

1989 Senate Bill 542

Date of enactment: April 27, 1990  
Date of publication: May 10, 1990

## 1989 Wisconsin Act 336 (Vetoed in Part)

AN ACT to repeal chapter 130, subchapter VIII of chapter 218, 20.143 (1) (dm), 20.143 (2) (b), 20.255 (2) (ad), 20.255 (2) (an), 20.255 (2) (q), 20.370 (4) (gk), 20.435 (3) (cd), 20.505 (4) (ds), 20.923 (4) (g) 6 and 9, (h) 3 and (i) 3, 29.092 (7) (j), 30.20 (2) (b), 38.04 (16), 38.22 (1) (b) and (c) and (2), 38.24 (3) (a) 1, 38.24 (3) (b), (c), (cm) and (d), 38.28 (2) (dm), 46.48 (4) and (6), 49.46 (1) (k), 49.47 (6) (a) 2 and 3, 49.47 (6) (a) 4, 49.47 (6) (a) 5, 49.47 (6) (a) 8, 49.52 (1) (i), 59.456 (6), 60.24 (3) (u), 79.03 (3) (d), 121.008, 121.135 (2) (a) 3 and (b), 440.05 (3) (am) (title) and 551.22 (18); to renumber 23.09 (22), 49.124, 51.03, 111.81 (1), 121.86 (3) (a), 134.72 (2) and 440.05 (3) (am) 1; to renumber and amend 25.75 (3) (c), 29.38 (3) (c), 30.275 (2), 38.28 (1), 46.40 (1) (e), 46.48 (18), 49.45 (25) (a), 49.468, 66.46 (4m) (b), 100.06 (1), 100.06 (4), 101.35 (1) (b), 101.35 (8), 111.83 (4), 134.72 (1), 218.01 (2) (d) 8, 218.05 (14), 451.04 (1) (intro.), 451.04 (1) (a) to (e), 451.06 (3), 614.19 (3), 623.15 (1), 968.01 and 978.12 (6); to consolidate, renumber and amend 38.24 (3) (a) 2 and 3; to amend 13.101 (6) (a), 16.20 (1) (d), 16.20 (2) (b), 16.20 (3) and (4) (b), 16.20 (5) (title) and (a), 16.20 (5) (b), (c) (intro.) and (d), 16.20 (6) (intro.), 16.20 (7), 16.20 (8) (title) and (d) to (f), 16.20 (9) (b), 16.20 (10) (h), 16.20 (12) (c), 16.20 (13) (a), 16.50 (1) (b), 16.52 (10), 16.84 (5), 16.85 (1), 20.115 (4) (c), 20.143 (1) (d), 20.143 (1) (d), 20.143 (1) (dm), 20.143 (1) (ie), 20.192 (1) (g) 1, 20.255 (2) (ac), 20.255 (2) (t), 20.370 (3) (ma), 20.370 (4) (ea), 20.370 (4) (ga), 20.370 (4) (hb), 20.370 (4) (hq), 20.399 (1) (j), 20.399 (1) (k), 20.399 (1) (m), 20.399 (1) (n), 20.399 (1) (o), 20.435 (1) (b), 20.435 (1) (cc), 20.435 (6) (cm), 20.435 (7) (b), 20.435 (7) (d), 20.435 (7) (e), 20.435 (7) (f), 20.475 (1) (g), 20.475 (1) (r), 20.490 (5) (title), 20.490 (5) (a), 20.550 (1) (d), 20.865 (1) (c), 20.865 (1) (ci) (title), 20.865 (1) (i), 20.865 (1) (ic) (title), 20.865 (1) (s), 20.865 (1) (si) (title), 20.866 (2) (tc), 20.921 (1) (b), 20.923 (4m), 20.923 (5), 20.923 (8), 20.923 (15) (b), 25.50 (3) (b), 26.08 (1), 29.092 (7) (i), 29.092 (7) (m), 29.093 (2) (i) (title), 29.093 (7) (g), 29.598 (7) (d) 2, 29.599 (2) (c) (intro.), 29.599 (4) (a), 29.599 (4) (c), 31.385 (1), 31.385 (2) (b), 31.385 (2) (c) 1, 31.385 (2) (c) 2, 36.09 (1) (j), 36.09 (4m), 38.22 (1) (a), 38.28 (1m) (a) 1, 40.02 (25) (b), 40.80 (1), 46.215 (2) (c), 46.22 (1) (e) 3, 46.26 (3) (c), 46.26 (3) (d), 46.26 (3) (e), 46.26 (6) (a), 46.26 (7) (intro.), 46.26 (7) (f), 46.27 (3) (e) (intro.), 46.27 (11) (c) 3, 46.27 (11) (c) 5, 46.271 (1) (intro.), 46.45 (3) (a), 46.57 (3) (a), 46.71 (title) and (1) (intro.), 46.87 (2), 46.98 (2) (a) (intro.), 46.99 (3) (b), 48.09 (2), 48.09 (5), 48.344 (2) (a), 48.344 (2g) (a) (intro.), 48.344 (2g) (a) 2 and 3, (c) and (d), 48.62 (1), 48.75 (1), 48.833, 48.985 (2) (c), 48.985 (3), 49.124 (title), 49.133 (title), 49.45 (3) (a) 9, 49.45 (6m) (b), 49.45 (17) (b) 1 and 2, 49.45 (25) (am), 49.46 (1) (a) 9 and 10, 49.46 (1) (k), 49.46 (2) (b) 6, g, 49.46 (2) (be), 49.47 (4) (am) 1, 49.47 (4) (am) 2, 49.47 (4) (g), 49.47 (6) (a) 7, 49.50 (7) (g) 5, 49.50 (7) (h) 1, 49.52 (1) (d), 50.02 (title), 50.04 (4) (b) 1, 51.03 (title), 51.423 (2), 51.45 (4) (c), 59.07 (18) (b), 59.07 (18) (d), 59.456 (title), 66.46 (2) (a), 66.46 (2) (b), 66.46 (4) (gm) 4, c, 66.46 (4m) (a), 66.46 (4m) (c) 1, c, 66.46 (5) (b), 66.46 (6) (a), 66.46 (6) (am) 1, 66.46 (7) (am), 66.46 (9) (b) 3, 67.12 (1) (b), 70.045, 70.11 (2), 71.01 (6) (a), 71.01 (6) (b), 71.01 (6) (c), 71.01 (6) (d), 71.01 (7r), 71.05 (33) (a), 71.06 (intro.), 71.22 (4) (a), 71.22 (4) (b), 71.22 (4) (c), 71.22 (4) (d), 71.22 (4m) (a), 71.22 (4m) (b), 71.26 (2) (b) 1, 71.26 (2) (b) 2, 71.26 (2) (b) 3, 71.26 (2) (b) 4, 71.26 (3) (y), 71.28 (4) (a), 71.28 (4) (am), 71.34 (1g) (a), 71.34 (1g) (b), 71.34 (1g) (c), 71.34 (1g) (d), 71.365 (1m), 71.42 (2) (a), 71.42 (2) (b), 71.42 (2) (c), 71.45 (2) (a) 13, 71.47 (3) (a), 71.47 (3) (am), 71.54 (1) (c) (intro.), 71.54 (2) (b) 2, 72.01 (17), 72.12 (4) (c) 1, 72.22 (4) (a), 72.76 (4), 74.11 (3), (10) and (11) (a), 74.12 (1) (a), 74.12 (2) (a) to (c), (3), (4) (intro.), (5) and (7) to (9), 76.13 (2a), 76.38 (3), 76.38 (4) (intro.), 76.38 (5) (intro.), 76.38 (5m) (intro.), 76.38 (6), 77.51 (13h), 79.005 (1), 79.01 (2), 79.015, 79.02 (2) (b), 79.03 (3) (b) 3, 79.03 (3) (b) 4, a, 79.03 (4), 79.08, 100.06 (2), 100.06 (3), 100.06 (5), (7) and (8), 101.123 (4) (am) 1, 101.35 (2) (title), 101.35 (3) (a) (intro.), 101.35 (3) (a) 2,

**Vetoed in Part** 101.35 (3) (b), 101.35 (4) (c) (intro.), 101.35 (4) (title), (a) and (c), 101.35 (5), 101.35 (6) (a), 101.35 (7) (a), 101.35 (7) (b) (intro.), 101.35 (7) (c), 101.35 (9) (b) and (c), 101.35 (10) (a), 101.35 (10) (d), 101.35 (11) (a) (intro.) and (b), 101.35 (11) (c), 101.35 (12) (b), 101.35 (13) (intro.), 101.35 (13) (b), 101.35 (14), 111.83 (2), 111.83 (5) (a) to (e), (f) and (g), 111.84 (2) (e), 111.89 (1), 111.91 (2) (a), 111.91 (4), 111.92 (1), 111.93 (2), 111.93 (3), 115.75 (1) (a), 118.125 (4), 118.15 (1) (d) (intro.), 118.15 (1) (e), 118.15 (1) (f), 118.153 (4) (b), 118.165 (1) (f), 121.007, 121.06 (1), 121.07 (6) (a) (intro.), 121.07 (6) (b), 121.07 (7) (a), 121.085 (title), (l) and (lm), 121.10 (1) (b), 121.10 (2) (intro.), 121.10 (4), 121.105 (1), 121.105 (2) (a), 121.105 (3), 121.135 (1) and (2) (a) 1 and 2, 121.135 (2) (a) 1, 121.135 (2) (c), 121.135 (3), 121.135 (4) (a) and (b), 121.85 (6) (a) 1, 121.86 (2) (a) 1, 121.86 (5), 125.07 (4) (c) 1, 125.085 (3) (b) (intro.), 134.72 (title), 134.72 (2) (title), 134.72 (3), 138.12 (6) (a), 144.241 (20) (c), 144.25 (9), 144.99, 146.40 (2) (intro.), 146.40 (2) (a), 146.40 (2) (am) and (b), 146.40 (2) (c) and (d), 146.40 (2) (e), 146.40 (2) (f), 146.40 (3), 146.40 (3) (a) and (b) (intro.) and (c) (intro.), 146.90 (4m) (b) (intro.), (c) (intro.) and (e), 165.72 (3), 165.85 (4) (a) (intro.), 165.85 (4) (b), 175.20 (1), 185.983 (1) (intro.), 196.01 (1), 218.01 (2) (d) 1, 218.01 (2) (i), 218.01 (3) (d), 218.02 (7) (c), 218.04 (7) (b), 218.05 (14) (title), 230.08 (4) (b) 2, 230.10 (2), 230.12 (1) (a) 1, b and (5) (d), 230.12 (10) (a) 3, 232.07 (1), 234.265 (2), 234.765 (1) (intro.) and (5), 234.90 (7m) (a) 3 and (b), 234.905 (4) (b) 2, 234.905 (5), 234.905 (6) (b) and (c), 234.905 (7) (b), 234.905 (7m) (a), 234.905 (7m) (b), 234.907 (1) (b) and (c), 234.907 (4) (b) and (c), 234.907 (5) (b), 234.907 (7), 234.92, 302.31, 304.02 (3) (a), 343.44 (2) (b) 2, 343.44 (2) (c) 2, 343.44 (2) (d) 2, 343.44 (2) (e) 2, 347.26 (8), 350.12 (4) (b) 1m, 451.01 (1) (intro.), 451.02 (1), 451.02 (3), 451.04 (3) and (4), 451.06 (1), 451.08, 451.10 (1), 451.12, 451.14 (1), (2) (intro.) and (3), 551.22 (7), 560.075 (1) (c) (intro.), 560.075 (1) (c) 5, 560.075 (2) (b), 560.71 (3) (a), 560.71 (3) (c) 2, 560.745 (2) (a), 562.065 (3) (b) 2, 562.065 (3) (c) 1 (intro.) and 2 (intro.), 562.065 (3) (d) and (e) (intro.), 562.065 (3) (e) 2, 562.065 (4), 600.01 (1) (b) 8, 601.41 (1), 601.47 (1), 614.10 (2), 632.93 (1), 632.93 (2), 632.93 (5), 632.96 (1), 753.06 (1) (a), 753.06 (2) (b), 753.06 (4) (e), 753.06 (6) (b), 753.06 (8) (a), 753.06 (10) (i), 767.265 (3h), 772.23 (2) (c), 939.32 (1) (b), 978.045, 978.05 (8) (b), 978.12 (5) (b) and (c) (intro.), 978.13 (1) (intro.) and (a) and 978.13 (2) (intro.); *to repeal and recreate* 20.143 (1) (d), 38.22 (5), 40.05 (4) (a), 46.40 (4) (7) (a), 79.03 (3) (b) 3, 111.81 (9) and 560.075 (2) (d); and *to create chapter* 457, 457.07 (5) (a), 457.07 (5) (b), 457.07 (5) (c), 457.07 (5) (d), 16.06, 16.20 (1) (em), 16.20 (2) (a), 16.20 (6) (b), 16.20 (7) (am), 16.72 (6), 16.995, 20.003 (5), 20.115 (4) (f), 20.143 (1) (bs), 20.143 (1) (dg) and (dh), 20.143 (1) (dp), 20.143 (2) (bm), 20.143 (3) (b), 20.192 (1) (g) 1m, 20.235 (1) (em), 20.235 (1) (fc), 20.255 (1) (ec), 20.255 (2) (ba), 20.255 (2) (bc), 20.255 (2) (bh), 20.255 (2) (bm), 20.255 (2) (bn), 20.255 (2) (cs), 20.255 (2) (ca), 20.255 (2) (fu), 20.292 (1) (fm), 20.370 (1) (a), 20.370 (2) (ae), 20.370 (4) (gb), 20.370 (4) (hc), 20.370 (4) (hr), 20.435 (1) (ak), 20.435 (1) (ao), 20.435 (1) (ch), 20.435 (1) (ce), 20.435 (7) (dg), 20.435 (7) (ge), 20.435 (7) (gb), 20.455 (2) (mb), 20.475 (1) (a), 20.505 (1) (b), 20.505 (1) (fe), 20.505 (4) (ds), 20.505 (4) (is), 20.835 (1) (c), 23.09 (22) (b), 23.16 (1m), 25.75 (3) (c) 2, 29.05 (1v), 29.093 (2) (i) 3, 29.38 (3) (c) 2, 29.99 (11p), 30.275 (2) (b), 38.28 (1) (b) and (c), 38.28 (6), 39.13 (3), 39.43, 39.45, 40.02 (17) (g), 40.02 (25) (a) 6, 40.02 (25) (b) 1m, 40.02 (25) (b) 12, 40.51 (14), 45.059, 46.27 (3) (b) 6, 46.27 (7) (a), 46.271 (3), 46.275 (5) (e), 46.277 (5) (d), 46.278 (6) (c), 46.32, 46.40 (1) (e) 2, 46.41, 46.43 (3) (c), 46.48 (2), 46.48 (8) (b), 46.485, 46.62, 46.78, 46.87 (3) (c) 5, 46.95 (1) (a) 5, 48.599, 48.60 (5), 48.67, 48.78 (2) (d), 48.982 (6) (am), 49.24 (2), 49.33 (6), 49.45 (2) (a) 20 and 21, 49.45 (2) (a) 22, 49.45 (6m) (a), 49.5 and 49.45 (6m) (b), 49.45 (6w), 49.45 (25) (a) 1 to 4, 49.45 (23), 49.45 (34), 49.46 (2) (b) 11, 49.468 (2), 49.47 (3) (c), 49.47 (9), 49.47 (9m), 49.50 (7) (g) 11 and 12, 49.50 (7) (gm) 1, 50.02 (5), 50.035 (5) and 61, 50.04 (2t), 51.03 (2), 51.30 (4) (b) 23, 51.64, 59.07 (108), 66.116, 66.183, 66.46 (4) (i), (j) and (k), 66.46 (4) (l), 66.46 (4) (m), 66.46 (5) (bm), 66.46 (5m), 70.113 (4), 70.114, 71.01 (6) (e), 71.05 (22) (dm), 71.22 (4) (e), 71.22 (4m) (c), 71.26 (2) (b) 5, 71.34 (1g) (e), 71.42 (2) (d), 71.54 (1) (d), 71.54 (2) (b) 3, 76.38 (5r), 79.01 (1), 79.05, 100.06 (1), (1g) (d) and (1m), 100.06 (2m), 100.06 (3) (c), 101.35 (1) (a) and (am), 101.35 (2) (d), 101.35 (7) (a) 3 and 4, 101.35 (7) (d) and (e), 101.35 (8) (b), 101.35 (10) (b) 5, 111.81 (1), 111.81 (2) (a), 111.83 (2) (e) 10 (g) and (2m), 111.83 (4) (b), 111.91 (3) (b), 115.28 (27), 115.745, 118.15 (1) (dm), 118.153 (4) (e), 119.20, 119.23, 120.13 (2) (dm), 121.05 (1) (a) 4, 121.10 (5), 121.105 (5), 121.86 (3m), 134.72 (1) (a) and (b), 134.72 (2) (a) (title) and (b), 140.03, 140.87, 144.24 (4) (d), 144.24 (8m), 144.241 (20) (d), 146.40, 146.022 (1) (dm), 146.022 (2) (c), 146.40 (1) (bt), 146.40 (2) (a), 146.40 (2) (bm), 146.40 (2) (em), 146.40 (2) (g), 146.40 (2) (h), 146.82 (2) (a) 15, 146.88, 146.90 (4m) (am), 150.31 (2m), 165.85 (2) (bc), 165.97 (4) (b) 5m, 7m, 12m and 16m, 185.981 (9), 192.73, 196.98, 196.858, 218.05 (14) (b) and (c), 237.01 (13) (2), 230.08 (2) (em), 230.08 (2) (jg), 234.82, 301.03 (3g), 304.02 (3) (e), 343.30 (6) (b) 1, 440.05 (3) (6m), 451.04 (2) (intro.), 560.075 (1) (ag), 560.075 (2) (e) and (f), 560.12, 560.18, 560.31, 562.01 (3m), 562.065 (3r), 601.475, 609.75, 614.10 (2) (c), 614.19 (3) (a), 623.15 (1) (a), 631.07 (3) (a) 3m, 632.896, 632.91, 940.20 (2m), 943.215, 968.01 (1), 968.01 (3), 978.045, 978.12 (5) (c) 3m and 5 and 978.12 (6) (b) of the statutes; and *to affect* 1989 Wisconsin Act 31, section 3040 (4n) (title), (a) and (b); 1989 Wisconsin Act 31, section 3040 (4n) (c); 1989 Wisconsin Act 31, section 3047; 1989 Wisconsin Act 31, section 3058 (1e) (c); 1989 Wisconsin Act 31, section 3058 (1e) (d); and 1989 Wisconsin Act 31, section 3202 (44) (dd), relating to: funding agricultural research and development; milk producer security; designation of additional development zones; the American Indian economic liaison

program; a loan to a manufacturing firm; ethnic group travel grants; tourism promotion; heritage tourism; a grant to a regional planning commission; grants to tribal and community relations committees; providing a municipal pool grant; establishing a business improvement loan guarantee program; cataloging Wisconsin veterans' memorials; exemptions from registration of certain securities; allocating a portion of the funds for the Wisconsin job opportunity business subsidy program to a federally recognized American Indian tribe or band; a loan to a bank holding company; a loan to the Spooner redevelopment authority; extending the Bradley center sports and entertainment corporation dissolution deadline; ~~free cigarette distribution; the sale of abandoned rail property; motor vehicle dealer license fees and examination costs and costs for community currency exchange, collection agency and insurance premium finance company investigations or examinations conducted by the commissioner of banking; garnishment fees; regulating facsimile solicitation; correctional services and youth aids; special action release to parole supervision; juvenile corrections; assistance for district attorneys in criminal investigations and prosecutions and various other changes affecting district attorneys and employes of the office of district attorney; increasing the number of circuit court branches; legal services related to the Chippewa treaties; the academic excellence higher education scholarships program; a bonus compensation plan for certain employes of the educational communications board; the instructional television fixed service system; the distribution schedule for state aid to school districts; increasing the debt service cost ceiling for state aid to school districts; state aid to school districts for merged attendance area programs; minimum aid, special adjustment aid, children-at-risk program aid and supplemental aid to school districts and aid to county handicapped children's education boards; requiring the state to pay for certain pupils who reside in a 1st class city to attend a nonsectarian private school; training teachers and developing curricula for primary and secondary education in geography; increasing aid for American Indian language and culture education programs in alternative schools; contracting for American Indian educational programs and services; grants for home school coordinators; independent student grants; providing for a telecommunications study; eliminating vocational, technical and adult education nonresident tuition for Wisconsin residents; providing educational programs and other services for individuals who have been or may be sanctioned under the learnfare program, the requirement that certain recipients of aid to families with dependent children who are 13 to 19 years of age attend school; eligible job applicants and qualified employers for the Wisconsin job opportunity program; the regulation of acupuncturists; the regulation of auctioneers and creating an auctioneers examining board; funding grants and allocations for provision of public health services and simplifying certain applications; medical assistance reimbursement for hospital indirect education costs; establishing a program for reduction of operating deficits of governmentally owned hospitals; establishing a statewide program of community-based clinical trials management of HIV infected persons; establishing a breast cancer screening program; training and competency requirements for nurse's assistants and home health aides; a tax rate disparities payment; aids in lieu of taxes; the property tax exemption for municipal property; publishers' nexus; shared revenue; payment of special assessments; community options program requirements as to noninstitutional community alternatives; establishing a program to provide care and treatment or services for severely emotionally disturbed children; the funding and provision of social, mental health, developmental disability and alcohol and other drug abuse services; county services related to child abuse and neglect; early childhood family education center grants; Wisconsin conservation corps board participation in human services activities; provision of certain dental services; training requirements for personal care workers; nurse practitioner services in the medical assistance program; medical assistance benefits; medical assistance eligibility for certain beneficiaries of long-term care insurance policies; medical assistance coverage of certain women and children; a system for assessing medical assistance recipients residing in certain facilities; eligibility of institutionalized individuals for certain medical assistance benefits; medical assistance reports; medical assistance coverage of medicare premiums for certain disabled individuals; reimbursement rates for nursing homes; providing information concerning the food stamp program, reporting under the food stamp program and applications for public assistance; the computer reporting network for income maintenance programs; publication of a consumer guide for motor vehicle insurance; premium subsidies for certain persons with acquired immunodeficiency syndrome; mandatory health insurance coverage of adopted children and reimbursement of insurers for coverage of certain preexisting conditions; modifying a pilot project under the state health insurance program; insurance for fraternal employes; calculating shared revenue payments for municipalities located in more than one county and increasing the total amount of shared revenue to be distributed in 1991 and thereafter; increasing payments for municipal services; repayment of point source pollution abatement grants; conservation work projects for American Indian youth who are members of Wisconsin Chippewa tribes or bands; the authority of wardens of the department of natural resources to arrest persons for violations of tribal conservation codes; the spearfishing law enforcement aid program and state agency costs for spearfishing; drug law enforcement; recertification training for law enforcement and jail officers; a lake level control program; authorizing levels of transition loan commitments under the clean water fund; the period within which winnings on a race on which pari-mutuel wagering is conducted must be~~

**Vetoed  
in Part**

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~~claimed and within which particular taxes and certain other payments must be paid; advancing certain moneys that will be received by the racing board for the payment of county fair premiums; a lottery fund minimum balance and declaring the legislature's intent regarding the use of lottery proceeds; receipt of disbursements by persons withholding payments under a notice of assignment; information and assistance to American Indians; creating a relay service board, providing telecommunications relay service to speech-impaired and hearing-impaired persons and creating a credit against telecommunication license fees; procedures, financing and state funding sources concerning tax incremental financing districts; adopting the internal revenue code for state tax purposes; increasing the homestead credit maximum income and maximum eligible property taxes; the distribution of lottery proceeds; creating a new category in the standard income tax deduction for heads of households; allowing pipeline companies and conservation and regulation companies to pay their utility taxes in instalments; the use of state or federal funds for certain highway projects; motor vehicle operating privilege suspension for certain juvenile offenses; operating a motor vehicle after revocation or suspension of a person's operating privilege; providing for attorney general participation in a federal action; authorized positions, salary regrades, modernization of office systems and reimbursement of private attorneys and annual trial caseload standards under the state public defender program; a park in the city of La Crosse; dam maintenance and repair; designating a portion of the Rock river a scenic urban waterway; the purchase of easements for nonpoint source water pollution abatement; reward payments; making criminal complaints using facsimile machines; including treatment in alcohol and other drug abuse programs for American Indians; increasing rates for medical assistance personal care services; requiring the department of health and social services to submit reports concerning certain information about medical assistance-certified facilities; community options program administration; prohibiting requiring prior authorization for provision of certain medical assistance services; prohibiting requiring prior authorization for provision of certain medical assistance services and requiring utilization review and peer review; requiring identification and removal of barriers to provision of personal care under the medical assistance program; salaries of certain executive positions in the university of Wisconsin system; increasing the statewide nursing home bed limit; snowmobile gas tax funds; the wildlife damage claim program; law enforcement training for conservation wardens; purchase of forage fish and walleye; cooperative wildlife management projects; harming black bears; providing for a study; the issuance of deer hunting licenses to residents who become 12 years old during a firearm deer hunting season; battery to a probation and parole agent; county authority to regulate places of amusement; clam buyer licenses and assistant clam buyer licenses; making university of Wisconsin system faculty and academic staff eligible for state contribution toward group health insurance premiums on the first day of the month immediately after being hired; reporting and investigating certain deaths in certain facilities; making exceptions to certain patient health care record confidentiality requirements; establishing torture assessment procedures; providing penalties; granting rule-making authority; and making appropriations.~~

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

SECTION 1. 13.101 (6) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

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

which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

~~SECTION 2. 15.07 (5) (x) of the statutes is created to read:~~

~~15.07 (5) (x) Members of the relay service board, \$25 per day.~~

~~SECTION 3. 15.105 (22) of the statutes is created to read:~~

~~15.105 (22) RELAY SERVICE BOARD. (a) Creation. There is created a relay service board attached to the department of administration under s. 15.04.~~

~~(b) Members. The board shall consist of the following members:~~

**Vetoed  
in Part**



Vetoed  
in Part

1. Four members who use telecommunications relay service, consisting of one member who is speech impaired, one member who is hearing impaired, one member who is speech and hearing impaired, and one member who does not have a speech or hearing impairment, to serve 3-year terms.

