3), 941.30, 943.70 (2) (b) 4 and (3) (b) 4, 949.03 (1) (b), 968.28 (by SECTION 472zpc), 969.001 (2), 969.035 (1), 969.08 (10) (b) and 971.35 of the statutes, the repeal and recreation of section 345.27 (1) of the statutes, the renumbering and amendment of section 943.01 (2) (a) of the statutes and the creation of 943.01 (2) (a) 1 of the statutes take effect on January 1, 1989.

(ba) Medical and health assistance.

(49) Secretaries of state.

(am) Change of registered agent. The treatment of sections 181.09 (3), 181.651 (1) (bm) and 181.68 (1) (e) of the statutes and the creation of section 181.09 (3) (a) 2 and (b) of the statutes takes effect on the first day of the 4th month beginning after publication.

(52) Transportation.

(aq) Driver improvement surcharge. The treatment of section 346.655 (1) of the statutes takes effect on July 1, 1988.

(bk) Fire schools. The treatment of sections 20.292 (1) (gm) (title) and (gr), 20.445 (1) (l) and 38.12 (9) of the statutes takes effect on July 1, 1988.

(bq) Explosives. The treatment of section 346.62 (1) (bk) of the statutes takes effect on July 1, 1993.
(g), (8) and (9), 452.025 (1) (b) and (c), 707.02 to 707.39, 707.50 to 707.59 and 893.137 of the statutes takes effect on the first day of the first month beginning after publication.

2. The treatment of sections 707.40 to 707.49 of the statutes takes effect on the first day of the 4th month beginning after publication.