2. Five members consisting of one representative of the Wisconsin association of the deaf, one representative of Wisconsin telecommunications, inc., one representative of the Wisconsin state telephone association, one representative of a local exchange telecommunications utility, and one representative of an inter-exchange telecommunications utility doing business in this state, to serve 3-year terms.

3. Two members consisting of one representative to the assembly and one senator who are designated in the same manner that members of the standing committees in their respective houses are appointed.

Vetoed  
in Part

SECTION 3m. 15.405 (3) of the statutes is created to read:

15.405 (3) AUCTIONEERS EXAMINING BOARD. There is created in the department of regulation and licensing an auctioneers examining board consisting of 6 members appointed for 4-year terms. Four members shall be auctioneers licensed under ch. 457 and 2 members shall be public members.

SECTION 4. 16.06 of the statutes is created to read:

**16.06 American Indian assistance.** The department shall provide information and assistance to American Indians in this state with respect to problems or issues of concern to the American Indian community.

Vetoed  
in Part

SECTION 4c. 16.20 (1) (cm) of the statutes is created to read:

16.20 (1) (cm) "Human services activity" means an activity which promotes the social well-being of children, the elderly, persons with physical or developmental disabilities or persons with low incomes.

SECTION 4d. 16.20 (1) (d) of the statutes is amended to read:

16.20 (1) (d) "In-kind services and materials" includes services such as training, supervision, administration, transportation, insurance liability coverage and similar services and materials such as supplies, fuel, tools, equipment, safety equipment and other materials for a conservation project.

SECTION 4e. 16.20 (2) (b) of the statutes is amended to read:

16.20 (2) (b) *Conservation.* Conserving, developing, enhancing or maintaining the natural resources of this state through the implementation of conservation projects which have a long-term beneficial impact on the environment.

SECTION 4f. 16.20 (2) (d) of the statutes is created to read:

16.20 (2) (d) *Human services.* Promoting the social well-being of children, the elderly, persons with physical or development disabilities and persons with low

incomes through the implementation of projects that include human services activities.

Vetoed  
in Part

SECTION 4g. 16.20 (3) and (4) (b) of the statutes are amended to read:

16.20 (3) PROGRAM RESPONSIBILITY AND COORDINATION. The board is the policy-making body responsible for the Wisconsin conservation corps program and shall establish guidelines for this program. The board may delegate responsibility for administration, implementation of conservation projects, corps enrollee employment and supervision, project coordination and other details of the program to the executive secretary or other staff of the board. The department shall assist the board in payroll, accounting and related management functions.

(4) (b) *Staff.* The board shall employ staff within the classified service which is necessary to administer the Wisconsin conservation corps program, including staff to coordinate, supervise and implement conservation projects, to recruit and train corps enrollees and to provide administrative, typing and clerical services. The department shall provide staff within the classified service which is necessary to provide for payroll, accounting and related management functions associated with the Wisconsin conservation corps program.

SECTION 4h. 16.20 (5) (title) and (a) of the statutes are amended to read:

16.20 (5) (title) APPLICATION FOR PROJECT APPROVAL. (a) *Eligible sponsors.* The federal government, a state agency, local unit of government or non-profit organization may apply to the board for approval of a conservation project.

SECTION 4i. 16.20 (5) (b), (c) (intro.) and (d) of the statutes are amended to read:

16.20 (5) (b) *Eligible projects.* In order to qualify as an approved conservation project, the project is required to provide employment opportunities and to be a conservation activity consist of conservation activities or human services activities or both. If the sponsor is a nonprofit organization, the project is required to serve a valid public purpose in order to qualify as an approved conservation project.

(c) *Sponsor's application.* (Intro.) In order to qualify as an approved conservation project, the sponsor is required to submit in the application:

(d) *Local government sponsors.* The board and department shall encourage local units of government to apply for the approval of conservation projects and shall provide assistance and information to facilitate these applications.

SECTION 4j. 16.20 (6) (intro.) of the statutes is amended to read:

16.20 (6) (title) GUIDELINES FOR PROJECT APPROVAL. (intro.) The board shall establish guidelines to be used in selecting conservation projects for approval. These guidelines shall include:

SECTION 4k. 16.20 (6) (bm) of the statutes is created to read:

Vetoed  
in Part

~~16.20(6)(bm) Human services. The extent to which the project will promote the social well-being of children, the elderly, persons with physical or developmental disabilities and persons with low incomes. The guidelines shall give priority to projects providing services to children and the elderly.~~

~~SECTION 4L. 16.20 (7) of the statutes is amended to read:~~

~~16.20 (7) (title). PROJECT FUNDING. (a) (title) Conservation activities, appropriations. Moneys appropriated under s. 20.399 (1) (j), (m) and (q) may be utilized for conservation projects activities as authorized under these appropriations.~~

~~(b) Other state agency appropriations. A state agency may utilize moneys from any appropriation for that agency to sponsor a conservation project if implementation of the conservation project is consistent with any purpose for which the moneys are appropriated.~~

~~SECTION 4m. 16.20 (7) (am) of the statutes is created to read:~~

~~16.20 (7) (am). Human services activities, appropriations. Moneys appropriated under s. 20.399 (1) (a), (j) and (m) may be utilized for human services activities as authorized under these appropriations.~~

~~SECTION 4n. 16.20 (8) (title) and (d) to (L) of the statutes are amended to read:~~

~~16.20 (8) (title). ADMINISTRATION; PROJECT APPROVAL; WORK PLANS; IMPLEMENTATION; ENROLLEE SUPERVISION.~~

~~(d) Approval. Conservation projects. Projects shall be selected and approved by the board based on guidelines established under sub. (6).~~

~~(e) Complete project cost estimate. Prior to approval of a conservation project, the executive secretary shall prepare and submit to the board a complete project cost estimate. This estimate shall include a summary of all anticipated costs resulting from the implementation of the project.~~

~~(f) Detailed work plan. Prior to approval of a conservation project, the executive secretary shall prepare and submit to the board a detailed work plan specifying the nature, scope and duration of the project, the number of corps enrollees; training, supervisory, administrative and other service requirements; supply, fuel, tool, equipment, safety equipment and other material requirements; time schedules; and other details relating to the implementation of the project.~~

~~(g) Responsibility agreement. Prior to approval of a conservation project, the executive secretary shall prepare and submit to the board a responsibility agreement which incorporates the complete project cost estimate and detailed work plan and specifies in detail the responsibilities of the sponsor and the board with respect to the project.~~

~~(i) Signing of responsibility agreement. A conservation project is not authorized and may not be imple-~~

~~mented until the sponsor and the board sign the responsibility agreement.~~

~~(j) Implementation. Except as provided in a responsibility agreement, the board is responsible for the implementation of an authorized conservation project. The board may delegate to a sponsor responsibility for implementing various aspects of a conservation project in the responsibility agreement.~~

~~(k) Enrollee supervision. The board is responsible for the overall supervision and control of corps enrollees. The board may delegate to a sponsor responsibility for enrollee recruitment, training and supervision and for administrative services to be provided for a conservation project in the responsibility agreement.~~

~~(L) Project coordination. The board is responsible for the coordination of work activities related to various conservation projects in the same area.~~

~~SECTION 4o. 16.20 (9) (b) of the statutes is amended to read:~~

~~16.20 (9) (b) Education and training. The board shall facilitate arrangements with local schools and institutions of higher education for academic study by corps enrollees during nonworking hours to upgrade literacy skills, obtain equivalency diplomas or college degrees or enhance employable employment skills. The board shall encourage the development of training programs for corps enrollees for use during time periods when circumstances do not permit work on a conservation project.~~

~~SECTION 4p. 16.20 (10) (h) of the statutes is amended to read:~~

~~16.20 (10) (h) Helmets, footwear, safety equipment. The board shall provide each corps enrollee working on a conservation activity with a safety helmet displaying a Wisconsin conservation corps emblem. The board shall require each corps enrollee to have adequate protective footwear, if needed for the project, and may partially reimburse corps enrollees for the cost of obtaining this footwear. The board shall ensure that all other necessary safety equipment is provided for each corps enrollee working on a conservation project.~~

~~SECTION 4q. 16.20 (12) (c) of the statutes is amended to read:~~

~~16.20 (12) (c) Hiring procedure. The board shall develop procedures for the hiring of corps enrollees in cooperation with the department of industry, labor and human relations. The board shall utilize any appropriate local job service office in the area of a conservation project to distribute applications, conduct interviews and evaluate applicants and make recommendations concerning the hiring of corps enrollees. The board may utilize project sponsors who are sponsoring long-term conservation projects to conduct interviews, evaluate applicants and make recommendations concerning the hiring of corps enrollees.~~

Vetoed  
in Part

Vetoed  
in Part

~~SECTION 4r. 16.20 (13) (a) of the statutes is amended to read:~~

~~16.20 (13) (a) Enrollment period. The normal enrollment period for a corps member who is not promoted to assistant crew leader is one year. The normal enrollment period for a corps member who is promoted to assistant crew leader or for a person who is hired as assistant crew leader is 2 years. The board may authorize the employment of a corps member or assistant crew leader beyond the normal enrollment period for a limited time, not to exceed 3 months, under special circumstances where continued employment is required in order to complete a conservation project in progress. The normal enrollment period for a crew leader is 2 years. The board may extend the employment of a crew leader beyond the normal enrollment period if the crew leader possesses special experience, training or skills valuable to the program.~~

~~SECTION 4rg. 16.50 (1) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255 (2) (ac), (ad) and (e), 20.835 and 20.865 (4).~~

~~SECTION 4rm. 16.52 (10) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the appropriations appropriation under s. 20.255 (2) (ac), (ad) and (e).~~

~~SECTION 5. 16.72 (6) of the statutes is created to read:~~

~~16.72 (6) The department shall prepare a request for proposals based on the recommendations of the legislative council special committee on community aids to measure the statewide needs for services funded under s. 20.435 (7) (b). The department shall select a proposal and, no later than June 30, 1992, notify in writing the joint committee on finance of that selection and include with that notification a copy of the proposal. The department may enter into an agreement with the person that submitted the proposal if within 14 working days after receipt of the notification the committee does not schedule a meeting for the purpose of reviewing the proposal. If the committee schedules a meeting for the purpose of reviewing the proposal, the department may not enter into the agreement unless the committee approves. The department may not expend more than the amount appropriated in s. 20.505 (1) (bk) under this subsection.~~

~~SECTION 5m. 16.84 (5) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~16.84 (5). Have responsibility, subject to approval of the governor, for all functions relating to the leasing, acquisition, allocation and utilization of all real property by the state, except where such responsibility~~

Vetoed  
in Part

Vetoed  
in Part

~~is otherwise provided by the statutes. The department shall lease or acquire office space for legislative offices or legislative service agencies, at the direction of the joint committee on legislative organization. The department shall not lease or acquire any state office facility in the city of Madison after the effective date of this subsection ... [revisor inserts date], unless the department first provides for that facility or another facility that is leased, acquired or constructed after the effective date of this subsection ... [revisor inserts date], to contain suitable space for a day care center, having a capacity of at least 130 children, primarily for use by children of state employees.~~

~~SECTION 5n. 16.85 (1) of the statutes is amended to read:~~

~~16.85 (1) To take charge of and supervise all engineering or architectural services or construction work as defined in s. 16.87 performed by, or for, the state, or any department, board, institution, commission or officer thereof, including nonprofit-sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the engineering, architectural and construction work of the department of transportation and the engineering service performed by the department of industry, labor and human relations, department of revenue, public service commission, department of health and social services and other departments, boards and commissions when the service is not related to the maintenance, construction and planning of the physical properties of the state; The department shall not authorize construction work for any state office facility in the city of Madison after the effective date of this subsection ... [revisor inserts date], unless the department first provides for that facility that is leased, acquired or constructed after the effective date of this subsection ... [revisor inserts date], to contain suitable space for a day care center, having a capacity of at least 130 children, primarily for use by children of state employees.~~

~~SECTION 6. 16.995 of the statutes is created to read:~~

~~16.995 Telecommunications relay service. (1) DEFINITIONS. In this section:~~

- ~~(a) "Board" means the relay service board.~~
- ~~(b) "Telecommunications relay service" means a telecommunications service that permits a speech-impaired or hearing-impaired person to communicate with another person.~~
- ~~(c) "Telecommunications service" has the meaning given in s. 196.01 (9m).~~

~~(2) DUTIES. The board shall do all of the following:~~

- ~~(a) Promulgate rules under sub. (3) establishing functional requirements for telecommunications relay service.~~
- ~~(b) Establish, or authorize by contract the establishment of, statewide telecommunications relay ser-~~

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

**Vetoed  
in Part**

vice, with statewide telecommunications relay service to be available no later than January 1, 1992.

(c) Inform the public of the availability of telecommunications relay service.

(3) **RULES.** After consultation with the public service commission, the board shall promulgate rules that do all of the following:

(a) Establish functional requirements and operational procedures for telecommunications relay service.

(b) Require that telecommunications relay service be available 24 hours a day, 7 days a week.

(c) Require that users of telecommunications relay service pay rates that are no greater than the rates for functionally equivalent voice telecommunications service.

(d) Prohibit telecommunications relay service operators from refusing calls or limiting the length of calls.

(e) Prohibit telecommunications relay service operators from disclosing the content of calls or from keeping records of the content of a call beyond the duration of the call.

(f) Prohibit telecommunications relay service operators from intentionally altering the content of a call.

SECTION 8. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

			<u>1989-90</u>	<u>1990-91</u>
<b>20.115</b>	<b>Agriculture, trade and consumer protection, department of</b>			
(4)	AGRICULTURAL ASSISTANCE			
(f)	Premium aids to county and district fairs	GPR B	175,000	-0-
<b>20.143</b>	<b>Development, department of</b>			
(1)	ECONOMIC AND COMMUNITY DEVELOPMENT			
(bs)	Supplemental state aid	GPR A	-0-	35,074,200
(dg)	American Indian economic liaison program	GPR A	-0-	55,000
(dh)	American Indian economic liaison program; grants	GPR A	-0-	33,500
(dp)	Tribal and community relations committee grants	GPR B	-0-	110,000
(2)	<del>TOURISM DEVELOPMENT AND PROMOTION</del>			
(bn)	<del>Heritage tourism program</del>	<del>GPR A</del>	<del>62,000</del>	<del>189,000</del>
(br)	<del>Ethnic group travel grants</del>	<del>GPR A</del>	<del>7,500</del>	<del>7,500</del>
<b>20.235</b>	<b>Higher educational aids board</b>			
(1)	STUDENT SUPPORT ACTIVITIES			
(em)	Health care providers loan forgiveness program	GPR B	-0-	-0-
(fc)	Independent student grants program	GPR B	-0-	200,000
<b>20.255</b>	<b>Public instruction, department of</b>			

**Vetoed  
in Part**

(g) Require telecommunications relay service operators to receive training relating to problems faced by speech-impaired or hearing-impaired persons using telecommunications relay service.

(4) **CONTRACTS.** The board may enter into a contract for the provision of all or a portion of statewide telecommunications relay service.

SECTION 7. 20.003 (5) of the statutes is created to read:

20.003 (5) **REQUIRED LOTTERY FUND BALANCE.** (a) Beginning on the date of introduction of the 1991-93 biennial budget bill, the legislature may not enact any bill directly or indirectly affecting the lottery fund under s. 25.75 if the bill would cause the estimated lottery fund balance on June 30 of any fiscal year, as projected under s. 20.005 (1), to be less than 3.5% of the estimated gross lottery revenues, as defined in s. 25.75 (1) (b), for that fiscal year, as projected under s. 20.005 (1).

(b) Beginning with the summary under s. 20.005 (1) that is included in the 1991-93 biennial budget bill, the summary under s. 20.005 (1) shall separately list estimated lottery fund balances and estimated gross lottery revenues, as defined in s. 25.75 (1) (b).

**Vetoed  
in Part  
Vetoed  
in Part  
Vetoed  
in Part**

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(1)	EDUCATIONAL LEADERSHIP						
(ec)	Wisconsin geography alliance	GPR	A	-0-		50,000	
(2)	AIDS FOR LOCAL						
	EDUCATIONAL PROGRAMMING						
(ba)	Special adjustment aids	GPR	A	-0-		1,435,000	
(bc)	Aid for children-at-risk programs	GPR	A	-0-		3,500,000	
(bh)	Aid to county handicapped children's education boards	GPR	A	-0-		1,040,000	
(bm)	Minimum state aid	GPR	A	-0-		14,915,000	
(bn)	Merged attendance area aid	GPR	A	-0-	500,000	350,000	Vetoed in Part
(cs)	Home school coordinators	GPR	A	-0-		60,000	
(el)	Educational programs for learnfare pupils	GPR	A	-0-		600,000	Vetoed in Part
<b>20.292</b>	<b>Vocational, technical and adult education, board of</b>						
(1)	VOCATIONAL, TECHNICAL AND ADULT EDUCATION						
(fm)	Supplemental aid	GPR	A	-0-		1,500,000	
<b>20.370</b>	<b>Natural resources, department of</b>						
(1)	RESOURCE MANAGEMENT						
(db)	Water resources--Fox river management; testing; general fund	GPR	A	-0-		70,000	Vetoed in Part
(2)	ENVIRONMENTAL STANDARDS						
(ae)	Water resources management--lake level control program	GPR	C	62,500		-0-	
(4)	LOCAL SUPPORT						
(gb)	Wildlife damage claims--general fund	GPR	A	1,100,000		-0-	
(hc)	Indian youth program--state funds	GPR	A	-0-		20,000	
(hr)	Indian youth program--conservation fund	SEG	A	-0-		20,000	
<b>20.435</b>	<b>Health and social services, department of</b>						
(1)	HEALTH SERVICES PLANNING, REGULATION AND DELIVERY						
(ak)	Continuation coverage premium subsidies	GPR	B	-0-		200,000	
(ao)	Clinical trials program grant	GPR	A	-0-		150,000	
(ch)	Public health aids	GPR	A	-0-		6,800,000	
(7)	COMMUNITY SERVICES; AIDS AND LOCAL ASSISTANCE						
(dg)	Services for learnfare pupils	GPR	A	-0-		500,000	Vetoed in Part
(dd)	Food stamp outreach	GPR	A	-0-	20,000	250,000	Vetoed in Part
(fe)	Preexisting condition reimbursements	GPR	B	-0-		95,000	Vetoed in Part
<b>20.475</b>	<b>District attorneys</b>						
(1)	DISTRICT ATTORNEYS						
(d)	Acting district attorneys	GPR	A	-0-	25,000	75,000	Vetoed in Part
<b>20.505</b>	<b>Administration, department of</b>						



(1) SUPERVISION AND MANAGEMENT

<del>(dk) Human services needs assessment contract</del>	<del>GPR C</del>	<del>-0-</del>	<del>150,000</del>	<b>Vetoed in Part</b>
(fe) Mount Senario college contract	GPR A	-0-	50,000	

(4) ATTACHED DIVISIONS, BOARDS AND COMMISSIONS

(ds) Relay service board	GPR A	2,000	54,200	<b>Vetoed</b>
(is) Relay service board	PR A	-0-	-0-	<b>in Part</b>

SECTION 9. 20.115 (4) (c) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

20.115 (4) (c) *Research and development grants.* ~~The~~ Biennially, the amounts in the schedule for agricultural research and development grants under s. 93.46 (2).

SECTION 9c. 20.115 (4) (f) of the statutes is created to read:

20.115 (4) (f) *Premium aids to county and district fairs.* Biennially, the amounts in the schedule to provide state aids to counties and agricultural societies, associations or boards and to incorporated dairy or livestock associations for the payment of premiums under s. 93.23.

SECTION 9m. 20.143 (1) (bs) of the statutes is created to read:

20.143 (1) (bs) *Supplemental state aid.* The amounts in the schedule for payments to school districts under s. 560.18, which are calculated under s. 121.085.

SECTION 10. 20.143 (1) (d) of the statutes 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, for grants and loans under s. 560.66 ~~and~~, for loans under 1987 Wisconsin Act 399, section 3016 (4m), for loans under 1989 Wisconsin Act .... (this act), section 3015 (1m), for loans under 1989 Wisconsin Act .... (this act), section 3015 (2m) and for loans under 1989 Wisconsin Act .... (this act), section 3015 (3gx).

SECTION 11. 20.143 (1) (d) of the statutes, as affected by 1989 Wisconsin Act 31, 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 1989 Wisconsin Act .... (this act), section 3015 (1m), for loans under 1989 Wisconsin Act .... (this act), section 3015 (2m) and for loans under 1989 Wisconsin Act .... (this act), section 3015 (3gx).

SECTION 12. 20.143 (1) (d) of the statutes, as affected by 1989 Wisconsin Acts 31 and .... (this act), is repealed and recreated 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.

SECTION 13. 20.143 (1) (dg) and (dh) of the statutes are created to read:

20.143 (1) (dg) American Indian economic liaison program. The amounts in the schedule for the American Indian economic liaison program under s. 560.075, other than for grants under s. 560.075 (2) (f).

(dh) *American Indian economic liaison program: grants.* The amounts in the schedule for the grants under s. 560.075 (2) (f).

SECTION 14g. 20.143 (1) (dm) of the statutes is amended to read:

20.143 (1) (dm) *Grants to regional planning commissions.* Biennially, the amounts in the schedule for grants to regional planning commissions under ~~1987 1989 Wisconsin Act 27.... (this act), section 3016 (4g).~~ No funds may be encumbered under this paragraph after June 30, 1989 3015 (5m).

SECTION 14h. 20.143 (1) (dm) of the statutes, as affected by 1989 Wisconsin Act .... (this act), is repealed.

SECTION 14i. 20.143 (1) (dp) of the statutes is created to read:

20.143 (1) (dp) *Tribal and community relations committee grants.* Biennially, the amounts in the schedule for grants under s. 560.12. This paragraph does not apply after June 30, 1993.

SECTION 15. 20.143 (1) (ie) of the statutes is amended to read:

20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., ~~and~~ subch. ~~IV V~~ of ch. 560, 1989 Wisconsin Act .... (this act), section 3015 (1m), 1989 Wisconsin Act .... (this act), section 3015 (2m) and 1989 Wisconsin Act .... (this act), section 3015 (3gx), to be used for grants and loans under subch. ~~IV V~~ of ch. 560.

~~SECTION 15g. 20.143 (2) (bm) of the statutes is created to read:~~

~~20.143 (2) (bm) *Heritage tourism program.* The amounts in the schedule to establish and operate the heritage tourism program under s. 560.31.~~

~~SECTION 15k. 20.143 (2) (br) of the statutes is created to read:~~

**Vetoed in Part**

**Vetoed in Part**

**Vetoed in Part**

**Vetoed in Part**



**Vetoed  
in Part**

~~20.143 (2) (br) *Ethnic group travel grants.* The amounts in the schedule for grants to ethnic groups under 1989 Wisconsin Act ... (this act), section 30.15 (hdp).~~

~~SECTION 15L. 20.143 (2) (br) of the statutes, as created by 1989 Wisconsin Act ... (this act), is repealed.~~

SECTION 15m. 20.192 (1) (g) l of the statutes is amended to read:

20.192 (1) (g) l. An amount equal to \$750,000 shall be transferred to the appropriation under s. 20.115 (4) (g), except as provided in subd. 1m.

SECTION 15n. 20.192 (1) (g) 1m of the statutes is created to read:

20.192 (1) (g) 1m. The first \$175,000 available to be transferred under subd. 1 shall be deposited into the general fund until the total amount deposited under this subdivision in all fiscal years equals \$175,000. Any amounts transferred under subd. 1 shall be reduced by the amount transferred under this subdivision in the same fiscal year.

SECTION 15p. 20.235 (1) (em) of the statutes is created to read:

20.235 (1) (em) *Health care providers loan forgiveness program.* Biennially, the amounts in the schedule for loan repayments under s. 39.43.

SECTION 15q. 20.235 (1) (fc) of the statutes is created to read:

20.235 (1) (fc) *Independent student grants program.* Biennially, the amounts in the schedule for the independent student grants program under s. 39.45.

SECTION 16. 20.255 (1) (ec) of the statutes is created to read:

20.255 (1) (ec) *Wisconsin geography alliance.* The amounts in the schedule for payments to the Wisconsin geography alliance under s. 115.28 (27). No money may be encumbered from the appropriation under this paragraph after June 30, 1993.

SECTION 17. 20.255 (2) (ac) of the statutes, as affected by 1989 Wisconsin Act 31, 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 under ss. 121.08 and 121.09 and subch. VI of ch. 121.

SECTION 18m. 20.255 (2) (ad) of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

SECTION 18n. 20.255 (2) (an) of the statutes is repealed.

SECTION 19. 20.255 (2) (ba) of the statutes is created to read:

20.255 (2) (ba) *Special adjustment aids.* The amounts in the schedule for special adjustment aids under s. 121.105.

SECTION 20. 20.255 (2) (bc) of the statutes is created to read:

20.255 (2) (bc) *Aid for children-at-risk programs.* The amounts in the schedule for aid for children-at-risk programs under s. 118.153.

SECTION 21. 20.255 (2) (bh) of the statutes is created to read:

20.255 (2) (bh) *Aid to county handicapped children's education boards.* The amounts in the schedule for aid to county handicapped children's education boards under s. 121.135.

SECTION 22. 20.255 (2) (bm) of the statutes is created to read:

20.255 (2) (bm) *Minimum state aid.* The amounts in the schedule for minimum state aid under s. 121.10.

~~SECTION 23. 20.255 (2) (bn) of the statutes is created to read:~~

~~20.255 (2) (bn) *Merged attendance area aid.* The amounts in the schedule for merged attendance area aid under s. 121.86 (3m) (a) 2 and (b) 2.~~

SECTION 24. 20.255 (2) (cs) of the statutes is created to read:

20.255 (2) (cs) *Home school coordinators.* The amounts in the schedule for home school coordinators under s. 115.745.

~~SECTION 24m. 20.255 (2) (el) of the statutes is created to read:~~

~~20.255 (2) (el) *Educational programs for learning pupils.* The amounts in the schedule to provide educational programs for learning pupils under s. 119.20. No money may be encumbered from the appropriation under this paragraph after June 30, 1991.~~

SECTION 25. 20.255 (2) (fu) of the statutes is created to read:

20.255 (2) (fu) *Milwaukee parental choice program.* A sum sufficient to make the payments to private schools under s. 119.23 (4).

SECTION 26m. 20.255 (2) (q) of the statutes, as affected by 1989 Wisconsin Act 31, is repealed.

SECTION 27. 20.255 (2) (t) of the statutes is amended to read:

20.255 (2) (t) *School aids from the badger fund.* From the badger fund, 50% of the interest on moneys in that fund for the payment of educational aids provided in subch. II of ch. 121 under ss. 121.08 and 121.09.

SECTION 27m. 20.292 (1) (fm) of the statutes is created to read:

20.292 (1) (fm) *Supplemental aid.* The amounts in the schedule for supplemental aid to vocational, technical and adult education districts under s. 38.28 (6).

~~SECTION 27r. 20.370 (1) (db) of the statutes is created to read:~~

~~20.370 (1) (db) *Water resources - Fox river management; testing; general fund.* From the general fund, the amounts in the schedule for sampling and testing sediments from the Fox river and Lake Winnebago. No moneys may be encumbered under this paragraph after June 30, 1989.~~

**Vetoed  
in Part**

**Vetoed  
in Part**

**Vetoed  
in Part**

SECTION 28. 20.370 (2) (ae) of the statutes is created to read:

20.370 (2) (ae) *Water resources management — lake level control program.* As a continuing appropriation, the amounts in the schedule for the lake level control program under s. 144.255.

SECTION 29. 20.370 (3) (ma) of the statutes is amended to read:

20.370 (3) (ma) *General program operations — state funds.* From the general fund, the amounts in the schedule for regulatory and enforcement operations under chs. 30, 31, 144, 147 and 162 and ss. 59.971, 59.974, 61.351, 61.354, 62.231, 62.234 and 87.30, for reimbursement of the conservation fund for expenses incurred for actions taken under s. 166.04 ~~and~~; for review of environmental impact requirements under ss. 1.11 and 23.40; and for enforcement of the treaty-based, off-reservation rights to fish, hunt and gather held by members of federally recognized American Indian tribes or bands.

SECTION 29b. 20.370 (4) (ea) of the statutes is amended to read:

20.370 (4) (ea) *Aids in lieu of taxes.* From the general fund, a sum sufficient to pay aids to municipalities for state lands under ~~s.~~ ss. 70.113 and 70.114.

SECTION 29d. 20.370 (4) (ga) of the statutes is amended to read:

20.370 (4) (ga) *Enforcement aids — spearfishing enforcement.* As a continuing appropriation from the general fund, the amounts in the schedule to make payments to counties and municipalities under s. 29.599 to reimburse them for certain law enforcement costs associated with spearfishing. On June 30 of each year, the unencumbered balance shall be transferred to the drought assistance and development loan fund under s. 234.92.

SECTION 29m. 20.370 (4) (gb) of the statutes is created to read:

20.370 (4) (gb) *Wildlife damage claims — general fund.* From the general fund, the amounts in the schedule to provide state aid to make wildlife damage claim payments under s. 29.598 (7) (d) for calendar year 1989.

SECTION 30. 20.370 (4) (gk) of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

SECTION 31. 20.370 (4) (hb) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

20.370 (4) (hb) *Youth and education programs — state funds.* From the general fund, the amounts in the schedule for department education programs, for the construction and operation of youth conservation camps under s. 23.09 (23) and for conservation work projects under s. 23.09 (22) (a).

SECTION 32. 20.370 (4) (hc) of the statutes is created to read:

20.370 (4) (hc) *Indian youth program — state funds.* From the general fund, the amounts in the schedule for conservation work projects under s. 23.09 (22) (b).

SECTION 33. 20.370 (4) (hq) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

20.370 (4) (hq) *Youth and education programs — conservation fund.* From the conservation fund, the amounts in the schedule for department education programs, for the operation of youth conservation camps under s. 23.09 (23) and for conservation work projects under s. 23.09 (22) (a).

SECTION 34. 20.370 (4) (hr) of the statutes is created to read:

20.370 (4) (hr) *Indian youth program — conservation fund.* From the conservation fund, the amounts in the schedule for conservation work projects under s. 23.09 (22) (b).

~~SECTION 34m. 20.399 (1) (j) of the statutes is amended to read:~~

~~20.399 (1) (j) *Corps enrollee compensation and support, sponsor contribution.* All moneys received under agreements entered into under s. 16.20 (8) (i) with local units of government and nonprofit organizations, except moneys appropriated under sub. (2) (i), for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.~~

~~SECTION 34n. 20.399 (1) (k) of the statutes is amended to read:~~

~~20.399 (1) (k) *Corps enrollee compensation and support, service funds.* All moneys received under agreements entered into under s. 16.20 (8) (i) with state agencies, except moneys appropriated under sub. (2) (k), for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.~~

~~SECTION 34o. 20.399 (1) (m) of the statutes is amended to read:~~

~~20.399 (1) (m) *Corps enrollee compensation and support, federal funds.* All moneys received from the federal government as authorized under s. 16.54 from federal assistance for conservation projects including the payment of any corps enrollee compensation as specified in that assistance and all moneys received under agreements entered into under s. 16.20 (8) (i) with the federal government, except moneys received from these agreements which are appropriated under sub. (2) (m) for the payment of the federal government's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee com-~~

Vetoed  
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in Part

compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 34p. 20.399 (1) (g) of the statutes is amended to read:

20.399 (1) (g) *Corps enrollee compensation and support conservation fund.* As a continuing appropriation, from the conservation fund, the amounts in the schedule for the payment of corps enrollee compensation and for the payment of other costs for conservation projects activities if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 34q. 20.399 (1) (r) of the statutes is amended to read:

20.399 (1) (r) *Corps enrollee compensation and support transportation fund.* As a continuing appropriation, from the transportation fund, the amounts in the schedule for the payment of corps enrollee compensation and for the payment of other costs for conservation projects if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 35. 20.435 (1) (ak) of the statutes is created to read:

20.435 (1) (ak) *Continuation coverage premium subsidies.* Biennially, the amounts in the schedule to make premium payments under s. 146.88.

SECTION 36. 20.435 (1) (ao) of the statutes is created to read:

20.435 (1) (ao) *Clinical trials program grant.* The amounts in the schedule for a grant under s. 146.022 (2) (c).

SECTION 37. 20.435 (1) (b) of the statutes, as affected by 1989 Wisconsin Acts 31 and 53, is amended to read:

20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to fund the pilot project under s. 46.27 (9) and (10), to provide benefits under ss. 46.268 and 146.90 (4m) (a) 3 and to make additional payments for services under 1989 Wisconsin Act 53, section 2 (1) (b). Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under sub. (7) (b) funds for the purposes specified under ss. 46.266 and 49.45 (6g) and, the department may transfer from this appropriation to the appropriation under sub. (7) (bc) funds for the purposes specified under s. 46.268 and the department may transfer from this appropriation to the appropriation under sub. (7) (gb) funds in the amount of and for the purposes specified in s. 46.485 (2).

SECTION 38. 20.435 (1) (cc) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

20.435 (1) (cc) *Cancer control and prevention.* The amounts in the schedule for cancer control and prevention grants under s. 146.027 and for the breast cancer screening program under 1989 Wisconsin Act ... (this act), section 3023 (3x). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds for cancer control and prevention grants under s. 146.027 between fiscal years under this paragraph. All funds allocated by the department under s. 146.027 (2) but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance, except that the department may transfer \$100,000 from calendar year 1989 to calendar year 1990.

SECTION 39. 20.435 (1) (ch) of the statutes is created to read:

20.435 (1) (ch) *Public health aids.* The amounts in the schedule for the purposes of providing state public health funding under s. 140.03.

SECTION 40. 20.435 (1) (fe) of the statutes is created to read:

20.435 (1) (fe) *Preexisting condition reimbursements.* Biennially, the amounts in the schedule for reimbursements under s. 632.896 (5).

SECTION 41. 20.435 (3) (ed) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is repealed.

SECTION 42. 20.435 (6) (pm) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

20.435 (6) (pm) *Employment programs administration.* All federal moneys received for the administrative costs associated with the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the grant diversion program under s. 49.50 (7g), the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m) and the food stamp employment and training program under s. 49.124 (1).

SECTION 43. 20.435 (7) (b) of the statutes, as affected by 1989 Wisconsin Acts 31 and 122, is amended to read:

20.435 (7) (b) *Community aids.* A sum sufficient not to exceed \$181,135,200 in fiscal year 1989-90 and \$196,879,100 \$239,811,400 in fiscal year 1990-91 and in each fiscal year thereafter, which shall consist of the amounts received under par. (of) plus amounts from the general fund sufficient to equal \$181,135,200 in fiscal year 1989-90 and \$196,879,100 \$239,811,400 in fiscal year 1990-91 and in each fiscal year thereafter for the provision or purchase of mental health and developmental disabilities human services under ss. 51.42 and 51.43 s. 46.40, 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.

Vetoed  
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in Part**

~~bursement for the provision or purchase of social services under ss. 46.21 (1) and (2) and 46.22 (1), including and for foster care under s. 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 and to county aging units and private nonprofit organizations under s. 46.87 (3) (e) 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 paragraph shall be returned to this appropriation. 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. 46.87 (3) (e) 4 and (4), 46.98 (2) (a) 2, 49.52 (1) (d) and 51.423 (2) s. 46.48, 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 carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department 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).~~

**Vetoed  
in Part**

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in Part**

**Vetoed  
in Part**

~~SECTION 44. 20.435 (7) (df) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~20.435 (7) (df) *Employment and training programs.* As a continuing appropriation, the amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the work experience and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs under ss. 46.253 and 49.50 (7m), the guaranteed jobs program under s. 49.50 (7p) and the food stamp employment and training project under s. 49.124 (1). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps) or sub. (6) (pm).~~

SECTION 44m. 20.435 (7) (dg) of the statutes is created to read:

20.435 (7) (dg) *Services for learnfare pupils.* The amounts in the schedule for case management services for learnfare pupils under s. 46.62.

~~SECTION 45. 20.435 (7) (dh) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~20.435 (7) (dh) *Programs for senior citizens and elder abuse services.* The amounts in the schedule for the programs for senior citizens, including but not limited to the purposes of ss. 46.80 (5) and 46.85 and 46.87, and for direct services for elder persons and other individuals under s. 46.90 (5m). 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. All funds allocated under ss. 46.80 (5) and 46.85 and 46.87 but not encumbered by December 31 of each year lapse to the general fund on the next January 1, unless transferred to the next calendar year by the joint committee on finance, but the department may carry forward funds allocated under s. 46.90 (5m) that are not encumbered by June 30 of each year for allocation under s. 46.90 (5m) in the following state fiscal year. For the purposes of this paragraph, funds are encumbered by December 31 if allocated for services received or for goods ordered by December 31.~~

~~SECTION 46. 20.435 (7) (dg) of the statutes is created to read:~~

~~20.435 (7) (dg) *Food stamp outreach.* The amounts in the schedule for grants related to food stamp outreach under s. 46.78. No funds may be encumbered under this paragraph after June 30, 1993.~~

SECTION 47. 20.435 (7) (gb) of the statutes is created to read:

20.435 (7) (gb) *Severely emotionally disturbed children.* As a continuing appropriation, all moneys transferred from the appropriation under sub. (1) (b) to this appropriation to provide, under s. 46.485, mental health care and treatment and community-based mental health services for severely emotionally disturbed children.

~~SECTION 48. 20.435 (7) (ps) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~20.435 (7) (ps) *Employment programs, aids.* All federal moneys received for the provision or purchase of services for the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the grant diversion program under s. 49.50 (7g), the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m) and the food stamp employment and training program under s. 49.124 (1).~~

SECTION 48m. 20.455 (2) (mb) of the statutes is created to read:

20.455 (2) (mb) *Federal aid, reward program.* From federal moneys received under subtitle K of title I of P.L. 99-570 for state programs, except as provided under s. 20.505 (6) (pc), \$200,000 in fiscal year 1990-91

**Vetoed  
in Part**

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in Part**

and in each fiscal year thereafter for the reward payment program under s. 165.72. No moneys may be encumbered under this paragraph after June 30, 1993.

**Vetoed in Part** SECTION 48p. 20.475 (1) (d) of the statutes is created to read:

~~20.475 (1) (d) Acting district attorneys. The amounts in the schedule for payments under s. 978.045 (2).~~

SECTION 48q. 20.475 (1) (g) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

20.475 (1) (g) *County payments, applied receipts.* All moneys received from county payments under s. 978.14 (2) for salaries and ~~expenses fringe benefits~~ of district attorneys and state employes of the office of district attorney ~~and for purposes of s. 978.13 (1) (b).~~

**Vetoed in Part** The amounts appropriated under this paragraph reduce the amounts in the schedule for the appropriation under par. (r), as described in par. (r).

SECTION 48r. 20.475 (1) (r) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

20.475 (1) (r) (title) *Salaries and fringe benefits.* From the lottery fund, the amounts in the schedule for salaries and ~~expenses fringe benefits~~ of district attorneys and state employes of the office of the district attorney ~~and for purposes of s. 978.13 (1) (b).~~ less the amounts appropriated as applied receipts under par. (g).

**Vetoed in Part**

SECTION 49. 20.490 (5) (title) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

20.490 (5) (title) *DROUGHT ASSISTANCE AND DEVELOPMENT LOAN GUARANTEES.*

SECTION 50. 20.490 (5) (a) of the statutes, as affected by 1989 Wisconsin Acts 2 and 31, is amended to read:

20.490 (5) (a) (title) *Drought assistance and development loan fund.* As a continuing appropriation, the amounts in the schedule to be transferred, ~~within 3 days after July 26, 1988,~~ to the drought assistance and agricultural development loan fund under s. 234.92.

**Vetoed in Part** SECTION 51. 20.505 (1) (bk) of the statutes is created to read:

~~20.505 (1) (bk) Human services needs assessment contract. As a continuing appropriation, the amounts in the schedule for purposes of funding a proposal for measuring the needs for services funded under s. 20.435 (7) (b). No moneys may be encumbered under this paragraph after June 30, 1993.~~

SECTION 51m. 20.505 (1) (fe) of the statutes is created to read:

20.505 (1) (fe) *Mount Senario college contract.* The amounts in the schedule for the department to contract with Mount Senario college in Ladysmith for programs and services designed to meet the educational needs of members of a federally recognized American Indian tribe or band. The contract may provide for the evaluation of existing educational programs and services available to American Indians, the establishment of outreach services to make American

Indian youth aware of such educational programs and services and a financial assistance program to assist American Indians to receive such educational programs and services. The contract shall permit the American Indian language and culture education board to advise Mount Senario college on programs and services funded under this paragraph. The contract shall recognize that no course of instruction in subject matters of a religious nature be included in any educational program or service provided under the contract.

SECTION 52. 20.505 (4) (ds) of the statutes is created to read:

20.505 (4) (ds) *Relay service fund.* The amounts in the schedule for a statewide telecommunications relay service and for the general program operations of the relay service board under s. 16.995.

**Vetoed in Part**

**Vetoed in Part**

SECTION 53. 20.505 (4) (ds) of the statutes, as created by 1989 Wisconsin Act .... (this act), is repealed.

SECTION 54. 20.505 (4) (is) of the statutes is created to read:

20.505 (4) (is) *Relay service fund.* The amounts in the schedule for a statewide telecommunications relay service and for the general program operations of the relay service board. All moneys received from the assessments authorized under s. 196.858 shall be credited to this appropriation.

**Vetoed in Part**

**Vetoed in Part**

SECTION 55. 20.550 (1) (d) of the statutes is amended to read:

20.550 (1) (d) *Private bar and investigator reimbursement.* ~~The Biennially,~~ the amounts in the schedule for the reimbursement of private attorneys appointed to act as counsel for an indigent person under s. 977.08 and reimbursement for contracting for services of private investigators.

SECTION 55m. 20.835 (1) (c) of the statutes is created to read:

20.835 (1) (c) *Tax rate disparity payment account.* A sum sufficient to make the payments under s. 79.05.

SECTION 57c. 20.865 (1) (c) of the statutes is amended to read:

20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employes and by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employes in the classified service and comparable adjustments for ~~those nonrepresented~~ employes in the unclassified service, except those ~~included under nonrepresented employes specified in~~ ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 57d. 20.865 (1) (ci) (title) of the statutes is amended to read:

20.865 (1) (ci) (title) *Nonrepresented university system faculty and academic pay adjustments.*

SECTION 57e. 20.865 (1) (i) of the statutes is amended to read:

20.865 (1) (i) *Compensation and related adjustments; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employes and by the joint committee on employment relations under s. 230.12 and the legislature, when required for nonrepresented employes in the classified service and comparable adjustments for nonrepresented employes in the unclassified service, except those ~~included under nonrepresented employes specified in~~ ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 57f. 20.865 (1) (ic) (title) of the statutes is amended to read:

20.865 (1) (ic) (title) *Nonrepresented university system faculty and academic pay adjustments.*

SECTION 57g. 20.865 (1) (s) of the statutes is amended to read:

20.865 (1) (s) *Compensation and related adjustments; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employes and by the joint committee on employment relations under s. 230.12 and the legislature, when required for nonrepresented employes in the classified service and comparable adjustments for nonrepresented employes in the unclassified service, except those ~~included under nonrepresented employes specified in~~ ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 57h. 20.865 (1) (si) (title) of the statutes is amended to read:

20.865 (1) (si) (title) *Nonrepresented university system faculty and academic pay adjustments.*

SECTION 57i. 20.866 (2) (tc) of the statutes, as affected by 1989 Wisconsin Act 31, is amended 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 \$243,400,000 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Payments may be made from this appropriation only after ~~March~~ May

31, 1990, and then only for direct loans for transition projects under s. 144.241 (20).

SECTION 57im. 20.921 (1) (b) of the statutes is amended to read:

20.921 (1) (b) The request under par. (a) shall be made to the state agency in the form and manner and contain the directions and information prescribed by each state agency. The request may be withdrawn or the amount paid to the payee may be changed by notifying the state agency to that effect, but no such withdrawal or change shall affect a payroll certification already prepared. However, time limits for withdrawal of payment of dues to ~~employe~~ labor organizations under subch. V of ch. 111 shall be as provided under s. 111.84 (1) (f).

SECTION 57j. 20.923 (4) (g) 6 and 9, (h) 3 and (i) 3 of the statutes are repealed.

SECTION 57k. 20.923 (4m) of the statutes is amended to read:

20.923 (4m) (title) UNIVERSITY OF WISCONSIN SYSTEM EXECUTIVE POSITIONS. The board of regents of the university of Wisconsin system shall set the salaries of the vice presidents, the chancellors of the university of Wisconsin system campuses at Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior and Whitewater ~~and~~ the chancellors of the university of Wisconsin-center system and the university of Wisconsin-extension, the vice chancellor for health sciences of the university of Wisconsin-Madison and the vice chancellor who is serving as a deputy at each university of Wisconsin campus and the university of Wisconsin-center system and the university of Wisconsin-extension. The board shall set the salaries to reflect the hierarchical structure of the system, to recognize merit, to permit orderly salary progression and to recognize competitive factors. No such salary may be set at a point lower than the minimum dollar value of the salary range for executive salary group 7 nor at a point equal to or higher than the maximum dollar value of the salary range for executive salary group 10 paid to the president of the university of Wisconsin system.

SECTION 57L. 20.923 (5) of the statutes is amended to read:

20.923 (5) (title) OTHER UNIVERSITY OF WISCONSIN SYSTEM ADMINISTRATIVE POSITIONS. ~~Except for those positions designated in subs. (4) and (4m), associate and assistant vice presidents of the university of Wisconsin system; The board of regents of the university of Wisconsin system shall assign the positions of associate and assistant vice presidents, vice chancellors not identified in sub. (8) (4m), assistant chancellors, associate and assistant vice chancellors and assistants to the chancellors, along with administrative directors and associate directors of activities coded as physical plant, general operations and services and auxiliary enterprises~~ activities or their equivalent, of the several campuses of the each university of Wisconsin system



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~~shall be assigned campus, the university of Wisconsin-center system, the university of Wisconsin-extension and the university of Wisconsin system administration to specific executive salary ranges by the board of regents of the university of Wisconsin system in whatever manner the board determines. The salaries for such positions shall be salary for each such position is limited only by the maximum dollar value of the respective salary range to which the position is assigned. No position under specified in this subsection may be assigned to a salary group range having a maximum dollar value higher than the maximum dollar value of the salary range for executive salary group 6. This subsection shall take effect upon its enactment and the assignments to the respective salary ranges shall be completed and reported to the governor and the legislature as soon as practicable but not later than January 1, 1975. Thereafter, the The board of regents shall annually review the assignment of the positions under specified in this subsection and report any changes therein to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).~~

SECTION 57m. 20.923 (8) of the statutes is amended to read:

20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2) and 551.51 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer, and associate director of the historical society, and the deputy or vice chancellor of any university of Wisconsin campus who is clearly serving in a line capacity as a deputy responsible for assisting the chancellor in directing all campus programs shall be treated as unclassified deputies for pay purposes under this subsection.

SECTION 57n. 20.923 (15) (b) of the statutes is amended to read:

20.923 (15) (b) Except for the positions of president of the university of Wisconsin system, chancellor of the university of Wisconsin-Madison and chancellor of the university of Wisconsin-Milwaukee identified in sub. (4) (j) and (4m), the pay of any incumbent in a position assigned to an executive salary group whose salary is subject to a limitation under this section may not equal or exceed that amount paid the governor. The pay of any incumbent in the position of president of the university of Wisconsin system, chancellor of the university of Wisconsin-Madison or chancellor of the university of Wisconsin-Milwaukee may not exceed the maximum dollar value of the salary range for the group to which the incumbent's position is assigned.

SECTION 58. 23.09 (22) of the statutes is renumbered 23.09 (22) (a).

SECTION 59. 23.09 (22) (b) of the statutes is created to read:

23.09 (22) (b) 1. The department shall develop and conduct a program of summer conservation work projects for American Indian youth who are members of Wisconsin Chippewa tribes or bands and who are 15 years of age or older but under 19 years of age.

2. Under the program, the department shall allocate 50% of the total amount appropriated under ss. 20.370 (4) (hc) and (hr) for conservation work projects for water resource management activities.

~~SECTION 59g. 23.15 (1m) of the statutes is created to read:~~

~~23.15 (1m) Notwithstanding sub. (1), the natural resources board may not sell lands for the purpose of allowing mining, as defined in s. 144.945 (1) (c), on the lands.~~

SECTION 59m. 25.50 (3) (b) of the statutes, as affected by 1989 Wisconsin Act 31, section 677b, is amended to read:

25.50 (3) (b) On the dates specified and to the extent to which they are available, subject to s. 16.53 (10), funds payable to local governments under ss. 79.03, 79.04, 79.05, 79.06, 79.08, 79.10 and 79.105 shall be considered local funds and, pursuant to the instructions of local officials, may be paid into the separate accounts of all local governments established in the local government pooled-investment fund and, pursuant to the instructions of local officials, to the extent to which they are available, be disbursed or invested.

SECTION 60. 25.75 (3) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is renumbered 25.75 (3) (c) 1 and amended to read:

25.75 (3) (c) 1. The lottery proceeds received in each fiscal year plus the earnings attributable to the lottery proceeds that were distributed to the lottery fund in that fiscal year under s. 25.14 (3) shall be distributed through the appropriations under ss. 20.255 (2) (q), 20.475 (1) (r) and 20.835 (2) (q).

SECTION 61. 25.75 (3) (c) 2 of the statutes is created to read:

25.75 (3) (c) 2. It is the legislature's intent that the unappropriated balance in the lottery fund on June 30, 1991, and lottery proceeds received in the 1991-92 fiscal year and thereafter, and the earnings attributable to those proceeds, be used to provide property tax relief through one of the following methods:

a. Providing funds directly to taxpayers by means of a lottery property tax rent credit.

b. Providing funds to pay the operational costs of the public schools.

~~SECTION 61j. 26.08 (1) of the statutes is amended to read:~~

~~26.08 (1) The department may, from time to time, lease parts or parcels of state park lands or state forest lands. These leases shall contain proper covenants to guard against trespass and waste. The rents arising from these leases shall be paid into the state treasury to the credit of the proper fund. Licenses also may be granted to prospect for ore or mineral upon any of these lands, but proper security shall be taken that the~~

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~~licensees will fully inform the department of every discovery of ore or mineral and will restore the surface to its former condition and value if no discovery of valuable deposits is made. The department shall retain a copy of each lease or license and file the original in the office of the board of commissioners of public lands.~~

SECTION 62. 29.05 (1v) of the statutes is created to read:

29.05 (1v) WARRANTS, ARRESTS; TRIBAL CODE ENFORCEMENT. If a federally recognized American Indian tribe or band consents to the enforcement of its conservation code by the department or if a federal court order authorizes or directs such enforcement, the department and its wardens may execute and serve warrants and processes issued for violations of the tribe's or band's conservation code that occur outside the exterior boundaries of American Indian reservations; and may arrest a person, with or without a warrant, who is detected committing such a violation, or whom the warden has probable cause to believe is guilty of such a violation, and may take the person before the tribal court of appropriate jurisdiction and make proper complaint. For the purpose of enforcing a tribe's or band's conservation code, any warden may stop and board any boat and may stop any automobile, snowmobile or other vehicle, if the warden reasonably suspects there is a violation of such a conservation code.

SECTION 62ad. 29.092 (7) (i) of the statutes is amended to read:

29.092 (7) (i) (title) *Clam buyer license*. The fee for a resident clam buyer license is \$300.

SECTION 62af. 29.092 (7) (j) of the statutes is repealed.

SECTION 62am. 29.092 (7) (m) of the statutes is amended to read:

29.092 (7) (m) (title) *Commercial clam sheller license*. The fee for a resident commercial clam sheller license is \$30.

SECTION 62b. 29.093 (2) (i) (title) of the statutes, as affected by 1989 Wisconsin Act .... (1989 Senate Bill 399), is amended to read:

29.093 (2) (i) (title) *Exceptions*.

SECTION 62f. 29.093 (2) (i) 3 of the statutes is created to read:

29.093 (2) (i) 3. A resident deer hunting license may be issued during a season for hunting deer with firearms to a person who is a resident and who has attained the age of 12 during that season.

SECTION 62k. 29.093 (7) (g) of the statutes is amended to read:

29.093 (7) (g) (title) *Clam buyer license*. A resident or nonresident clam buyer license is valid from January 1 or the date of issuance, whichever is later, until December 31.

SECTION 62L. 29.38 (3) (c) of the statutes is renumbered 29.38 (3) (c) 1 and amended to read:

29.38 (3) (c) 1. No natural person may engage in clam buying unless the person he or she is a resident and has been issued by the department a clam buyer license or the person is a natural person and has been issued an assistant clam buyer license by the department.

SECTION 62La. 29.38 (3) (c) 2 of the statutes is created to read:

29.38 (3) (c) 2. No corporation, partnership or other business association may engage in clam buying unless it has been organized under the laws of this state and has been issued by the department a clam buyer license.

SECTION 62m. 29.598 (7) (d) 2 of the statutes is amended to read:

29.598 (7) (d) 2. The department shall pay participating counties under subd. 1 from the appropriation under s. 20.370 (4) (gb) and from the appropriation under s. 20.370 (4) (gq) after first deducting from s. 20.370 (4) (gq) payments made for county administrative costs under sub. (2) (d) and payments made for wildlife damage abatement assistance under sub. (5) (c). If the amount remaining in this in the appropriation under s. 20.370 (4) (gb) and the amount remaining after these deductions from the appropriation is under s. 20.370 (4) (gq) are not sufficient to pay the full amount required under subd. 1, the department shall pay participating counties on a prorated basis.

SECTION 63. 29.599 (2) (c) (intro.) of the statutes is amended to read:

29.599 (2) (c) *Filing of application*. (intro.) File an application for aid with the department by July June 1 of the calendar year in which additional law enforcement services are provided, specifying all of the following:

SECTION 64. 29.599 (4) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

29.599 (4) (a) *Costs reimbursed*. Except as provided under par. (c), the department may 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 any aid payments from the appropriations under s. 20.370 (4) (ga), (gk) and (gm) by July 31 June 30 of the calendar year in which the county or municipality files an application under sub. (2) (c). The department may not make an aid payment unless the payment is approved by the secretary of administration.

SECTION 65. 29.599 (4) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

29.599 (4) (c) *Prorated payments allowed*. If the total amount of reimbursable costs under par. (a) exceeds the amount available for payments under s. 20.370 (4) (ga), (gk) and (gm), the department may

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prorate payments to participating counties and municipalities.

SECTION 65a. 29.99 (11p) of the statutes is created to read:

29.99 (11p) (a) For entering the den of a hibernating black bear and harming the bear, by a fine of not more than \$10,000 or imprisonment for not more than one year or both.

(b) Paragraph (a) does not apply if the activity subject to the penalty under par. (a) has been specifically approved by the department and is necessary to conduct research activities.

**Vetoed in Part** SECTION 65ab. ~~30.20 (2) (b) of the statutes is repealed.~~

SECTION 65b. 30.275 (2) of the statutes is renumbered 30.275 (2) (intro.) and amended to read:

30.275 (2) DESIGNATION. (intro.) The following waters are designated scenic urban waterways and shall receive special management as provided under this section:

(a) ~~The Illinois Fox river and its watershed and the Fox river, extending from Lake Winnebago to Green Bay, and its watershed are designated scenic urban waterways and shall receive special management as provided under this section.~~

SECTION 65ba. 30.275 (2) (b) of the statutes is created to read:

30.275 (2) (b) The Rock river consisting of all of the following:

1. The river from the point that the river flows into the city of Watertown to the point that it flows out of the city of Watertown.

2. The river from the point it flows into the city of Jefferson to the point it flows out of the city of Fort Atkinson.

**Vetoed in Part** ~~3. The river from the point that the river flows into the town of Janesville to the Illinois border.~~

SECTION 65c. 31.385 (1) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

31.385 (1) The department shall develop and promulgate the rules necessary to administer a financial assistance program for municipalities and public inland lake protection and rehabilitation districts for dam maintenance, repair, modification, abandonment and removal.

SECTION 65ca. 31.385 (2) (b) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

31.385 (2) (b) The department shall determine which projects shall receive funding priority, ~~with highest priority given to projects that the department has ordered under this chapter.~~

SECTION 65cb. 31.385 (2) (c) 1 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

31.385 (2) (c) 1. The department conducts an investigation or inspection of the dam under this chapter ~~within the 6 month period before and the owner of the dam requests financial assistance under this section is requested for the dam~~ within 6 months after having

received department directives, based on the department's investigation or inspection of the dam, for the repair, modification or abandonment and removal of the dam.

SECTION 65cc. 31.385 (2) (c) 2 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

31.385 (2) (c) 2. The municipality or public inland lake protection and rehabilitation district has received directives from the department or is under order by the department to maintain, repair, modify, abandon or remove a dam on August 9, 1989.

SECTION 65m. 36.09 (1) (j) of the statutes, as affected by 1987 Wisconsin Act 4, section 22m, and 1987 Wisconsin Act 340, section 5, is amended to read:

36.09 (1) (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of employes specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The board may not increase the salary of ~~the chancellor of the university of Wisconsin-Madison or the university of Wisconsin-Milwaukee or any chancellor position identified in s. 20.923 (4) (j) or (4m) under this paragraph unless the salary increase conforms to the compensation plan for executive salary group positions as approved under s. 230.12 (3) (b) or the board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the departments of administration and employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.~~

~~SECTION 65n. 36.09 (4m) of the statutes is amended to read:~~

**Vetoed in Part**

Vetoed  
in Part

~~36.09 (4m) ACADEMIC STAFF. The academic staff members of each institution, subject to the responsibilities and powers of the board, the president and the chancellor and faculty of the institution, shall be active participants in the immediate governance of and policy development for the institution. The academic staff members have the primary responsibility for the formulation and review, and shall be represented in the development of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance. This subsection does not apply to governance and policy development at an institution with respect to any subject that is a mandatory subject of bargaining with a labor organization which is certified under subch. V of ch. 111 to represent academic staff members at the institution, or with respect to any subject that is treated in a collective bargaining agreement with that organization covering academic staff members at that institution.~~

SECTION 65p. 38.04 (16) of the statutes is repealed.

SECTION 65pa. 38.22 (1) (a) of the statutes is amended to read:

38.22 (1) (a) A resident of ~~the district~~ this state.

SECTION 65pb. 38.22 (1) (b) and (c) and (2) of the statutes are repealed.

SECTION 65pc. 38.22 (5) of the statutes is repealed and recreated to read:

38.22 (5) The board shall promulgate rules establishing the priority to be given by a district board in admitting students who are residents of the district, students who are not residents of the district but are residents of this state and students who are not residents of this state.

SECTION 65pd. 38.24 (3) (a) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is repealed.

SECTION 65pe. 38.24 (3) (a) 2 and 3 of the statutes are consolidated, renumbered 38.24 (3) and amended to read:

38.24 (3) For all students who are not residents of Wisconsin, nor subject to reciprocal agreements with the board, the board shall annually establish a fee based on 100% of the statewide cost per full-time equivalent student for operating the programs in which they are enrolled. ~~3. Except as provided under par. (b), the fees~~ The fee established under subs. 1 and 2 are this subsection is the liability of the student.

SECTION 65pf. 38.24 (3) (b), (c), (cm) and (d) of the statutes are repealed.

SECTION 65pg. 38.28 (1) of the statutes is renumbered 38.28 (1) (a) and amended to read:

38.28 (1) (a) Annually at the time and on forms prescribed by the director, the district board secretary

shall report to the board the cost of maintaining the schools of the district; the character of the work done; the number, names and qualifications of the teachers employed; the number of full-time students enrolled; the number of full-time equivalent students enrolled in the district who are residents of another district; the number of full-time students exempted from tuition, by course credits; the actual amount of tuition collected in postsecondary and in vocational-adult programs; and such other information as the board requires.

SECTION 65ph. 38.28 (1) (b) and (c) of the statutes are created to read:

38.28 (1) (b) By October 15, 1992, each district board shall report to the board all of the following information for each of the 2 preceding school years:

1. The number and titles of all postsecondary programs and course sections added or discontinued.

2. The number of nonresident students and the district, state and country of residence of each.

3. For students who are residents of this state but not residents of the district:

a. The name and home address of each, to the extent permitted under 20 USC 1232g.

b. Whether the student's district of residence offered the postsecondary program or course in which the student is enrolled.

4. The number, title and program area of each instructional staff position added or eliminated and the reason for the addition or elimination.

(c) By January 1, 1993, the board shall report the information received from the district boards under par. (b) to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 65pi. 38.28 (1m) (a) 1 of the statutes, as affected by 1989 Wisconsin Acts 31 and 102, 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 sub. (6), all receipts under s. 38.12 (9), all receipts under s. 38.14 (3), all receipts under s. 146.55 (5), all receipts from grants awarded under ss. 38.04 (8), 38.14 (11) and 38.27, all fees collected under s. 38.24 and driver education and chauffeur training aids.

SECTION 65pj. 38.28 (2) (dm) of the statutes is repealed.

SECTION 65pk. 38.28 (6) of the statutes is created to read:

38.28 (6) (a) Annually, the board shall determine all of the following for each district:

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1. The number of students enrolled in the district who are residents of another district.

2. The number of residents of the district who are attending a district school in another district.

(b) Annually, the board shall pay to each district for which the result under subd. 1 is a positive number an amount determined as follows:

1. For each district, subtract the number determined under par. (a) 2 from the number determined under par. (a) 1 for that district, adjusted to a full-time equivalent basis.

2. Add the positive numbers obtained under subd. 1 for all districts.

3. Multiply the amount in the appropriation under s. 20.292 (1) (fm) for that fiscal year by a fraction, the numerator of which is the result obtained under subd. 1 and the denominator of which is the result obtained under subd. 2.

(c) The board shall make aid payments under this section from the appropriation under s. 20.292 (1) (fm).

SECTION 66. 39.13 (3) of the statutes is created to read:

39.13 (3) The educational communications board may provide a plan for bonus compensation for employes appointed in the unclassified service whose principal responsibility is fund raising, whereby the employes may qualify for an annual bonus for meritorious performance. No bonus awarded by the board to any individual employe for any fiscal year may exceed a total of 25% of the annual salary of the employe at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall award no more than 3% of the amount of private funding raised during the preceding fiscal year which is in excess of the amount of private funding raised during the 2nd preceding fiscal year. The board shall provide for a portion of the bonus compensation awarded under this subsection to be distributed to employes over a 3-year period conditioned upon continuation of employment to the time of distribution.

SECTION 66g. 39.43 of the statutes is created to read:

**39.43 Health care providers loan assistance program.** (1) DEFINITIONS. In this section:

(a) "Health care provider" means a registered nurse, physical therapist, occupational therapist, medical technologist or physician's assistant.

(b) "Health manpower shortage area" means an area in this state that is in a health manpower shortage area as determined by the federal department of health and human services under 42 USC 254e.

(2) ELIGIBILITY. The board may repay, on behalf of a health care provider, up to 50% of the principal of an educational loan obtained by the health care provider from a public or private lending institution.

(3) AGREEMENT. (a) The board shall enter into a written agreement with the health care provider. In the agreement, the health care provider shall agree to

practice exclusively in a health manpower shortage area.

(b) The agreement shall specify that the responsibility of the board to make the payments under the agreement is subject to the availability of funds in the appropriation under s. 20.235 (1) (em).

(4) LOAN REPAYMENT. Loans may be repaid by the board at the following rate:

(a) Ten percent of the principal of the loan after the first year of practice.

(b) An additional 10% of the principal of the loan after the 2nd year of practice.

(c) An additional 10% of the principal of the loan after the 3rd year of practice.

(d) An additional 10% of the principal of the loan after the 4th year of practice.

(e) An additional 10% of the principal of the loan after the 5th year of practice.

(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE. (a) The obligation of the board to make payments under an agreement entered into under sub. (3) (b) is subject to the availability of funds in the appropriation under s. 20.235 (1) (em).

(b) An agreement under sub. (3) (b) does not create a right of action against the state on the part of the health care provider or the lending institution for failure to make the payments specified in the agreement.

SECTION 66j. 39.45 of the statutes is created to read:

**39.45 Independent student grants.** (1) In this section:

(a) "Institution of higher education" means a public or private nonprofit educational institution meeting the requirements of s. 39.30 or 39.435 for the purpose of awarding grants under those sections.

(b) "Resident student" has the meaning specified in s. 39.30 (1) (e).

(2) There is established, to be determined by the board, a grant program for resident students who are current recipients of aid to families with dependent children under s. 49.19 or who, within the 3-year period immediately preceding the date of application for a grant under this section, received aid to families with dependent children under s. 49.19.

(3) Grants under this section shall be awarded on the basis of financial need, as determined by the board, to resident students enrolled for at least 6 academic credits in the 2nd or 3rd year in programs leading to an associate degree or the 3rd, 4th or 5th year in programs leading to a bachelor's degree and may not be less than \$2,000 during any one academic year. Except as provided in sub. (5), no grant may exceed \$4,000 per academic year. Students may apply for grants, upon a form prepared and furnished by the board, on or after February 1 of any year for the fall semester or session of the upcoming academic year. No student is eligible to receive a grant under this section for more than 3 academic years.

Vetoed  
in Part

Vetoed  
in Part

(4) The board shall give preference, as much as practicable, in awarding grants under this section to students enrolled in courses likely to increase the immediate employment opportunities of such students. The board shall publish a list of such courses and shall include courses that have an occupational or vocational objective in areas with existing labor needs.

(5) The board may award supplemental grants of between \$500 and \$1,000 per child per semester or session to students for the cost of child care for preschool children of the students. The student shall demonstrate, as determined by the board, financial need for the supplemental grant. In awarding grants under this subsection, the board may not exceed 20% of the appropriation for a given fiscal year for the grant program.

(6) From the appropriation under s. 20.235 (1) (fc), the board shall use available funds to make grant awards under this section, but no award may be made before March 1 for the fall semester or session of the upcoming academic year.

(7) The board shall promulgate rules to administer this section, including criteria and procedures for repayment of grants awarded under this section, including interest, by certain grant recipients who no longer reside in this state or do not successfully complete requirements for a degree. The board shall deposit in the general fund as general purpose revenue — earned all repayments of grants awarded under this section and the interest on the grants.

SECTION 66m. 40.02 (17) (g) of the statutes is created to read:

40.02 (17) (g) Any participating employe for whom employer required contributions have been made under s. 978.12 (5) (c) 5 shall be granted the maximum amount of creditable service that the board, on the recommendation of the actuary, determines can be fully funded by such contributions, not to exceed the total period of service under the retirement system established under chapter 201, laws of 1937, for which such contributions have been made.

SECTION 66n. 40.02 (25) (a) 6 of the statutes is created to read:

40.02 (25) (a) 6. Any district attorney or state employe of the office of district attorney in a county having a population of 500,000 or more who did not elect under s. 978.12 (6) to continue insurance coverage with that county, or who did elect such coverage but has terminated that election under s. 978.12 (6), and who has participated under the retirement system established under chapter 201, laws of 1937, for a period of ~~at least 6 months~~ ~~or under the Wisconsin retirement system~~ and under the Wisconsin retirement system for a combined and consecutive period, of at least 6 months prior to attainment of age 70, not including any period of leave of absence without pay.

~~40.02 (25) (b) 1. Any teacher who is employed by the university for an expected duration of not less than 6 months on at least a one-third full-time employment basis and who is not described in subd. 1m.~~

**Vetoed  
in Part**

~~SECTION 66n. 40.02 (25) (b) 1m of the statutes is created to read:~~

~~40.02 (25) (b) 1m. Any member of the faculty, as defined in s. 36.05 (8), or academic staff, as defined in s. 36.05 (1), of the university.~~

~~SECTION 66p. 40.02 (25) (b) 12 of the statutes is created to read:~~

~~40.02 (25) (b) 12. Any district attorney or state employe of the office of district attorney who did not elect under s. 978.12 (6) to continue insurance coverage with a county, or who did elect such coverage but has terminated that election under s. 978.12 (6), notwithstanding par. (a) 6.~~

**Vetoed  
in Part**

SECTION 66q. 40.05 (4) (a) of the statutes, as affected by 1989 Wisconsin Acts 119 and 122, is repealed and recreated to read:

40.05 (4) (a) 1. For health insurance, each insured employe and insured retired employe shall contribute the balance of the required premium amounts after applying required employer contributions, if any.

2. For an insured employe who is an eligible employe under s. 40.02 (25) (a) 2 ~~or (b) 1m~~, the employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the date on which the employe becomes insured. For an insured employe who is an eligible employe under s. 40.02 (25) (b) 12, the employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the first day of the 7th month beginning after the date on which the employe begins employment with the office of district attorney, not including any leave of absence, or on the date on which the employe becomes an eligible employe, whichever is later.

**Vetoed  
in Part**

**Vetoed  
in Part**

For an insured employe who is currently employed but who is not an eligible employe under s. 40.02 (25) (a) 2 ~~or (b) 1m or 12~~, the employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the first day of the 7th month beginning after the date on which the employe begins employment with the state, not including any leave of absence.

**Vetoed  
in Part  
Vetoed  
in Part**

3. The employer shall continue to pay required employer contributions toward the health insurance premium of an insured employe while the insured employe is on a leave of absence, as follows:

a. Only for the first 3 months of the leave of absence, except as provided in subd. 3. b.

b. Unless otherwise provided in the compensation plan under s. 230.12, for the entire leave of absence if the insured employe is receiving temporary disability compensation under s. 102.43.

**Vetoed  
in Part**

**Vetoed  
in Part**

~~SECTION 66ng. 40.02 (25) (b) 1 of the statutes is amended to read:~~



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SECTION 67. 40.51 (14) of the statutes is created to read:

40.51 (14) Every health care plan offered by the state under sub. (6) shall comply with s. 632.89(6), except a health care plan offered under sub. (6) is not eligible for reimbursement under s. 632.89(6).

**Vetoed in Part**

SECTION 67g. 40.80 (1) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

40.80 (1) The deferred compensation board shall select and contract with deferred compensation plan providers to be used by state agencies. An eligible state employe may not be covered under the plan if the employe elects coverage under fringe benefit plans provided by a county pursuant to s. 978.12 (6).

SECTION 67m. 45.059 of the statutes is created to read:

**45.059 Catalog of memorials.** By January 31, 1991, the department of veterans affairs shall locate throughout the world every memorial, as defined in s. 45.04 (1) (c), of a Wisconsin veteran, a Wisconsin veterans' group or an event related to a Wisconsin veteran. The department shall prepare a catalog of the memorials located, describing each memorial and giving its location and condition. The department shall update that catalog annually.

**Vetoed in Part**

**Vetoed in Part**

SECTION 68. 46.215 (2) (c) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:

46.215 (2) (c) A county department of social services shall submit to the department of health and social services plans and contracts for care and services to be purchased. The contracts shall be developed under s. 46.036. The department of health and social services shall review the contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department of health and social services to submit the contracts to the committee for review and approval. The department of health and social services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and social services shall reimburse each county for the approved contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b) and, (o) or under s. 20.435 (3) (ee), as appropriate, and (of) under s. 49.52.

**Vetoed in Part**

SECTION 69. 46.22 (1) (e) 3 of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:

46.22 (1) (e) 3. A county department of social services shall submit to the department of health and social services plans and contracts for care and services to be purchased. The contracts shall be developed under s. 46.036. The department of health and social services shall review the contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require

the department of health and social services to submit the contracts to the committee for review and approval. The department of health and social services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and social services shall reimburse each county for the approved contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b), (o) or under s. 20.435 (3) (ee), and (of) according to s. 49.52, or from the appropriation under s. 20.435 (7) (b).

**Vetoed in Part**

SECTION 70. 46.26 (3) (c) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:

46.26 (3) (c) Within the limits of the appropriations under s. 20.435 (3) (ee) and (oo) from the funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) (b), the department of health and social services shall allocate funds to each county for services under this section.

**Vetoed in Part**

SECTION 71. 46.26 (3) (e) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:

46.26 (3) (e) The department of health and social services may carry forward \$500,000 or 10% of its funds allocated under this subsection and not encumbered or carried forward under par. (dm) by counties by December 31, whichever is greater, to the next fiscal year. The department may transfer moneys funds allocated for juvenile delinquency-related services from or within s. 20.435 (3) (ee) one calendar year to the next calendar year to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next fiscal year to improve community-based juvenile delinquency-related services. The allocation does not affect a county's base allocation.

SECTION 72. 46.26 (4) (a) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:

46.26 (4) (a) The department of health and social services shall bill counties or deduct from the allocations funds authorized to be allocated for juvenile delinquency-related services under s. 20.435 (3) (ee) 46.40 (1) (b) for the costs of care, services and supplies purchased or provided by the department of health and social services for each person receiving services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections for each person receiving services under s. 48.366. The department of health and social services may not bill a county for or deduct from a county's allocation the cost of care, services and supplies provided to a person subject to an order under s. 48.366 after the person reaches 19 years of age. Payment shall be due within 60 days of the billing date. If any payment has not been received within 60 days, the department of health and social services shall withhold aid payments in the amount due from the county.

Vetoed  
in Part

~~provisions appropriation under s. 20.435 (3) (ed) or (7) (b).~~

~~SECTION 73. 46.26 (6) (a) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:~~

~~46.26 (6) (a) The intent of this subsection is to develop criteria to assist the legislature in allocating funding, excluding funding for base allocations, from the appropriations under s. 20.435 (3) (ed) and (oo) funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) (b) for purposes described in this section.~~

~~SECTION 74. 46.26 (7) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~46.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.435 (7) (ed) and (oo) From the funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) (b), the department shall allocate funds for community youth and family aids for the period beginning July 1, 1989, and ending June 30, 1991, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:~~

~~SECTION 75. 46.26 (7) (f) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~46.26 (7) (f) For adjustments to have allocations to compensate for increases in per person daily cost assessments, amounts not to exceed \$1,116,300 for the last 6 months of 1989, \$2,343,800 \$2,445,500 for 1990 and \$1,228,800 \$1,330,500 for the first 6 months of 1991. The department shall allocate funds under this paragraph in accordance with the requirements of sub. (3) (d).~~

~~SECTION 75m. 46.27 (3) (b) 6 of the statutes is created to read:~~

~~46.27 (3) (b) 6. A county aging unit, as defined in s. 46.81 (1) (a).~~

~~SECTION 76. 46.27 (3) (e) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~46.27 (3) (e) (intro.) After implementing the program for 12 months and within the limits of state and federal funds allocated under sub. (7), provide noninstitutional community alternatives for a significant number of persons in each of the groups listed in sub. (4) (a) 1 and eligible under sub. (6). The department shall determine what constitutes a "significant number of persons" for each participating county, based on county size and on the statewide proportion of persons from each group receiving medical assistance in a nursing home, except that the department shall, beginning on January 1, 1990, for the groups specified under sub. (4) (a) 1. a to e b and d, increase by 10% the determination of what constitutes a "significant number of persons" for each group. If a~~

county fails to meet the "significant number of persons" requirement under this paragraph, all of the following apply:

~~SECTION 76b. 46.27 (7) (h) of the statutes is created to read:~~

~~46.27 (7) (h) Annually on July 1, beginning July 1, 1991, the department shall increase the per diem reimbursement rate under par. (b) and sub. (11) (c) 3 by a percentage equal to the average percentage rate increase provided in the immediately preceding state fiscal year to skilled care facilities and intermediate care facilities under s. 49.45 (6m) (ag) 8, except that reimbursement rate increases for sub. (11) (c) 3 under this paragraph may not result in rates that exceed those permitted in the waiver under 42 USC 1396n (c).~~

~~SECTION 76d. 46.27 (11) (c) 3 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~46.27 (11) (c) 3. Medical assistance reimbursement for services a county or, a private nonprofit agency or a county aging unit with which the department contracts provides under this subsection shall be made from the appropriations under s. 20.435 (1) (o) and (7) (b) and (bd).~~

~~SECTION 76h. 46.27 (11) (c) 5 of the statutes is amended to read:~~

~~46.27 (11) (c) 5. The department may contract for services under this subsection with a county or, a private nonprofit agency or, if a county board of supervisors by resolution so requests the department, a county aging unit, as defined in s. 46.81 (1) (a).~~

~~SECTION 76p. 46.271 (1) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~46.271 (1) (intro.) From the appropriation under s. 20.435 (7) (bd), the department shall allocate \$150,000 in 1989-91 to applying county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or to a county aging unit under the conditions specified in sub. (3) to establish pilot projects for home and community-based long-term support services. Funds allocated to the pilot projects shall be used to do any of the following:~~

~~SECTION 76t. 46.271 (3) of the statutes is created to read:~~

~~46.271 (3) The department may contract with a county aging unit, as defined in s. 46.81 (1) (a), for administration of services under sub. (1) if, by resolution, the county board of supervisors of that county so requests the department.~~

~~SECTION 76v. 46.275 (5) (s) of the statutes is created to read:~~

~~46.275 (5) (s) Beginning July 1, 1991, and annually thereafter on the first day of each succeeding waiver year, as defined in 42 USC 1396n (s), the department shall increase the per diem reimbursement rate under this subsection by a percentage equal to the average percentage rate increase provided in the immediately~~

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preceding state fiscal year to intermediate care facilities for the mentally retarded under s. 49.45 (6m), except that reimbursement rate increases under this paragraph may not result in rates that exceed those permitted in the waiver under 42 USC 1396n (c).

SECTION 76x. 46.277 (5) (d) of the statutes is created to read:

46.277 (5) (d) Annually on July 1, beginning July 1, 1991, the department shall increase the per diem reimbursement rate under this subsection by a percentage equal to the average percentage rate increase provided in the immediately preceding state fiscal year to skilled care facilities and intermediate care facilities under s. 49.45 (6m) (ag) 8, except that reimbursement rate increases under this paragraph may not result in rates that exceed those permitted in the waiver under 42 USC 1396n (c).

SECTION 76z. 46.278 (6) (c) of the statutes is created to read:

46.278 (6) (c) Beginning July 1, 1991, and annually thereafter on the first day of each succeeding waiver year, as defined in 42 USC 1396n (c), the department shall increase the per diem reimbursement rate under this subsection by a percentage equal to the average percentage rate increase provided in the immediately preceding state fiscal year to intermediate care facilities for the mentally retarded under s. 49.45 (6m), except that reimbursement rate increases under this paragraph may not result in rates that exceed those permitted in the waiver under 42 USC 1396n (c).

SECTION 77. 46.39 of the statutes is created to read:

**46.39 Purpose and goals of community aids system.**

(1) PURPOSE OF SYSTEM. The purpose of the community aids system, the funds of which are allocated under s. 46.40, is to provide the primary funding for the state-administered, county-operated portion of the human services delivery system, in order to address service needs as determined and given priority by a statewide needs assessment.

(2) SYSTEM GOALS. The goals of the community aids system, the funds of which are allocated under s. 46.40, are to:

(a) Provide human services that are tailored to address individual needs and designed to promote self-sufficiency and protect and enhance the rights of individuals.

(b) Provide human services that are community-based, culturally appropriate, cost-effective and in the least restrictive setting consistent with individual needs.

(c) Provide human services that are designed to prevent or reduce the incidences of personal and social problems as part of a statewide prevention strategy in coordination with the education, health care, employment and law enforcement systems.

(d) Create planning and program development mechanisms to determine which human services programs are most effective in meeting the needs of per-

sons receiving services under the community aids system.

(3) STATE ROLE IN PROVIDING HUMAN SERVICES. In administering the community aids system, the department shall do all of the following:

(a) Implement goals for the human services delivery system as a whole.

(b) Request funding for the human services system, based on needs identified through needs-based criteria.

(c) Provide leadership to assist counties in implementing or contracting for human services programs and in developing improved methods of delivering human services.

(d) Encourage and facilitate communication and cooperation among counties regarding ways to effectively deliver human services.

(e) Establish program standards and monitor county compliance with those standards and the terms of the state-county contract under s. 46.031 to ensure the provision of high-quality human services programs and equal access to those programs.

(f) Collect data from counties on, and communicate with the legislature, the governor and the public about, the performance, effectiveness, needs and expenditures of the human services delivery system.

(4) LOCAL ROLE IN PROVIDING HUMAN SERVICES. In providing or contracting for the provision of human services, counties shall do all of the following:

(a) Establish and periodically review and update local human services system goals, consistent with state goals for the system as a whole.

(b) Provide data to the department to facilitate assessment of the performance, effectiveness, needs and expenditures of the human services delivery system.

(c) Propose program initiatives tailored to meet local needs.

(d) Monitor program operations to assure compliance with state and county program requirements and terms of the state-county contract under s. 46.031.

(e) Comply with state and federal service and reporting requirements.

(f) Cooperate with the department and other counties to share information that will improve the delivery of human services in the state.

SECTION 78. 46.40 of the statutes, as affected by 1989 Wisconsin Acts 31, 122 and ... (this act), is repealed and recreated to read:

**46.40 Community aids funds.** (1) ALLOCATION OF COMMUNITY AIDS FUNDS. Within the limits of available federal funds and of the appropriations under s. 20.435 (3) (oo) and (7) (b) (o) and (of), the department shall allocate to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to private nonprofit child care providers as authorized under s. 46.98 (2) (a) 2 funds for human services, including prevention, intervention, treatment and aftercare, for the

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period beginning on January 1, 1991, and ending on June 30, 1991, as follows:

(a) *Allocation for developmentally disabled.* For services to persons with developmental disabilities, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(b) *Allocation for delinquent and status offender children.* For services to delinquent and status offender children, including but not limited to services under s. 46.26, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(c) *Allocation for alcohol and other drug abusers.* For services to persons who abuse alcohol or other drugs, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(d) *Allocation for mentally ill.* For services to persons with mental health problems, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(e) *Allocation for physically and sensory disabled.* For services to persons who have physical or sensory disabilities, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(f) *Allocation for elderly and other adults.* For services to the elderly and other adults, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(g) *Allocation for abused and neglected children.* For services to children who are, or who are alleged to be, abused or neglected, or who are threatened with abuse or neglect, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a).

(h) *Allocation for child day care, children and families.* For services to children and families, including child day care services, the department shall allocate, for the first 6 months of 1991, an amount determined under 1989 Wisconsin Act ... (this act), section 3023 (2x) (a). From the allocation under this paragraph, the department shall allocate for child day care services not less than \$6,305,000 for the first 6 months of 1991.

(3) **ADMINISTRATIVE COSTS.** The department shall promulgate rules designating the portion of funds that a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 may expend for administrative costs in each allocation under sub. (1) and designating the expenses that may be claimed as allowable administrative costs. Those rules may not allow funds provided under s. 46.98 (2) (a) 1 to be expended for administrative costs except as provided under s. 46.98 (3) (b).

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in Part

(4) **EMERGENCY FUNDS.** For emergencies, the department may allocate not more than \$300,000 for the first 6 months of 1991. The emergency funds may be expended for emergencies occurring in any program or service provided under sub. (1). Among other uses, the emergency funds may be used to replace funds that would otherwise be expended on community-based services but that are diverted to pay for unanticipated costs, beyond county control, incurred by a county as a result of a court order to provide certain services, including institutional services.

(5) **PILOT PROGRAMS.** (a) *Review.* The department shall regularly review and evaluate pilot programs created under this subsection to determine whether the programs should be implemented in every county in the state.

(b) *Department recommendation.* Within 3 years after a program created under this subsection starts to provide services to clients, the department shall develop a recommendation regarding whether the program should be implemented in every county in the state. In developing its recommendation, the department shall consult with county departments, county elected officials and advocacy organizations and shall consider the following factors:

1. The extent to which the goals established for the pilot program are being addressed by the program.
2. Whether the costs of the program are balanced by positive benefits to program participants.
3. Whether other counties in the state have needs that could be addressed by the program.
4. Whether the program is a cost-effective way of providing services to program participants.

(c) *Proposed legislation.* The department shall submit its recommendation regarding a pilot program created under this subsection as proposed legislation to the chairperson of an appropriate standing committee in each house of the legislature. The proposed legislation shall specify which, if any, program requirements shall be retained if the program is implemented statewide and shall include a sunset date for the remaining program requirements. When the department submits its proposed legislation, it shall also provide an estimate of the cost of implementing the program statewide, a timetable for statewide implementation and a recommendation regarding the allocation or allocations under sub. (1) into which the program shall be incorporated.

(e) *Current pilot programs.* For pilot programs, the department shall allocate the following:

2. "Supported employment." For grants to county departments under s. 46.23, 51.42 or 51.437 for programs to provide supported employment opportunities for severely disabled persons, the department shall allocate not more than \$30,000 for the first 6 months of 1991.

3. "Services for persons with epilepsy." For grants for services to persons with epilepsy under s. 46.57, the



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~~department shall allocate not more than \$75,000 for the first 6 months of 1991.~~

~~4. "Family-based services." For grants to counties for family-based child welfare services, the department shall allocate not more than \$565,800 for the first 6 months of 1991.~~

~~SECTION 79. 46.40 (1) (e) of the statutes, as created by 1989 Wisconsin Act 31, is renumbered 46.40 (1) (e) 1 and amended to read:~~

~~46.40 (1) (e) 1. In addition to the amounts under par. (a), the department shall allocate \$186,400 \$5,963,500 for the first 6 months of 1991 for equity increases. A county is eligible for funds allocated under this subdivision if it is one of the counties that received as a basic county allocation for 1990 under par. (c) an amount that was less than 100% of the amount that it would have received if the funds for the basic county allocation for 1990 under par. (c) had been distributed using a formula based equally on each county's percentage of the state's average monthly medical assistance population, each county's ranking on an urban-rural scale, based on the county's percentage of population living in cities, towns or villages with populations of 2,500 or more, and each county's ranking as determined by the ratio of the full value of all taxable property in the county, determined under s. 70.57, to the county's population.~~

~~SECTION 80. 46.40 (1) (e) 2 of the statutes is created to read:~~

~~46.40 (1) (e) 2. In addition to the amounts under par. (a), the department shall allocate for the first 6 months of 1991, to each county that does not receive funds under subd. 1, an amount that will distribute \$3,268,200 for 50% of the greater of 104.1% of the amount received under par. (c) or 15% of the amount of money that a county expended in calendar year 1988 for services funded under this section over the amount that the county was required to expend in calendar year 1988 for those services under ss. 48.52 (1) (d) and 51.423 (2).~~

Vetoed  
in Part

~~SECTION 81. 46.41 of the statutes is created to read:~~

Vetoed  
in Part

~~46.41 Transfers of community aids funds. (1) In this section, "county board" means the county board of supervisors in a county with a single-county department or the county boards of supervisors in counties with a multicity department.~~

~~(2) General purpose revenue and federal funds allocated by the department to counties under s. 46.40 (1) and required county matching funds under ss. 49.52 (1) (d) and 51.423 (2), may be transferred by a county board from one allocation under s. 46.40 (1) to another during a calendar year as follows:~~

~~(a) During a calendar year, beginning January 1, 1992, a county board may transfer funds between allocations, in an amount not exceeding 10% of each allocation, for the purpose of providing services under another allocation. A county board shall hold a public hearing prior to the proposed transfer of funds, if it~~

~~anticipates that there would be a reduction of services provided under an allocation from which funds are to be transferred.~~

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in Part

~~(b) During a calendar year, beginning January 1, 1992, a county board may transfer funds between allocations in addition to the percentage specified in par. (a), in an amount not exceeding an additional 10% of each allocation, for the purpose of providing services under another allocation. Prior approval of that transfer by the department is required. A county board shall hold a public hearing prior to the proposed transfer of funds if it anticipates that there would be a reduction of services provided under an allocation from which funds are to be transferred.~~

~~(c) During a calendar year, beginning January 1, 1991, a county board in a county with a population of 50,000 or less may transfer funds between allocations, in excess of the percentage specified in par. (b), if the county department incurs unanticipated costs associated with services that a court orders it to provide. Prior approval of that transfer by the department is required.~~

~~(d) During calendar year 1991, a county board may transfer funds between allocations in excess of the percentage specified in par. (b) for the purpose of providing services under another allocation. A county board shall hold a public hearing prior to the proposed transfer of funds if it anticipates that there would be a reduction of services provided under an allocation from which funds are to be transferred.~~

~~(3) A county board may submit a request to the department for a permanent adjustment in the amounts of the allocations under s. 46.40 (1) if it has transferred funds under this section for 3 consecutive years.~~

~~SECTION 82. 46.45 (3) (a) of the statutes, as affected by 1989 Wisconsin Acts 31 and 122, is amended to read:~~

~~46.45 (3) (a) Except as provided in par. (b) and (c) 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 (1) (b) for services to delinquent children, 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 any allocation in s. 46.40 (2), (3), (5), (6), (7), (8), (9), (10), (11) or (12) (1) or (4). The department may carry forward funds allocated under s. 46.40 (1) (b) for services to delinquent children as provided in s. 46.26 (3) (dm) and (e) and may carry forward funds allocated for day care under ss. 46.98 (2) (a) and 49.52 (1) (d) as provided in sub. (1). All funds carried forward for a tribal governing body or nonprofit organization and all federal child welfare~~

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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 shall 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) (7) (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.

below the level in the year before the year for which the funds are allocated.

(f) The department may carry forward funds allocated under this subsection, but not encumbered by December 31, 1990, for allocation for the purpose under this subsection in 1991.

~~SECTION 85. 46.48 (4) and (6) of the statutes, as affected by 1989 Wisconsin Act 31, are repealed.~~

**Vetoed in Part**

~~SECTION 85g. 46.48 (18) of the statutes, as created by 1989 Wisconsin Act 122, is renumbered 46.48 (18) (a), and 46.48 (18) (a) 2, as renumbered, is amended to read:~~

**Vetoed in Part**

~~46.48 (18) (a) 2. This subsection paragraph does not apply after June 30, 1993.~~

~~SECTION 85m. 46.48 (18) (b) of the statutes is created to read:~~

~~46.48 (18) (b). The department shall make a one-time allocation of up to \$95,000 in fiscal year 1990-91 to the career youth development center in the city of Milwaukee, for capital improvement costs associated with establishing an inpatient alcohol and other drug abuse treatment program for minority adolescents.~~

~~SECTION 86. 46.485 of the statutes is created to read:~~

~~**46.485 Mental health services for severely emotionally disturbed children.** (1) In this section, "severely emotionally disturbed child" has the meaning given in s. 49.45 (25) (a).~~

~~(2) If, during the period beginning on July 1, 1990, and ending on June 30, 1991, a county in this state receives a Robert Wood Johnson Foundation grant for severely emotionally disturbed youths, the department may transfer no more than \$585,400 from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (7) (gb). These funds shall be used by the county to provide, for severely emotionally disturbed children, in the following order:~~

~~(a) For children who are eligible for medical assistance, the state share of medical assistance payments for mental health care and treatment provided after July 31, 1990, and before August 1, 1991, in an inpatient facility, as defined in s. 51.01 (10).~~

~~(b) Community-based mental health services.~~

~~(3) Of the funds transferred under sub. (2), the department shall, on July 1, 1992, transfer to the appropriation under s. 20.435 (1) (b) any amount that has not been expended or encumbered by that date.~~

~~(4) The county receiving funds under sub. (2) is not liable for payment for any care and treatment of the type authorized to be paid under sub. (2) (a) that is above the amount transferred under sub. (2) (intro.).~~

~~SECTION 87. 46.57 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

**Vetoed in Part**

~~46.57 (2) (a). As provided under s. 46.48 (6) 46.40 (5) (c) 3, 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,~~

**Vetoed in Part**

~~SECTION 83. 46.45 (3) (c) of the statutes is created to read:~~

~~46.45 (3) (c). In addition to the amounts carried over under par. (a), the department shall carry over up to \$2,000,000 of the total amount allocated to counties for calendar year 1991, but not encumbered by December 31, 1991, for use during calendar year 1992 by those counties that expended, by December 31, 1991, all of the funds allocated to them under s. 46.40 for calendar year 1991. The department shall allocate the funds carried over under this paragraph to each county eligible under this paragraph based on its proportion of all funds allocated under s. 46.40 in calendar year 1989 to those counties eligible for funding under this paragraph. Funds allocated under this paragraph may be used for any service eligible for funding under s. 20.435 (7) (b) but may not be used to reduce the amount of county or federal funds, or other state funds, below the amount expended for those services in 1991.~~

~~SECTION 84. 46.48 (2) of the statutes is created to read:~~

~~46.48 (2) CHILD ABUSE AND NEGLECT SERVICES. (a) The department shall allocate \$425,000 for fiscal year 1989-90 and \$1,425,000 for fiscal year 1990-91 to eligible counties for services related to child abuse and neglect, including child abuse and neglect prevention, investigation and treatment.~~

**Vetoed in Part**

~~(b) From the amount of the allocations specified in par. (a), the department shall allocate \$325,000 in fiscal year 1989-90 and \$1,125,000 in fiscal year 1990-91 to counties having a population of 500,000 or more.~~

**Vetoed in Part**

~~(c) The department shall allocate the amounts of the allocations under par. (a) remaining after subtracting the allocations under par. (b), to counties having a population of less than 500,000 that have a serious problem with child abuse and neglect according to eligibility criteria and allocation criteria to be developed by the department.~~

~~(d) A county may use funds allocated under this subsection to fund additional foster parents to care for abused and neglected children and to fund additional staff positions to provide services related to child abuse and neglect.~~

~~(e) A county may not use funds allocated under this subsection to reduce its expenditures from other sources for services related to child abuse and neglect~~



SECTION 87m. 46.62 of the statutes is created to read:

**46.62 Services for learnfare pupils.** (1) In this section, "county department" means a county department under s. 46.215, 46.22 or 46.23.

(2) From the appropriation under s. 20.435 (7) (dg), the department shall allocate funds to county departments for the provision of case management services to individuals who are required to attend school under s. 49.50 (7) (g) to improve the school attendance and achievement of those individuals. At least 75% of the funds shall be allocated to a county department of a county that contains a 1st class city. A county department is eligible to receive funds under this section if 35 or more individuals residing in the county were sanctioned under s. 49.50 (7) (h) or were subject to the monthly attendance requirement under s. HSS 201.195 (4) (b) 2, Wis. adm. code, in any month during fiscal year 1989-90.

(3) A county department may provide services under this section directly or may contract with a non-profit agency or a school district to provide the services. ~~The service provider shall give priority to individuals described under s. 119.20 (1).~~

**Vetoed in Part**

(4) A county department that provides services under this section directly shall develop a plan, in coordination with the school districts located in whole or in part in the county, describing the assistance that the county department and school districts will provide to individuals receiving services under this section, the number of individuals that will be served and the estimated cost of the services. The county department shall submit the plan to the department of health and social services and the department of public instruction by August 15, annually.

SECTION 87t. 46.71 (title) and (1) (intro.) of the statutes, as created by 1989 Wisconsin Act 122, are amended to read:

**46.71 (title) American Indian drug abuse prevention, treatment and education.** (1) (intro.) From the appropriation under s. 20.435 (7) (dm), the department shall, for the development of new drug abuse prevention, treatment and education programs that are culturally specific with respect to American Indians or to supplement like existing programs, allocate a total of not more than \$500,000 in fiscal year 1990-91 to all the elected governing bodies of federally recognized American Indian tribes or bands that submit to the department plans, approved by the department, that do all of the following:

~~SECTION 88. 46.78 of the statutes is created to read:~~

**Vetoed in Part**

~~**46.78 Food stamp outreach.** (1) In this section, "food stamp program" means the federal food stamp program under 7 USC 2011 to 2029.~~

~~(2) (a) From the appropriations under s. 20.435 (7) (dg) and (nl), the department shall allocate not more than \$500,000 each fiscal year to nonprofit organizations for projects that qualify for reimbursement~~

~~under 7 USC 2025 (a) 4 to inform individuals with low incomes about the availability, eligibility requirements, application procedures and benefits of the food stamp program.~~

~~(b) The department shall award grants under this subsection to 10 projects. The department shall award the grants for projects located throughout the state and in both urban and rural areas. A grant under this subsection may not exceed \$50,000. The department shall award the initial grants before October 1, 1990. The department shall award grants in fiscal years following fiscal year 1990-91 for the same projects that receive grants in fiscal year 1990-91, if those projects continue to qualify for the grants.~~

~~(c) The department shall give priority in selecting projects for awards under this subsection to applicants that propose to do as many as possible of the following:~~

- ~~1. If in a rural area, serve more than one county.~~
- ~~2. Hire recipients of aid to families with dependent children under s. 49.19 for any new positions created.~~
- ~~3. Identify barriers to food stamp program participation specific to the area in which the project is proposed to be conducted and attempt to overcome those barriers.~~
- ~~4. Conduct media campaigns.~~
- ~~5. Maximize the use of volunteers.~~
- ~~6. Establish training sessions for individuals who work in human services professions.~~
- ~~7. Provide information to schools, health agencies and others to increase awareness of the food stamp program.~~
- ~~8. Work with county departments under s. 46.215, 46.22 or 46.23 to coordinate food stamp program outreach efforts.~~
- ~~9. Evaluate the projects.~~

~~(d) A recipient of a grant under this subsection may use the funds to establish new positions. A recipient of a grant under this subsection may not expend more than 10% of the grant for administrative costs.~~

~~(3) From the appropriations under s. 20.435 (7) (dq) and (nl), the department shall allocate not more than \$40,000 in fiscal year 1989-90 to a nonprofit organization to develop informational materials to be used by the projects under sub. (2). The department shall award the grant under this subsection before October 1, 1990.~~

~~(4) The department shall evaluate the projects funded under this section and shall submit a report of its findings to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) on or before January 1, 1992.~~

~~(5) This section does not apply after June 30, 1993.~~

~~SECTION 89. 46.87 (2) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~46.87 (2) From the appropriations appropriation under s. 20.435 (7) (e) and (e) (dh), the department shall allocate funds to agencies designated under sub. (3) (c), to be used for the administration and imple-~~

**Vetoed in Part**

**Vetoed in Part**

**Vetoed  
in Part**

repeal of an Alzheimer's family and caregiver support program for persons with Alzheimer's disease and their caregivers.

SECTION 89m. 46.87 (3) (c) 5 of the statutes is created to read:

46.87 (3) (c) 5. The county health department, if any, under s. 140.09.

**Vetoed  
in Part**

SECTION 89l. 46.95 (1) (d) 5 of the statutes is created to read:

46.95 (1) (d) 5. Counseling for persons who commit domestic abuse.

**Vetoed  
in Part**

SECTION 90. 46.98 (2) (a) (intro.) of the statutes is amended to read:

46.98 (2) (a) (intro.) The department shall, for the purposes specified in sub. (3), distribute the funds allocated for day care services under s. 49.52 (1) (d) 46.40 (1) (h) to either of the following:

SECTION 91. 46.99 (5) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

46.99 (5) (b) The county department specified under par. (a) shall pay the school board from its child day care allocation under s. 46.40 (4) (1) (h) an amount equal to the amount offered to the school board by the department under sub. (2). If the school district is located in more than one county, the department shall determine the amount each county department shall pay the school board, based on the school district's population in each county.

SECTION 91c. 48.09 (2) of the statutes is amended to read:

48.09 (2) By the district attorney or, if designated by the county board of supervisors, by the corporation counsel, in any matter concerning a civil law violation arising under s. 48.125. If the county board transfers this authority to or from the district attorney on or after the effective date of this subsection .... [revisor inserts date], the board may do so only if the action is effective on September 1 of an odd-numbered year and the board notifies the department of administration of that change by January 1 of that odd-numbered year.

SECTION 91f. 48.09 (5) of the statutes is amended to read:

48.09 (5) By the district attorney or, if designated by the county board of supervisors, by the corporation counsel, in any matter arising under s. 48.13. If the county board transfers this authority to or from the district attorney on or after the effective date of this subsection .... [revisor inserts date], the board may do so only if the action is effective on September 1 of an odd-numbered year and the board notifies the department of administration of that change by January 1 of that odd-numbered year.

SECTION 91g. 48.344 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 121, is amended to read:

48.344 (2) (a) For a first violation, a forfeiture of not more than \$50, suspension of the child's operating privilege as provided under s. 343.30 (6) (b) 1 or the child's participation in a supervised work program under s. 48.34 (9).

SECTION 91m. 48.344 (2g) (a) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

48.344 (2g) (a) (intro.) After ordering a penalty under sub. (2) ~~(b) or (c)~~, (2b) ~~(b) or (c)~~ or (2d) ~~(b) or (c)~~, the court assigned to exercise jurisdiction under this chapter, with the agreement of the child, may enter an additional order staying the execution of the penalty order and suspending or modifying the penalty imposed. The order under this paragraph shall require the child to do any of the following:

SECTION 91r. 48.344 (2g) (a) 2 and 3, (c) and (d) of the statutes are amended to read:

48.344 (2g) (a) 2. Participate in an outpatient alcohol or other drug abuse treatment program at an approved treatment facility, if an alcohol or other drug abuse assessment conducted under subd. 1 or s. 48.295 (1) recommends treatment.

3. Participate in a court-approved alcohol or other drug abuse education program.

(c) If the child completes the alcohol or other drug abuse treatment program or court-approved education program, the approved treatment facility or court-approved education program shall, with the written informed consent of the child or, if the child has not attained the age of 12, the written informed consent of the child's parent, notify the agency primarily responsible for providing services to the child that the child has complied with the order and the court assigned to exercise jurisdiction under this chapter shall notify the child of whether or not the penalty will be reinstated.

(d) If an approved treatment facility or court-approved education program, with the written informed consent of the child or, if the child has not attained the age of 12, the written informed consent of the child's parent, notifies the agency primarily responsible for providing services to the child that a child is not participating in the program or that a child has not satisfactorily completed a recommended alcohol or other drug abuse treatment program or an education program, the court assigned to exercise jurisdiction under this chapter shall hold a hearing to determine whether the penalties under sub. (2) ~~(b) or (c)~~ (2b) or (2d) should be imposed.

SECTION 91t. 48.599 of the statutes is created to read:

**48.599 Definitions.** In this subchapter:

(1) "Physical restraint" includes all of the following:

(a) A locked room.

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(b) A device or garment that interferes with a child's freedom of movement and that the child is unable to remove easily.

(c) Restraint by a child welfare agency staff member of a child by use of physical force.

**Vetoed in Part** (2) "Psychotropic medication" means a chemical compound, use of which affects the mental state, and includes an antipsychotic, antidepressant or antidepressant, lithium carbonate or a tranquilizer.

SECTION 91u. 48.60 (5) of the statutes is created to read:

48.60 (5) (a) No later than 24 hours after the death of a child who resided in a building operated by a child welfare agency, the child welfare agency shall report the death to the department if one of the following applies:

1. There is reasonable cause to believe that the death was related to the use of physical restraint or a psychotropic medication for the child.

**Vetoed in Part** 2. If the child was in physical restraint or being treated with a psychotropic medication and the death was unexpected.

3. There is reasonable cause to believe that the death was a suicide.

**Vetoed in Part** (b) The child welfare agency shall report a death that occurs under the circumstances specified in par. (a), regardless of whether the death occurred in the child welfare agency or on the way to or in a hospital to which the child was transferred for medical care for the condition that led to the death.

(c) No later than 14 days after the date of the death reported under par. (a), the department shall investigate the death.

SECTION 91v. 48.615 of the statutes is created to read:

**Vetoed in Part** 48.615 Penalty; forfeiture assessment procedure. (1) A child welfare agency that violates s. 48.60 (5) (a) may be subject to a forfeiture of not more than \$5,000 for each violation.

(2) The department may directly assess forfeitures provided for under sub. (1). If the department determines that a forfeiture should be assessed, it shall send a notice of assessment to the child welfare agency. The notice shall specify the amount of the forfeiture assessed, the violation, the statute or rule alleged to have been violated, and shall inform the licensee of the right to hearing under sub. (4).

(3) A child welfare agency may contest an assessment of forfeiture by sending within 10 days after receipt of notice of an assessment, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and shall issue a final decision

within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

**Vetoed in Part**

(4) A child welfare agency may contest an assessment of forfeiture by sending within 10 days after receipt of notice of assessment, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

SECTION 91x. 48.62 (1) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

48.62 (1) Any person who receives, with or without transfer of legal custody, 4 or fewer children or more than 4 children if all of the children are siblings to provide care and maintenance for those children shall obtain a license to operate a foster home from the department, a county department or a licensed child welfare agency as provided in s. 48.75. The license shall be valid for 2 years.

SECTION 91z. 48.75 (1) of the statutes is amended to read:

48.75 (1) Child welfare agencies, if licensed to do so by the department, and county departments may license foster homes under the rules promulgated by the department under s. 48.67 governing the licensing of foster homes. All such licenses A foster home license shall be issued for a term not to exceed one year 2 years from date of issuance, shall is not be transferable, and may be revoked by the child welfare agency or by the county department because the licensee has substantially and intentionally violated any provision of this chapter or of the rules of the department promulgated pursuant to s. 48.67 or because the licensee fails to meet the minimum requirements for a license. The licensee shall be given written notice of any revocation and the grounds therefor.

SECTION 92. 48.78 (2) (d) of the statutes is created to read:

48.78 (2) (d) Paragraph (a) does not prohibit the department from disclosing information about an individual formerly in its legal custody under s. 48.34 (4m) to the department of corrections, if the individual is at the time of disclosure any of the following:

1. The subject of a presentence investigation under s. 972.15.

2. Under sentence to the Wisconsin state prisons under s. 973.15.

3. Subject to an order under s. 48.366 and placed in a state prison under s. 48.366 (8).

4. On probation to the department of corrections under s. 973.09.

5. On parole under s. 302.11 or ch. 304.

SECTION 93. 48.833 of the statutes is amended to read:

**48.833 Placement of children for adoption by the department, county departments and child welfare agencies.** The department, a county department under s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a child for adoption in a licensed foster home without a court order if the department, county department under s. 48.57 (1) (e) or (hm) or the child welfare agency is the guardian of the child or makes the placement at the request of another agency which is the guardian of the child. When a child is placed under this section in a licensed foster home for adoption, the department, county department or child welfare agency making the placement shall enter into a written agreement with the adoptive parent, which shall state the date on which the child is placed in the licensed foster home for adoption by the adoptive parent.

SECTION 93m. 48.982 (6) (am) of the statutes is created to read:

48.982 (6) (am) Notwithstanding the geographical and urban and rural distribution requirements under sub. (2) (a), the board shall allocate \$75,000 from the appropriation under s. 20.433 (1) (b) in fiscal year 1989-90 and \$75,000 from that appropriation in fiscal year 1990-91 for the awarding of grants, in accordance with the request-for-proposal procedures developed under sub. (2) (a), to organizations located in counties with a population of 500,000 or more.

Vetoed in Part

~~SECTION 94. 48.985 (2) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~48.985 (2) (c). For family-based child welfare services under s. 46.40 (1) (5) (c) 4, not more than \$451,000 in fiscal year 1989-90 and not more than \$444,500 in fiscal year 1990-91.~~

~~SECTION 95. 48.985 (3) of the statutes, as affected by 1989 Wisconsin Acts 31 and 107, is amended to read:~~

~~48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation under s. 20.433 (3) (oo), the department shall allocate under s. 46.40 (1) (b), to county departments under ss. 46.215, 46.22 and 46.23 for the provision of services under s. 46.26, not more than \$1,100,000 in fiscal year 1989-90 and not more than \$1,100,000 in fiscal year 1990-91.~~

Vetoed in Part

~~SECTION 96. 49.124 (title) of the statutes is amended to read:~~

~~49.124 (title) Food stamp program administration.~~

~~SECTION 97. 49.124 of the statutes is renumbered 49.124 (1).~~

Vetoed in Part

~~SECTION 98. 49.124 (2) of the statutes is created to read:~~

~~49.124 (2) Beginning on July 1, 1992, or on the date that the department implements a pilot program for the redesign of its computer reporting network for public assistance programs, whichever is earlier, the department may not require monthly reporting of income, assets or other facts by a household receiving food stamp program benefits under 7 USC 2011 to 2029 unless members of the household are required to make monthly reports of income, assets or other facts under the aid to families with dependent children program under s. 49.19.~~

~~SECTION 99. 49.13 (title) of the statutes is amended to read:~~

Vetoed in Part

~~49.13 (title) Public assistance applications.~~

~~SECTION 100. 49.13 (6) of the statutes is created to read:~~

~~49.13 (6) Beginning on July 1, 1992, or on the date that the department implements a pilot program for the redesign of its computer reporting network for public assistance programs, whichever is earlier, a combined application form prescribed by the department for aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47 and food stamp program benefits under 7 USC 2011 to 2029 may only include items necessary to determine eligibility for those programs.~~

SECTION 101. 49.45 (2) (a) 20 and 21 of the statutes are created to read:

49.45 (2) (a) 20. Submit a report, by May 1, 1991, and annually thereafter, to the joint committee on finance on the participation rates of children in the early and periodic screening and diagnosis program.

21. Submit a report, by October 1, 1990, and annually thereafter, on access to obstetric and pediatric services under the medical assistance program, including the effect of medical assistance reimbursement rates.

SECTION 101m. 49.45 (2) (a) 22 of the statutes is created to read:

49.45 (2) (a) 22. After consulting with counties, independent living centers, consumer organizations and home health agencies, periodically identify those barriers to the provision of personal care services under s. 49.46 (2) (b) 6. j which lead to a failure to respond to the needs and preferences of individuals who are eligible for these services and act to remove the barriers to the extent possible.

~~SECTION 102. 49.45 (3) (c) 9 of the statutes is amended to read:~~

Vetoed in Part

~~49.45 (3) (c) 9. Hospital education and research costs that the department finds to be indirectly related to patient care are not allowable costs in establishing a hospital's reimbursement or payment rate under subd. 1.~~

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Vetoed  
in Part

SECTION 102m. 49.45 (6m) (a) 3m. 5 and 6 of the statutes are created to read:

49.45 (6m) (a) 3m. "Licensed practical nurse" means a nurse who is licensed or has a temporary permit under s. 441.10.

5. "Nurse's assistant" has the meaning given in s. 146.40 (1) (d).

6. "Registered nurse" means a nurse who has a certificate of registration under s. 441.06 or a temporary permit under s. 441.08.

Vetoed  
in Part

SECTION 103. 49.45 (6m) (br) 1 of the statutes as affected by 1989 Wisconsin Act 31 and 107, is amended to read:

49.45 (6m) (br) 1. Notwithstanding s. 20.435 (4) (ed) or (7) (b), (de) or (eb), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriations under s. 20.435 (4) (ed) or (7) (b), (de) or (eb) in accordance with s. 16.544 to the extent applicable.

Vetoed  
in Part

SECTION 103m. 49.45 (6m) (L) of the statutes is created to read:

49.45 (6m) (L). By January 1, 1991, 1992, 1993, and 1994, the department shall submit a report to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2), which shall include all of the following:

1. For the preceding calendar year for each facility:

a. The staff turnover rate for registered nurses, licensed practical nurses and nurse's assistants employed by the facility.

b. The average hourly wage and fringe benefit costs, including specific unemployment compensation and worker's compensation costs for registered nurses, licensed practical nurses, nurse's assistants, dietary staff, housekeeping staff and laundry staff employed by the facility and the average hourly cost for outside purchased services, if any, of registered nurses, licensed practical nurses and nurse's assistants.

c. Total revenues and expenses, total net income after taxes, expenses for each of the facility's cost centers under par. (am) medical assistance reimbursement rate and method of calculation, number of patient beds and number of patient days.

d. Total cost of recruiting, screening, educating and training the nursing staff of the facility.

e. Any correlation that may be shown between the number of notices of violations for class "A", "B" or "C" violations received under s. 50.04 by a facility, if any, and the frequency of use by the facility of outside purchased services of registered nurses, licensed practical nurses or nurse's assistants.

2. Recommendations of the department for incentives for facilities to reduce reliance on outside purchased services of registered nurses, licensed practical nurses or nurse's assistants.

SECTION 104. 49.45 (6w) of the statutes is created to read:

49.45 (6w) HOSPITAL OPERATING DEFICIT REDUCTION. 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 hospital, as defined under s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.16 or owned and operated by a city or village, the department shall allocate up to \$2,600,000 in fiscal year 1990-91 to these hospitals, as determined by the department, and shall perform all of the following:

(a) For the reduction of operating deficits incurred by the hospital, estimate the availability of federal medicaid funds that may be matched to any of the following:

1. State general purpose revenues, for a hospital operated by the state.

2. County funds, for a hospital established under s. 49.16.

3. Funds of a city or village, for a hospital owned and operated by a city or village.

(b) Based on the amount estimated available under par. (a), develop a method to distribute this allocation to the individual hospitals that have incurred operating deficits that shall include:

1. Development of criteria for determining operating deficits.

2. With respect to funds to match federal medicaid matching funds under this section, any of the following, as applicable:

a. Provision by the state of matching funds from general purpose revenues for a hospital operated by the state.

b. Agreement to provide matching funds by the county in which is located a hospital established under s. 49.16.

c. Agreement to provide matching funds by the city or village that owns and operates a hospital.

3. Consideration of the size of a hospital's operating deficit.

(c) Except as provided in par. (d), distribute the allocation under the distribution method that is developed.

(d) If the federal department of health and human services approves for state expenditure in fiscal year 1990-91 amounts under s. 20.435 (1) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (c), reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

SECTION 105. 49.45 (17) (b) 1 and 2 of the statutes, as affected by 1989 Wisconsin Act 31, are amended to read:

49.45 (17) (b) 1. An institutionalized individual who is a recipient of medical assistance on the date that he or she is institutionalized ~~and who if~~, during the 30 months immediately before the date that the individual becomes an institutionalized individual or at any time thereafter, the institutionalized individual or his or her spouse, as defined in s. 49.47 (2) (c), disposes of resources for less than fair market value.



2. An institutionalized individual who if, during the 30 months immediately before the date that he or she applies for medical assistance or at any time thereafter, the institutionalized individual or his or her spouse, as defined in s. 49.47 (2) (c), disposes of resources for less than fair market value.

SECTION 106. 49.45 (25) (a) of the statutes is renumbered 49.45 (25) (a) (intro.) and amended to read:

49.45 (25) (a) (intro.) In this subsection, "severely emotionally disturbed child" means a person an individual under 21 years of age who has emotional and behavioral problems which are severe in degree. that:

SECTION 107. 49.45 (25) (a) 1 to 4 of the statutes are created to read:

- 49.45 (25) (a) 1. Are severe in degree;
- 2. Are expected to persist for at least one year;
- 3. Substantially interfere with the individual's functioning in his or her family, school or community and with his or her ability to cope with the ordinary demands of life; and
- 4. Cause the individual to need services from 2 or more agencies or organizations that provide social services or services or treatment for mental health, juvenile justice, child welfare, special education or health.

SECTION 108. 49.45 (25) (am) of the statutes is amended to read:

49.45 (25) (am). Except as provided under sub. (24), case management services under s. s. 49.46 (2) (b) 9 and 49.47 (6) (a) 3 are reimbursable under medical assistance only if provided to a medical assistance beneficiary who has a developmental disability, as defined under s. 51.01 (5) (a), chronic mental illness, as defined under s. 51.01 (3g), or Alzheimer's disease, as defined under s. 46.87 (1) (a), is alcoholic, as defined under s. 51.01 (1), or drug dependent, as defined under s. 51.01 (8), is physically disabled, as defined by the department, is a severely emotionally disturbed child, or is age 65 or over and who receives case management services from or through a certified case management provider in a county which elects, under par. (b), to make the services available.

Vetoed in Part

SECTION 108g. 49.45 (33) of the statutes is created to read:

49.45 (33) HOME HEALTH CARE. (a) The department may not require prior authorization for the provision of home health services under sub. (2) (a) 4, d or s. 49.47 (6) (a) 1.

(b) The department shall institute utilization review and peer review procedures with respect to reimbursement for the provision of these home health services under sub. (2) (a) 4, d and s. 49.47 (6) (a) 1.

(c) The department shall promulgate rules defining "utilization review" and "peer review" for the purposes of par. (b).

SECTION 108m. 49.45 (34) of the statutes is created to read:

Vetoed in Part

~~49.45 (34) PRIOR AUTHORIZATION: PERSONAL CARE. The department may not require prior authorization for the provision of personal care services under s. 49.46 (2) (b) 6, j or 49.47 (6) (a) 1 to any person who meets the level of care requirements under s. 46.27 (6) (a) or the level of care requirements for reimbursement of nursing home care under s. 49.45 (6m) (1).~~

Vetoed in Part

~~SECTION 109. 49.46 (1) (a) 9 and 10 of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:~~

Vetoed in Part

~~49.46 (1) (a) 9. Any pregnant woman not described under subd. 1 or 1m whose family income does not exceed 100% 133% of the poverty line for a family the size of the woman's family and who meets the limitation under par. (1).~~

~~10. Any child not described under subd. 1 who is under one year 6 years of age and whose family income does not exceed 100% 133% of the poverty line for a family the size of the child's family and who meets the limitation under par. (1).~~

~~SECTION 110. 49.46 (1) (i) of the statutes, as created by 1989 Wisconsin Act 31, is repealed.~~

~~SECTION 111. 49.46 (1) (k) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~49.46 (1) (k). If a child eligible for benefits under par. (a) 10 is receiving inpatient services covered under sub. (2) on the day before the birthday on which the child attains the age of one 6 and, but for attaining that age, the child would remain eligible for benefits under par. (a) 10, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.~~

~~SECTION 112. 49.46 (2) (b) 6, g of the statutes is amended to read:~~

~~49.46 (2) (b) 6, g. Nursing services, including services performed by a nurse practitioner, as defined in rules that the department shall promulgate.~~

~~SECTION 113. 49.46 (2) (b) 11 of the statutes is created to read:~~

Vetoed in Part

~~49.46 (2) (b) 11. Support services, including care coordination, for pregnant women.~~

~~SECTION 114. 49.46 (2) (be) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~49.46 (2) (be). Benefits for an individual eligible under sub. (1) (a) 9 are limited to those services under par. (a) or (b) that are related to pregnancy, including postpartum and family planning services and services under par. (b) 11, or related to other conditions which may complicate pregnancy.~~

~~SECTION 115. 49.468 of the statutes, as created by 1989 Wisconsin Act 31, is renumbered 49.468 (1), and 49.468 (1) (a) (intro.) and (b) to (d), as renumbered, are amended to read:~~

~~49.468 (1) (a) (intro.) In this section subsection:~~

~~(b) For an elderly or disabled individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare and who does~~



not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4) but meets the limitations on income and resources under ~~sub. (4) par. (d)~~, medical assistance shall pay the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late enrollment penalty, if applicable, for premiums under part A of medicare. Payment of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

(c) For an elderly or disabled individual who is only entitled to coverage under part A of medicare and who does not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4) but meets the limitations on income and resources under ~~sub. (4) par. (d)~~, medical assistance shall pay the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395i which are not paid under 42 USC 1395 to 1395i, including those medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late enrollment penalty for premiums under part A of medicare, if applicable.

(d) Benefits under ~~sub. (2) or (3) par. (b) or (c)~~ are available for an individual who has resources that are equal to or less than 200% of the allowable resources as determined under 42 USC 1381 to 1385 and income that is equal to or less than 100% of the poverty line, as established under 42 USC 9902 (2).

SECTION 116. 49.468 (2) of the statutes is created to read:

49.468 (2) (a) Beginning on January 1, 1991, for a disabled working individual who is entitled under P.L. 101-239, section 6012 (a), to coverage under part A of medicare and who does not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4) but meets the limitations on income and resources under par. (b), medical assistance shall pay the monthly premiums for the coverage under part A of medicare, including late enrollment fees, if applicable.

(b) Benefits under par. (a) are available for an individual who has resources that are equal to or less than 200% of the allowable resources under 42 USC 1381 to 1385 and income that is equal to or less than 200% of the poverty line.

SECTION 117. 49.47 (3) (c) of the statutes is created to read:

49.47 (3) (c) The department shall simplify applications for benefits for pregnant women and children under sub. (4) (am) and shall make the simplified

applications available in the offices of health care providers of pregnancy-related services.

~~SECTION 118. 49.47 (4) (am) 1 of the statutes, as affected by 1989 Wisconsin Act 31, section 1463gc, is amended to read:~~

~~49.47 (4) (am) 1. A pregnant woman whose family income does not exceed 135% 165% of the poverty line for a family the size of the woman's family.~~

~~SECTION 119. 49.47 (4) (am) 2 of the statutes, as affected by 1989 Wisconsin Act 31, section 1463ic, is amended to read:~~

~~49.47 (4) (am) 2. A child who is under one year 6 years of age and whose family income does not exceed 135% 165% of the poverty line for a family the size of the child's family.~~

~~SECTION 120. 49.47 (4) (g) of the statutes is amended to read:~~

~~49.47 (4) (g) If a child eligible for benefits under par. (am) 2 is receiving inpatient services covered under sub. (6) on the day before the birthday on which the child attains the age of one 6 and, but for attaining that age, the child would remain eligible for benefits under par. (am) 2, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.~~

~~SECTION 121. 49.47 (6) (a) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is repealed and recreated to read:~~

~~49.47 (6) (a) 1. Except as provided in subd. 6 and 7, all beneficiaries, for all services under s. 49.46 (2) (a) and (b).~~

~~SECTION 122. 49.47 (6) (a) 2 and 3 of the statutes are repealed.~~

~~SECTION 123. 49.47 (6) (a) 4 of the statutes, as affected by 1989 Wisconsin Act 31, is repealed.~~

~~SECTION 124. 49.47 (6) (a) 5 of the statutes is repealed.~~

~~SECTION 125. 49.47 (6) (a) 7 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2 or (am) 1, for services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum and family planning services and services under s. 49.46 (2) (b) 11, or related to other conditions which may complicate pregnancy.~~

~~SECTION 126. 49.47 (6) (a) 8 of the statutes, as created by 1989 Wisconsin Act 31, is repealed.~~

~~SECTION 127. 49.47 (9) of the statutes is created to read:~~

~~49.47 (9) MONTHLY PREMIUM. The department shall impose a monthly premium for coverage under this section of an individual eligible under sub. (4) (am) whose family income exceeds 150% of the poverty line for a family the size of the individual's family. The monthly premium may not exceed 10% of the amount by which the individual's monthly family income, less child care expenses, exceeds one-twelfth of 150% of the poverty line for a family the size of the individual's family. The department may waive the~~

Vetoed  
in Part

**Vetoed in Part** ~~payment of the premium if it determines that requiring payment would create an undue hardship.~~

SECTION 128. 49.47 (9m) of the statutes is created to read:

49.47 (9m) ELIGIBILITY FOR LONG-TERM CARE INSURANCE BENEFICIARIES. (a) In this subsection, "long-term care insurance" has the meaning given in s. 146.91 (1).

(b) A person who meets the eligibility requirements for medical assistance under sub. (4) except that the person has liquid assets in excess of the limits under sub. (4) (b) is eligible for medical assistance under this section if all of the following conditions are satisfied:

1. The person is 65 years of age or older.
2. The person is the beneficiary of a long-term care insurance policy that is certified to meet the standards set by the department by rule.
3. The long-term care insurance policy paid for institutional or community-based long-term care services, or both, up to the limits specified in the long-term care insurance policy.
4. The person required the services paid for under the long-term care insurance policy because of a severe limitation in activities of daily living or because of medical necessity, as defined by the department by rule.
5. The amount of liquid assets retained by the person does not exceed the amount paid under the policy or the actual charges, whichever is lower, for the following services provided to the beneficiary that are reimbursed under the medical assistance program:
  - a. Skilled nursing home services under s. 49.46 (2) (a) 4. c.
  - b. Home health services under s. 49.46 (2) (a) 4. d.
  - c. Intermediate care facility services under s. 49.46 (2) (b) 6. a.
  - d. Nursing services under s. 49.46 (2) (b) 6. g.
  - e. Home or community-based services under s. 49.46 (2) (b) 8.
  - f. Case management services under s. 49.46 (2) (b) 9.

(c) A person who seeks benefits under this subsection shall apply to an office of the department designated by the department.

(d) Paragraphs (b) and (c) do not apply unless the federal department of health and human services approves a waiver of federal medical assistance eligibility limits that authorizes federal financial participation in providing medical assistance benefits to persons eligible under par. (b). If a waiver is approved, the department shall implement pars. (b) and (c) no later than 3 months after the date on which it is notified of that approval.

SECTION 128d. 49.50 (7) (g) 5 of the statutes is amended to read:

49.50 (7) (g) 5. If the individual is the caretaker of a child, the child is at least ~~90~~ 45 days old and child care

is available for the child at the school or the school provides an instruction program for the caretaker at home.

SECTION 128h. 49.50 (7) (g) 11 and 12 of the statutes are created to read:

49.50 (7) (g) 11. If the individual is the mother of a child, a physician has not determined that the individual should delay her return to school after giving birth.

12. If the individual is on a waiting list for a children-at-risk or a modified educational program under s. 118.153 or 119.20, a children-at-risk or a modified educational program that is appropriate for the individual is not available.

~~SECTION 128p. 49.50 (7) (gm) 1 of the statutes is created to read:~~

~~49.50 (7) (gm) 1. If an individual subject to the monthly attendance requirement under s. HSS 201.195 (4) (b) 2, Wis. admin. code, is reported to have failed to comply with the requirement, the county department under s. 46.215, 46.22 or 46.23 shall meet with the individual and verify that the individual has failed to comply with the requirement. If the individual has failed to comply with the monthly attendance requirement, the county department shall provide the individual with case management services including working with the individual and his or her family to identify needs and develop a plan of services to help the individual comply with the monthly attendance requirement.~~

~~2. The department may not impose a sanction on an individual who is reported to have failed to comply with the monthly attendance requirement until all of the following apply:~~

- ~~a. The county department under s. 46.215, 46.22 or 46.23 has complied with subd. 1.~~
- ~~b. After at least 30 days have passed since the county department under s. 46.215, 46.22 or 46.23 began to provide the case management services under subd. 1 to the individual, the individual refuses to cooperate with the plan developed under subd. 1.~~

~~SECTION 128t. 49.50 (7) (h) 1 of the statutes is amended to read:~~

~~49.50 (7) (h) 1. An Subject to par. (gm), an individual who fails to meet the requirements under par. (g) is subject to sanctions as provided by the department by rule.~~

~~SECTION 129. 49.52 (1) (d) of the statutes, as affected by 1989 Wisconsin Acts 31 and 122, is amended to read:~~

~~49.52 (1) (d). From the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o) and (ol), the department shall allocate the funding for social services, including funding for foster care of a child receiving aid under s. 49.19, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the allocations under s. 46.40 (1) to (4), (8), (9), (11) and~~

**Vetoed in Part**

**Vetoed in Part**

**Vetoed in Part**

**Vetoed in Part**

~~(2) Before January 1, 1988, the ratio of state and federal funds to county matching funds shall equal 9:1 to 9. Beginning January 1, 1988, (4) and (5) (c) 3 and 4. Before January 1, 1991, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. Beginning January 1, 1991, each county's required match for a year equals a percentage of the county's allocation for that year. The percentage is obtained by dividing the total matching funds required from counties in 1990 by the total amount of funds allocated to counties in 1990 under s. 20.435 (4) (ed), 1987 stats., as affected by 1989 Wisconsin Acts 31, 107 and 122, under s. 20.435 (3) (oo) and (7) (b), (o) and (ol) and under s. 46.40 (8m), 1987 stats., as affected by 1989 Wisconsin Act 31. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.~~

~~SECTION 130. 49.52 (1) (i) of the statutes, as affected by 1989 Wisconsin Acts 31, 56 and 107, is repealed.~~

SECTION 130b. 50.02 (title) of the statutes is amended to read:

**50.02 (title) Department; powers and duties.**

SECTION 130d. 50.02 (5) of the statutes is created to read:

50.02 (5) DEATH INVESTIGATION. No later than 14 days after the date of a death reported under s. 50.035 (5) (b) or 50.04 (2t) (b), the department shall investigate the death.

**Vetoed in Part**

SECTION 130f. 50.035 (5) and (6) of the statutes are created to read:

50.035 (5) REPORTS OF DEATH REQUIRED. (a) In this subsection:

- 1. "Physical restraint" includes all of the following:
  - a. A locked room.
  - b. A device or garment that interferes with an individual's freedom of movement and that the individual is unable to remove easily.
  - c. Restraint by a facility staff member of a resident by use of physical force.

**Vetoed in Part**

2. "Psychotropic medication" means a chemical compound, use of which affects the mental state, and includes an antipsychotic, antidepressant or anticonvulsant, lithium carbonate or a tranquilizer.

(b) No later than 24 hours after the death of a resident of a community-based residential facility, the community-based residential facility shall report the

death to the department if one of the following applies:

- 1. There is reasonable cause to believe that the death was related to the use of physical restraint or a psychotropic medication.
- 2. If the resident was in physical restraint or being treated with a psychotropic medication and the death was unexpected.
- 3. There is reasonable cause to believe that the death was a suicide.

**Vetoed in Part**

(e) The community-based residential facility shall report a death that occurs under the circumstances specified in par. (b), regardless of whether the death occurred in the community-based residential facility, or on the way to or in a hospital to which the resident was transferred for medical care for the condition that led to the death.

**Vetoed in Part**

~~(6) PENALTY; FORFEITURE ASSESSMENT PROCEDURE.~~

(a) A community-based residential facility that violates sub. (5) (b) may be subject to a forfeiture of not more than \$5,000 for each violation.

(b) The department may directly assess forfeitures provided for under par. (a). If the department determines that a forfeiture should be assessed, it shall send a notice of assessment to the community-based residential facility. The notice shall specify the amount of the forfeiture assessed, the violation, the statute or rule alleged to have been violated, and shall inform the licensee of the right to hearing under par. (d).

(c) A community-based residential facility may contest an assessment of forfeiture by sending, within 10 days after receipt of notice of an assessment, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

(d) A community-based residential facility may contest an assessment of forfeiture by sending, within 10 days after receipt of notice of assessment, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and shall issue a final decision

Vetoed  
in Part

~~within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.~~

SECTION 130h. 50.04 (2t) of the statutes is created to read:

50.04 (2t) REPORTS OF DEATH REQUIRED. (a) In this subsection:

- 1. "Physical restraint" includes all of the following:
  - a. A locked room.
  - b. A device or garment that interferes with an individual's freedom of movement and that the individual is unable to remove easily.
  - c. Restraint by a facility staff member of a resident by use of physical force.

Vetoed  
in Part

~~2. "Psychotropic medication" means a chemical compound, use of which affects the mental state, and includes an antipsychotic, antidepressant, or anticonvulsant, lithium carbonate or a tranquilizer.~~

(b) No later than 24 hours after the death of a resident of a nursing home, the nursing home shall report the death to the department if one of the following applies:

1. There is reasonable cause to believe that the death was related to the use of physical restraint or a psychotropic medication.

Vetoed  
in Part

~~2. If the resident was in physical restraint or being treated with a psychotropic medication and the death was unexpected.~~

3. There is reasonable cause to believe that the death was a suicide.

Vetoed  
in Part

~~(c) The nursing home shall report a death that occurs under the circumstances specified in par. (b), regardless of whether the death occurred in the nursing home or on the way to or in a hospital to which the resident was transferred for medical care for the condition that led to the death.~~

SECTION 130L. 50.04 (4) (b) 1 of the statutes is amended to read:

50.04 (4) (b) 1. A class "A" violation is a violation of this subchapter or of the rules promulgated thereunder which creates a condition or occurrence relating to the operation and maintenance of a nursing home presenting a substantial probability that death or serious mental or physical harm to a resident will result therefrom or is a violation of sub. (2) (b).

SECTION 130p. 51.03 (title) of the statutes is amended to read:

**51.03 (title) Department; powers and duties.**

SECTION 130r. 51.03 of the statutes is renumbered 51.03 (1).

SECTION 130u. 51.03 (2) of the statutes is created to read:

51.03 (2) No later than 14 days after the date of a death reported under s. 51.64 (2) (a), the department shall investigate the death.

SECTION 130y. 51.30 (4) (b) 23 of the statutes is created to read:

51.30 (4) (b) 23. To the department under s. 51.03 (2) or to a sheriff, police department or district attorney for purposes of investigation of a death reported under s. 51.64 (2) (a).

~~SECTION 131. 51.423 (2) of the statutes as affected by 1989 Wisconsin Acts 31 and 122, is amended to read:~~

Vetoed  
in Part

~~51.423 (2) From the appropriations under s. 20.435 (7) (b) and (c), the department shall allocate the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments as provided under s. 46.40. County matching funds are required for the allocations under s. 46.40 (1), (2), (5) to (9) and (12). Before January 1, 1988, the ratio of state and federal funds to county matching funds shall equal 9:1 to 9. Beginning January 1, 1988 (4) and (5) (c) 2 and 4. Before January 1, 1991, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juveniles delinquency-related services from its allocation for 1987. Beginning January 1, 1991, each county's required match for a year equals a percentage of the county's allocation for that year. The percentage is obtained by dividing the total matching funds required from counties in 1990 by the total amount of funds allocated to counties in 1990 under s. 20.435 (4) (cd), 1987 stats., as affected by 1989 Wisconsin Acts 31, 107 and 122, under s. 20.435 (3) (oo) and (7) (b), (c) and (d) and under s. 46.40 (8m), 1987 stats., as affected by 1987 Wisconsin Act 31. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.~~

SECTION 132. 51.45 (4) (c) of the statutes is amended to read:

51.45 (4) (c) Provide treatment for alcoholics and intoxicated persons in or on parole from state correctional institutions and assure Assure that the county department provides treatment for such alcoholics and intoxicated persons in county, town and municipal institutions for the detention and incarceration of persons charged with or convicted of a violation of a state law or a county, town or municipal ordinance.

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SECTION 132m. 51.64 of the statutes is created to read:

**51.64 Reports of death required; penalty; assessment.** (1) In this section:

(a) "Physical restraint" includes all of the following:

1. A locked room.
2. A device or garment that interferes with an individual's freedom of movement and that the individual is unable to remove easily.
3. Restraint by a treatment facility staff member of a person admitted or committed to the treatment facility, by use of physical force.

(b) "Psychotropic medication" means a chemical compound, use of which affects the mental state, and includes an antipsychotic, antidepressant or anticonvulsant, lithium carbonate or a tranquilizer.

(2) (a) No later than 24 hours after the death of a person admitted or committed to a treatment facility, the treatment facility shall report the death to the department if one of the following applies:

1. There is reasonable cause to believe that the death was related to the use of physical restraint or a psychotropic medication.

2. If the person admitted or committed to the treatment facility was in physical restraint or being treated with a psychotropic medication and the death was unexpected.

3. There is reasonable cause to believe that the death was a suicide.

(b) The treatment facility shall report a death that occurs under the circumstances specified in par. (a), regardless of whether the death occurred in the treatment facility or on the way to or in a hospital to which the person admitted or committed to the treatment facility was transferred for medical care for the condition that led to the death.

(3) A treatment facility that violates sub. (2) may be subject to a forfeiture of not more than \$5,000 for each violation.

(4) The department may directly assess forfeitures provided for under sub. (3). If the department determines that a forfeiture should be assessed, it shall send a notice of assessment to the treatment facility. The notice shall specify the amount of the forfeiture assessed, the violation, the statute or rule alleged to have been violated, and shall inform the treatment facility of the right to hearing under sub. (5).

(5) A treatment facility may contest an assessment of forfeiture by sending, within 10 days after receipt of notice of an assessment, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and

~~shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.~~

SECTION 132mg. 59.07 (18) (b) of the statutes is amended to read:

59.07 (18) (b) Enact ordinances to regulate, control, prohibit ~~and~~ or license dance halls and pavilions, amusement parks, carnivals, ~~concerts,~~ street fairs, bathing beaches and other like places ~~or forms~~ of amusement. Such ordinances shall provide for license fees yielding as nearly as possible sufficient revenues for administering their provisions and paying for extraordinary governmental services required as a result of the licensed amusement. These services ~~include but are not limited to~~ extra police protection, traffic control or refuse collection.

(bg) Upon the passage of such an ordinance under par. (b) the board shall may select a sufficient number of persons whose duty it shall be to supervise public dances or places of amusement according to assignments to be made by the board. Such persons while engaged in supervising public dances or places of amusement shall have the powers of deputy sheriffs, and shall make reports in writing of each dance or place of amusement visited to the clerk, and shall receive such compensation as the board determines. Their reports shall be filed by the clerk and incorporated in a report to the board at each meeting.

(br) The board shall may immediately revoke the license of any dance hall proprietor or manager issued under an ordinance enacted under par. (b) if there is allowed at any such dance licensed place or form of amusement the presence of intoxicated persons, or of children of 17 years of age or under or adults who have not attained the age of 21 years unaccompanied by their parent or lawful guardian when alcohol beverages are available for consumption on the premises, or if any of the ordinances are violated, and the. The board may enact an ordinance requiring the revocation of such a dance hall license if the use of intoxicating liquor is permitted on the premises during the holding of a public dance. The chairperson of the board, when the board is not in session, is authorized to issue licenses or to suspend the license of any person violating this law or any regulation adopted by the board; such issuance of licenses or the suspension of such license to be acted on by the board at its next meeting.

SECTION 132mj. 59.07 (18) (d) of the statutes is amended to read:

59.07 (18) (d) Ordinances enacted by a board under par. (b), (br) or (c) shall not apply to any city or village which by ordinance regulates and controls such places.

SECTION 132mk. 59.07 (108) of the statutes is created to read:

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part



59.07 (108) **ABSCONDING WITHOUT PAYING RENT.** Enact and enforce an ordinance to prohibit conduct that is the same as or similar to conduct that is prohibited by s. 943.215 and provide a forfeiture for a violation of the ordinance.

SECTION 132mL. 59.456 (title) of the statutes is amended to read:

**59.456 (title) Corporation counsel in special counties; duties.**

SECTION 132n. 59.456 (6) of the statutes is repealed.

SECTION 132q. 60.24 (3) (u) of the statutes is repealed.

Vetoed  
in Part

~~SECTION 132s. 66.116 of the statutes is created to read:~~

~~**66.116 Ban on cigarette distribution.** The governing body of any city, village or town may, by ordinance, prohibit the giving away or free distribution of a cigarette, with any business purpose, to any individual on any street, alley or area used for pedestrian travel.~~

SECTION 133. 66.183 of the statutes is created to read:

**66.183 Self-insured health plans.** If a city, including a 1st class city, or a village provides health care benefits under its home rule power to its officers and employes on a self-insured basis, the self-insured plan shall comply with s. 632.896.

SECTION 133b. 66.46 (2) (a) of the statutes is amended to read:

66.46 (2) (a) "Blighted area" means any area (including slum area) in which the structures, buildings or improvements, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare, ~~or any area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use, or any area which is predominantly open and which consists primarily of~~

an abandoned highway corridor, as defined in s. 66.431 (4) (a), or that consists of land upon which buildings or structures have been demolished and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community. "Blighted area" does not include predominantly open land area that has been developed only for agricultural purposes.

Vetoed  
in Part

~~SECTION 133c. 66.46 (2) (j) of the statutes is amended to read:~~

~~66.46 (2) (j) "Tax incremental base" means the aggregate value, as equalized by the department of revenue, of all taxable property located within a tax incremental district on the date as of which such district is created, determined as provided in sub. (5) (b), or as redetermined as provided in sub. (5m). The base of districts created before October 1, 1980, shall exclude the value of property exempted under s. 70.111 (17).~~

SECTION 133d. 66.46 (4) (gm) 4. c of the statutes is amended to read:

66.46 (4) (gm) 4. c. ~~The aggregate~~ Either the equalized value of equalized taxable property of the district plus all existing districts does not exceed 5% 7% of the total equalized value of equalized taxable property within the city or the equalized value of taxable property of the district plus the value increment of all existing districts within the city does not exceed 5% of the total equalized value of taxable property within the city.

Vetoed  
in Part

SECTION 133e. 66.46 (4) (i), ~~(j)~~ and (k) of the statutes are created to read:

66.46 (4) (i) The local legislative body shall provide the joint review board ~~and the department of development~~ with the following information and projections:

Vetoed  
in Part

1. The specific items that constitute the project costs, the total dollar amount of these project costs to be paid with the tax increments, and the amount of tax increments to be generated over the life of the tax incremental district.
2. The amount of the value increment when the project costs in subd. 1 are paid in full and the tax incremental district is terminated.
3. The reasons why the project costs in subd. 1 may not or should not be paid by the owners of property that benefits by improvements within the tax incremental district.
4. The share of the projected tax increments in subd. 1 estimated to be paid by the owners of taxable property in each of the taxing jurisdictions overlying the tax incremental district.
5. The benefits that the owners of taxable property in the overlying taxing jurisdictions will receive to compensate them for their share of the projected tax increments in subd. 4.

**Vetoed  
in Part**

~~(j) Receipt by the local legislative body of a document issued and certified by the department of development that either:~~

- ~~1. Makes the finding described in sub. (4s) (b) 1;~~
- ~~2. Makes the finding described in sub. (4s) (b) 3; or~~
- ~~3. Makes the finding described in sub. (4s) (b) 2, but concludes that creation of the proposed tax incremental district is good public policy because the potential public benefits from the proposed tax incremental district outweigh any disadvantages caused by the use of tax incentives that result in intrastate job transfers.~~

~~(k) Calculation by the local assessor of the value of all tax-exempt city-owned property, except property described in sub. (5) (bm), in the proposed tax incremental district, as of the day of the district's creation. This information shall be sent to the department of revenue for inclusion in the tax incremental district's initial tax incremental base under sub. (5) (b).~~

**Vetoed  
in Part**

~~SECTION 133L. 66.46 (4m) (a) of the statutes is amended to read:~~

~~66.46 (4m) (a) Any city that seeks to create a tax incremental district or amend a project plan shall convene a joint review board to review the proposal. The board shall consist of one representative chosen by the school district that has power to levy taxes on the property within the tax incremental district, one representative chosen by the vocational, technical and adult education district that has power to levy taxes on the property within the tax incremental district, one representative chosen by the county that has power to levy taxes on the property within the tax incremental district, one representative chosen by the city and one public member. 2 public members. If more than one school district, more than one vocational, technical and adult education district or more than one county has the power to levy taxes on the property within the tax incremental district, the unit in which is located property of the tax incremental district that has the greatest value shall choose that representative to the board. The public member members and the board's chairperson shall be selected by a majority of the other board members before the public hearing under sub. (4) (a) or (h) is held. All board members shall be appointed and the first board meeting held within 14 days after the notice is published under sub. (4) (a) or (h). Additional meetings of the board shall be held upon the call of any member. The city that seeks to create the tax incremental district or to amend its project plan shall provide administrative support for the board. By majority vote, the board may disband following approval or rejection of the proposal.~~

~~SECTION 133g. 66.46 (4m) (b) of the statutes is renumbered 66.46 (4m) (b) 1 and amended to read:~~

**Vetoed  
in Part**

~~66.46 (4m) (b) 1. The board shall review the public record, planning documents and the resolution passed by the local legislative body or planning commission under sub. (4) (gm) or (h) and the advisory~~

**Vetoed  
in Part**

~~opinion issued by the department of development~~

~~under sub. (4s). As part of its deliberations the board may hold additional hearings on the proposal.~~

**Vetoed  
in Part**

~~2. No tax incremental district may be created and no project plan may be amended unless the board approves the resolution adopted under sub. (4) (gm) or (h) by a majority vote within 30 days after the date not less than 10 days nor more than 30 days after receiving the resolution is adopted and the advisory opinion of the department of development.~~

**Vetoed  
in Part**

~~3. The board shall submit its decision to the city within this 30-day period no later than 7 days after the board acts on and reviews the items in subd 2.~~

~~SECTION 133h. 66.46 (4m) (c) 1. c of the statutes is amended to read:~~

~~66.46 (4m) (c) 1. c. Whether the benefits of the proposal outweigh the anticipated loss in tax revenues of tax increments to be paid by the owners of property in the overlying taxing districts.~~

~~SECTION 133i. 66.46 (4m) (c) 1. d of the statutes is created to read:~~

**Vetoed  
in Part**

~~66.46 (4m) (c) 1. d. The advisory opinion of the department of development issued under sub. (4s).~~

~~SECTION 133k. 66.46 (4s) of the statutes is created to read:~~

~~66.46 (4s). DEPARTMENT OF DEVELOPMENT REVIEW. Except as provided in par. (c), within 30 days after receiving from the city the information under sub. (4) (j), the department of development shall do all of the following:~~

~~(a) Send to the joint review board under sub. (4m) (c) 1. d an advisory opinion on whether creating the proposed tax incremental district is good public policy. The advisory opinion shall be based on the criteria used by the joint review board in sub. (4m) (c) 1.~~

~~(b) Send to the local legislative body, under sub. (4) (j), a finding that certifies one of the following:~~

~~1. That the primary effect of creating the proposed tax incremental district will not be the transfer of jobs from one city, village or town in this state to another city or village in this state.~~

~~2. That the primary effect of creating the proposed tax incremental district will be the transfer of jobs from one city, village or town in this state to another city or village in this state.~~

~~3. That the primary effect of creating the proposed tax incremental district will be as described in subd. 2, but that if such a transfer did not occur the jobs would be transferred from this state to another state.~~

~~(c) If the department of development determines that a job transfer may occur, notify the city, village or town from which the transfer may occur and extend its review process for up to 30 days to allow the city, village or town to present evidence to the department about a potential job transfer before the department issues its opinion and finding.~~

~~SECTION 133L. 66.46 (5) (b) of the statutes is amended to read:~~

66.46 (5) (b) Upon application in writing by the city clerk, in such form as the department of revenue may prescribe, the department shall determine according to its best judgment from all sources available to it the full aggregate value of the taxable property and, except as provided in par. (bm), of the city-owned property in the tax incremental district. The department shall certify this aggregate valuation to the city clerk, and the aggregate valuation shall constitute the tax incremental base of the tax incremental district. The city clerk shall complete these forms and submit the application on or before December 31 of the year the tax incremental district is created, as defined in sub. (4) (gm) 2.

SECTION 133Lb. 66.46 (5) (bm) of the statutes is created to read:

66.46 (5) (bm) The value of real property owned by a city and used for police and fire buildings, administrative buildings, libraries, community and recreational buildings, parks, streets and improvements within any street right-of-way, parking facilities and utilities shall not be included in the tax incremental base established under par. (b) ~~or redetermined under sub. (5m).~~

**Vetoed in Part**

~~SECTION 133Ld. 66.46 (5m) of the statutes is created to read:~~

~~66.46 (5m) REDETERMINATION OF TAX INCREMENTAL BASE. (a) The tax incremental base of the district as determined under sub. (5) (b) or as redetermined under sub. (5) (c) shall be redetermined annually by the department of revenue under par. (b). The redetermination of the tax incremental base shall first be reflected in the property tax bill sent out on one of the following dates:~~

~~1. For tax incremental districts created before January 1, 1987, the property tax bill sent out in December 1990.~~

~~2. For tax incremental districts created on or after January 1, 1987, the property tax bill sent out in December of the year in which the district begins its 5th year of existence.~~

~~(b) Subject to the dates in par. (a), the department of revenue shall increase or decrease the tax incremental base of the district by the percentage that equals the annual percentage change in the equalized valuation of all property in the city in which the tax incremental district is located, including only equalized valuation changes that are caused by economic adjustments as determined by the department of revenue as determined by comparing the most recent determination of equalized valuation under sub. (5) (b), or as amended under sub. (5) (c), before the December property tax bill is sent out, to the next preceding determination of equalized valuation under sub. (5) (b) or (c) for that area.~~

~~(c) This subsection does not apply to a tax incremental district within a city if, as of January 1, 1961, no more than 25% of the whole units of real property~~

~~as assessed for general property tax purposes that are contained in the district consisted of undeveloped land.~~ **Vetoed in Part**

SECTION 133Lf. 66.46 (6) (a) of the statutes is amended to read:

66.46 (6) (a) If the joint review board approves the creation of the tax incremental district under sub. (4m), positive tax increments with respect to a tax incremental district are allocated to the city which created the district for each year commencing after the date when a project plan is adopted under sub. (4) (g). The department of revenue shall not authorize allocation of tax increments until it determines from timely evidence submitted by the city that each of the procedures and documents required under sub. (4) (d) to (f) have been completed and all related notices given in a timely manner. The department of revenue may authorize allocation of tax increments for any tax incremental district only if the city clerk and assessor annually submit to the department all required information on or before the 2nd Monday in June. The facts supporting any document adopted or action taken to comply with sub. (4) (d) to (f) shall not be subject to review by the department of revenue under this paragraph. Thereafter, the department of revenue shall annually authorize allocation of the tax increment to the city that created such a district until the department of revenue receives a notice under sub. (8) and the notice has taken effect under sub. (8) (b) or 20 23 years after the tax incremental district is created, whichever is sooner.

SECTION 133Lh. 66.46 (6) (am) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

66.46 (6) (am) 1. No expenditure may be made later than 5 7 years after the tax incremental district is created, if the tax incremental district is created after December 31, 1980, and is not in a 3rd class city which is located in a county with a population of less than 500,000 and which has boundaries on both sides of the Milwaukee river; no expenditure may be made later than 9 years after the tax incremental district was created, if the tax incremental district is located within a 1st class city and if the tax incremental district was created on or before December 31, 1980, and after May 1, 1976; no expenditure may be made later than 7 years after the tax incremental district was created, if the tax incremental district is located outside a 1st class city and if the tax incremental district was created on or before December 31, 1980, or if the tax incremental district was created after December 31, 1980, and is in a 3rd class city which is located in a county with a population of less than 500,000 and which has boundaries on both sides of the Milwaukee river and after May 1, 1976; no expenditure may be made later than 7 years after the tax incremental district was created, if the tax incremental district was created after January 1, 1984, and before January 1, 1986, and is located in a village incorporated in 1910 that has a population of more

than 5,000 and less than 6,000 according to the 1980 federal census and no expenditure may be made later than 8 years after the tax incremental district was created, if the tax incremental district was created on May 1, 1976.

SECTION 133Lj. 66.46 (7) (am) of the statutes is amended to read:

66.46 (7) (am) ~~Fifteen~~ Sixteen years after the last expenditure identified in the project plan is made.

SECTION 133Lm. 66.46 (9) (b) 3 of the statutes is amended to read:

66.46 (9) (b) 3. Tax incremental bonds or notes may not be issued in an amount exceeding the aggregate project costs. Such bonds or notes shall mature over a period not exceeding ~~20~~ 23 years from the date thereof or a period terminating with the date of termination of the tax incremental district, whichever period terminates earlier. Such bonds or notes may contain a provision authorizing the redemption thereof, in whole or in part, at stipulated prices, at the option of the city, on any interest payment date and shall provide the method of selecting the bonds or notes to be redeemed. The principal and interest on such bonds and notes may be payable at any time and at any place. Such bonds or notes may be payable to bearer or may be registered as to the principal or principal and interest. Such bonds or notes may be in any denominations. Such bonds or notes may be sold at public or private sale. Insofar as they are consistent with this subsection, the provisions of ch. 67 relating to procedures for issuance, form, contents, execution, negotiation, and registration of municipal bonds and notes are incorporated herein by reference.

SECTION 133Ln. 67.12 (1) (b) of the statutes is amended to read:

67.12 (1) (b) Any municipality may issue municipal obligations in anticipation of receiving proceeds from clean water fund loans or grants for which the municipality has received a notice of financial assistance commitment under s. 144.241 (20) (d), from bonds or notes the municipality has authorized or has covenanted to issue under this chapter or from grants that are committed to the municipality. Any municipal obligation issued under this paragraph may be refunded one or more times. Such obligation and any refundings thereof shall be repaid within 5 years after the original date of the original obligation.

SECTION 133m. 70.045 of the statutes is amended to read:

**70.045 (title) Taxation district defined.** ~~The term "taxation district" is used in this chapter to designate a municipality, either the means a town, village or city, in which general property taxes are levied and collected.~~

~~SECTION 133p. 70.11 (2) of the statutes is amended to read:~~

~~70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS. EXCEPTION. Property owned by~~

~~any county, city, village, town, school district, vocational, technical and adult education district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22 or town sanitary district; lands belonging to cities of any other state used for public parks; land tax-deeded to any county or city before January 3, but any residence located upon property owned by the county for park purposes which is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.965 (2) (d) this exemption shall not apply to land conveyed after August 17, 1961 to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable, except that if a village adjacent to a city that has a population of more than 150,000 but less than 500,000 leases the property to a country club the property is taxable.~~

SECTION 133r. 70.113 (4) of the statutes is created to read:

70.113 (4) For lands acquired after January 1, 1992, aids shall be paid under s. 70.114 and not under this section.

SECTION 133t. 70.114 of the statutes is created to read:

**70.114 Aids on certain state lands equivalent to property taxes.** (1) DEFINITIONS. In this section:

(a) "Department" means the department of natural resources.

(b) "Estimated value", for the year during which the lands are purchased, means the purchase price and, for later years, means the value that was used for calculating the aid payment under this section for the prior year increased or decreased to reflect the annual percentage change in the equalized valuation of all land, excluding improvements, in the taxation district, as determined by comparing the most recent determination of equalized valuation under s. 70.57 for that land to the next preceding determination of equalized valuation under s. 70.57 for that land.

(c) "Lands" means state forests, as defined in s. 28.02 (1), that are acquired after January 1, 1992, state parks that are acquired after January 1, 1992, under s. 27.01 and other lands that are acquired after January 1, 1992, under s. 23.09 (2) (d), 23.091, 23.27, 23.29, 23.293, 23.31 or 29.571 (1).

(d) "Purchase price" means the amount paid by the department for a fee simple interest in real property. "Purchase price" does not include administrative costs incurred by the department to acquire the land, such as legal fees, appraisal costs or recording fees. If real estate is transferred to the department by gift or is sold to the department for an amount that is less than the estimated fair market value of the property as

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shown on the property tax bill prepared for the prior year under s. 74.09, "purchase price" means an amount equal to the estimated fair market value of the property as shown on that tax bill. If the real estate is exempt from taxation at the time that it is transferred or sold to the department and if the property was not sold at an arm's-length sale, "purchase price" means the fair market value of the real estate at the time that the department takes title to it.

(e) "Taxation district" means a city, village or town, except that if a city or village lies in more than one county, the portions of that city or village that lie within each county are separate taxation districts.

(f) "Taxing jurisdiction" means any entity authorized by law to levy taxes on general property, as defined in s. 70.02, that are measured by the property's value.

(2) GENERAL STATEMENT. For all lands acquired after January 1, 1992, the department shall pay aids in lieu of taxes under this section and not under s. 70.113.

(3) PAYMENT REQUIRED. (a) On or before January 31, the department shall pay to each treasurer of a taxation district, with respect to each parcel of land within the taxation district on the date of the preceding tax levy, an amount determined by multiplying each parcel's estimated value equated to the average level of assessment in the taxation district by the aggregate net general property tax rate that would apply to the parcel of land if it were taxable, as shown on property tax bills prepared for that year under s. 74.09.

(b) On or before February 15, the taxation district treasurer shall pay to the treasurer of each taxing jurisdiction, from the amount received under par. (a), the taxing jurisdiction's proportionate share of the tax that would be levied on the parcel if it were taxable.

(4) ASCERTAINING RATE. Each year, the department shall ascertain from the clerks of the taxation district the aggregate net general property tax rate for taxation districts to which aids are paid under this section.

SECTION 134. 71.01 (6) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.01 (6) (a) For taxable year 1987, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 as it applies to taxable year 1987, 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, 802 and 803 and subtitle A of title XI of P.L. 99-514. Amendments to the internal revenue code enacted after December 31, 1986, 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 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 135. 71.01 (6) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.01 (6) (b) For taxable years that end after July 1, 1988, and before December 31, 1988, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph for taxable years that end after July 1, 1988, and before December 31, 1988, except that changes to the internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 136. 71.01 (6) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.01 (6) (c) For taxable years that begin after December 31, 1987, and before January 1, 1989, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 137. 71.01 (6) (d) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.01 (6) (d) For taxable years that begin after December 31, 1988, and before January 1, 1990, for natural persons and fiduciaries, except fiduciaries of



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in Part

nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-194 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-194 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 138. 71.01 (6) (e) of the statutes is created to read:

71.01 (6) (e) For taxable years that begin after December 31, 1989, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1989, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989.

SECTION 139. 71.01 (7r) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.01 (7r) Notwithstanding sub. (6), for purposes of computing amortization or depreciation, "internal revenue code" means either the federal internal revenue code as amended to December 31, 1988 1989, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property that, under s. 71.02 (2) (d) 12, 1985 stats., is required to be depreciated for taxable year 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.

Vetoed  
in Part

SECTION 140. 71.05 (22) (d) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.05 (22) (d) (title). *Deduction limits, taxable years 1988 and 1989*. Except as provided in par. (f), for taxable year 1988 and thereafter years beginning on or after January 1, 1988, but before January 1, 1990, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than \$7,500, the standard deduction is \$5,200. For a single individual who has a Wisconsin adjusted gross income of at least \$7,500 but not more than \$50,830,

the standard deduction is the amount obtained by subtracting from \$5,200 12% of Wisconsin adjusted gross income in excess of \$7,500 but not less than \$0. For a single individual who has a Wisconsin adjusted gross income of more than \$50,830, the standard deduction is \$0. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than \$10,000, the standard deduction is \$8,900. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least \$10,000 but not more than \$55,000, the standard deduction is the amount obtained by subtracting from \$8,900 19.778% of aggregate Wisconsin adjusted gross income in excess of \$10,000 but not less than \$0. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of more than \$55,000, the standard deduction is \$0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than \$4,750, the standard deduction is \$4,230. For a married individual filing separately who has a Wisconsin adjusted gross income of at least \$4,750 but not more than \$26,140, the standard deduction is the amount obtained by subtracting from \$4,230 19.778% of Wisconsin adjusted gross income in excess of \$4,750 but not less than \$0. For a married individual filing separately who has a Wisconsin adjusted gross income of more than \$26,140, the standard deduction is \$0. The secretary of revenue shall prepare a table under which deductions under this paragraph shall be determined. That table shall be published in the department's instructional booklets.

SECTION 141. 71.05 (22) (dm) of the statutes is created to read:

71.05 (22) (dm) *Deduction limits, taxable years 1990 and thereafter*. Except as provided in par. (f), for taxable years beginning on or after January 1, 1990, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than \$7,500, the standard deduction is \$5,200. For a single individual who has a Wisconsin adjusted gross income of at least \$7,500 but not more than \$50,830, the standard deduction is the amount obtained by subtracting from \$5,200 12% of Wisconsin adjusted gross income in excess of \$7,500 but not less than \$0. For a single individual who has a Wisconsin adjusted gross income of more than \$50,830, the standard deduction is \$0. For a head of household or surviving spouse who has a Wisconsin adjusted gross income of less than \$10,000, the standard deduction is \$7,050. For a head of household or surviving spouse who has a Wisconsin adjusted gross income of at least \$10,000 but not more than \$50,830, the standard deduction is the amount obtained by subtracting from \$7,050 17.267% of Wisconsin adjusted gross income in excess of \$10,000 but not less than \$0. For a head of household or surviving spouse who has a Wisconsin adjusted gross income of more than \$50,830, the standard deduction is \$0. For a married couple filing

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jointly that has an aggregate Wisconsin adjusted gross income of less than \$10,000, the standard deduction is \$8,900. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least \$10,000 but not more than \$55,000, the standard deduction is the amount obtained by subtracting from \$8,900 19.778% of aggregate Wisconsin adjusted gross income in excess of \$10,000 but not less than \$0. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of more than \$55,000, the standard deduction is \$0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than \$4,750, the standard deduction is \$4,230. For a married individual filing separately who has a Wisconsin adjusted gross income of at least \$4,750 but not more than \$26,140, the standard deduction is the amount obtained by subtracting from \$4,230 19.778% of Wisconsin adjusted gross income in excess of \$4,750 but not less than \$0. For a married individual filing separately who has a Wisconsin adjusted gross income of more than \$26,140, the standard deduction is \$0. The secretary of revenue shall prepare a table under which deductions under this paragraph shall be determined. That table shall be published in the department's instructional booklets.

SECTION 142. 71.06 (1) (intro.) of the statutes is amended to read:

71.06 (1) (title) FIDUCIARIES, SINGLE INDIVIDUALS, HEADS OF HOUSEHOLDS AND SURVIVING SPOUSES. (intro.) The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals for calendar year 1987 years 1987 to 1989 and corresponding fiscal years and upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, single individuals, heads of households and surviving spouses for calendar year 1990 and corresponding fiscal years and for calendar and fiscal years thereafter shall be computed at the following rates.

SECTION 143. 71.22 (4) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.22 (4) (a) Except as provided in sub. (5) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable year 1987, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 and P.L. 101-239 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. Amendments to the federal internal revenue code enacted after December 31, 1986, 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 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203 and P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 144. 71.22 (4) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.22 (4) (b) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that end after July 1, 1988, and before December 31, 1988, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph for taxable years that end after July 1, 1988, and before December 31, 1988, except that changes to the internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203 and P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 145. 71.22 (4) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.22 (4) (c) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1987, and before January 1, 1989, means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987,

and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 146. 71.22 (4) (d) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.22 (4) (d) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1988, and before January 1, 1990, means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 147. 71.22 (4) (e) of the statutes is created to read:

71.22 (4) (e) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1989, means the federal internal revenue code as amended to December 31, 1989, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989.

SECTION 148. 71.22 (4m) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.22 (4m) (a) For taxable years that begin after July 31, 1987, and before January 1, 1989, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1)

(a), means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and, P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after July 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 149. 71.22 (4m) (b) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.22 (4m) (b) For taxable years that begin after December 31, 1988, and before January 1, 1990, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 150. 71.22 (4m) (c) of the statutes is created to read:

71.22 (4m) (c) For taxable years that begin after December 31, 1989, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1989, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989.

SECTION 151. 71.26 (2) (b) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.26 (2) (b) 1. For taxable year 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, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 as it applies to taxable year 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, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 as it applies to taxable year 1987, without regard to sub. (3) and s. 71.22 (4), 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 and except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable year 1987, except that changes to the internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 152. 71.26 (2) (b) 2 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.26 (2) (b) 2. 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, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 "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, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239, except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable years that begin on August 1, 1987, to December 1, 1987, except that changes to the federal internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions of the federal internal revenue code applicable to this subchapter made by P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 153. 71.26 (2) (b) 3 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.26 (2) (b) 3. For taxable years that begin after December 31, 1987, and before January 1, 1989, 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, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 "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, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated

under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1987, do not apply to this subdivision with respect to taxable years that begin after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions of the federal internal revenue code applicable to this subchapter made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 154. 71.26 (2) (b) 4 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.26 (2) (b) 4. For taxable years that begin after December 31, 1988, and before January 1, 1990, 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, 1988, and as amended by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 "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, 1988, and as amended by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this subdivision with respect to taxable years that begin after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions of the federal internal revenue

code applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 155. 71.26 (2) (b) 5 of the statutes is created to read:

71.26 (2) (b) 5. For taxable years that begin after December 31, 1989, 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, 1989, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 "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, 1989, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1989, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1989, do not apply to this subdivision with respect to taxable years that begin after December 31, 1989.

SECTION 156. 71.26 (3) (y) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.26 (3) (y) A corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, ~~1988~~ 1989, 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.

SECTION 157. 71.28 (4) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.28 (4) (a) *Credit*. Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year and except that "qualified research expenses" does not include compensation used in computing the credit under sub. (1dj), the corporation's base period research expenses, as defined in section 41 (c) of the internal revenue code in effect on December 31, 1988. Section 41 (i) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 158. 71.28 (4) (am) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.28 (4) (am) *Development zone additional research credit*. In addition to the credit under par. (a), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560 and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base period research expenses, as defined in section 41 (c) of the internal revenue code in effect on December 31, 1988, but including research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of development verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (i) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 159. 71.34 (1g) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.34 (1g) (a) "Internal revenue code" for tax-option corporations, for taxable year 1987, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 and P.L. 101-239 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. 71.35 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 paragraph, except that changes to the internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203 and P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 160. 71.34 (1g) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.34 (1g) (b) "Internal revenue code" for tax-option corporations, 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, 1986, and as amended by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 and P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph, except that changes to the internal revenue code made by P.L. 100-203 and P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203 and P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

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SECTION 161. 71.34 (1g) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.34 (1g) (c) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1987, and before January 1, 1989, means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 ~~and~~ P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 162. 71.34 (1g) (d) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.34 (1g) (d) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1988, and before January 1, 1990, means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203 ~~and~~ P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 163. 71.34 (1g) (e) of the statutes is created to read:

71.34 (1g) (e) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1989, means the federal internal revenue code as amended to December 31, 1989, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989.

SECTION 164. 71.365 (1m) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.365 (1m) 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, ~~1988~~ 1989, 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 year or years for which the gain or loss is reportable under this chapter. If that property was 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. If that 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 165. 71.42 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.42 (2) (a) For taxable year 1987, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203 ~~and~~, P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 ~~and~~, P.L. 100-647, P.L. 101-140 and P.L. 101-239 as it applies to taxable year 1987. Amendments to the internal revenue code enacted after December 31, 1986, 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 ~~and~~, P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 100-203 ~~and~~, P.L. 100-647, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 166. 71.42 (2) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.42 (2) (b) For taxable years that begin after December 31, 1987, and before January 1, 1989, "internal revenue code" means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-140 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 ~~and~~, P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239, except that "internal revenue code" does not include section 847 of the federal internal revenue code. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 167. 71.42 (2) (c) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.42 (2) (c) For taxable years that begin after December 31, 1988, and before January 1, 1990, "internal revenue code" means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and as indirectly affected by P.L. 99-514, P.L. 100-203 ~~and~~, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239, except that "internal revenue code" does not include section 847 of the federal internal revenue code. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and

before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and P.L. 101-239 and changes that indirectly affect the federal internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 168. 71.42 (2) (d) of the statutes is created to read:

71.42 (2) (d) For taxable years that begin after December 31, 1989, "internal revenue code" means the federal internal revenue code as amended to December 31, 1989, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and P.L. 101-239, except that "internal revenue code" does not include section 847 of the federal internal revenue code. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989.

SECTION 169. 71.45 (2) (a) 13 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference between the depreciation deduction under the federal internal revenue code as amended to December 31, ~~1988~~ 1989, and the depreciation deduction under the federal internal revenue code in effect for the taxable year for which the return is filed, so as to reflect the fact that the insurer may choose between these 2 deductions, 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.

SECTION 170. 71.47 (3) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

71.47 (3) (a) *Credit*. Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year and except that "qualified research expenses" does not include compensation used in computing the credit under sub. (1dj), the corporation's base period research expenses, as defined in sec-

tion 41 (c) of the internal revenue code in effect on December 31, 1988. Section 41 (i) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 171. 71.47 (3) (am) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.47 (3) (am) *Development zone additional research credit*. In addition to the credit under par. (a), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560 and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor compensation paid before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base period research expenses, as defined in section 41 (c) of the internal revenue code in effect on December 31, 1988, in a development zone, except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj), if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of development verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (i) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 172. 71.54 (1) (c) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.54 (1) (c) (title) *1990*. (intro.) The amount of any claim filed in 1990 ~~and thereafter~~ and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

SECTION 173. 71.54 (1) (d) of the statutes is created to read:

71.54 (1) (d) *1991 and thereafter*. The amount of any claim filed in 1991 and thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

1. If the household income was \$8,000 or less in the year to which the claim relates, the claim is limited to 80% of the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead.

2. If the household income was more than \$8,000 in the year to which the claim relates, the claim is limited to 80% of the amount by which the property taxes

accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead exceeds 12.083% of the household income exceeding \$8,000.

~~3. No credit may be allowed if the household income of a claimant exceeds \$20,000.~~

SECTION 174. 71.54 (2) (b) 2 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

71.54 (2) (b) 2. In calendar year 1989 ~~or any subsequent calendar year~~, \$1,350.

SECTION 175. 71.54 (2) (b) 3 of the statutes is created to read:

71.54 (2) (b) 3. In calendar year 1990 or any subsequent calendar year, \$1,450.

SECTION 176. 72.01 (17) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

72.01 (17) "Power of appointment" means any general power to appoint, as defined by section 2041 (relating to estate taxes) or 2514 (relating to gift taxes) of the internal revenue code, as amended to December 31, ~~1988~~ 1989. Amendments to the internal revenue code enacted after December 31, ~~1988~~ 1989, do not apply to this subsection.

SECTION 177. 72.12 (4) (c) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

72.12 (4) (c) 1. Benefits paid to a beneficiary under an employe benefit plan are taxable under this subchapter except to the extent that the proportionate share resulting from the employer's contribution would be excludable from the gross estate of the decedent under section 2039 of the internal revenue code as amended to December 31, ~~1988~~ 1989. Amendments to the internal revenue code enacted after December 31, ~~1988~~ 1989, do not apply to this subdivision. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

SECTION 178. 72.22 (4) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

72.22 (4) (a) Whether or not there is a federal estate tax liability, in lieu of full payment, payment may be made according to an equal payment schedule over a period not to exceed 15 years from the decedent's date of death, if the estate would be authorized to pay federal estate taxes under section 6166 of the internal revenue code as amended to December 31, ~~1988~~ 1989. Amendments to the internal revenue code enacted after December 31, ~~1988~~ 1989, do not apply to this paragraph. If an election is made under this subsection, the election shall apply only to the portion of the tax payable by a distributee which is determined by dividing the value of property received by a distributee which qualifies an estate for the election under the internal revenue code by the value of all property received by the distributee. A distributee electing to pay under this subsection may subsequently pay part or all of the remaining tax plus interest at the time any scheduled payment is due under this subsection. Inter-

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est on instalment payments under this subsection shall be computed under s. 72.23 at 12% per year.

SECTION 179. 72.76 (4) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

72.76 (4) An employer transfers to a former employe's distributee or estate amounts that qualify as an employe death benefit taxable as income under the internal revenue code as amended to December 31, 1988 1989, or excludable from gross income under section 101 (b) of the internal revenue code as amended to December 31, 1988 1989.

SECTION 179b. 74.11 (3), (10) and (11) (a) of the statutes are amended to read:

74.11 (3) SPECIAL ASSESSMENTS, SPECIAL CHARGES AND OTHER TAXES. All special assessments, special charges and special taxes that are placed in the tax roll shall be paid in full on or before January 31, except that the governing body of a taxation district may, by ordinance, authorize the payment of special assessments in ~~3 or more~~ instalments.

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(10) DELINQUENT ANNUAL PAYMENT. (a) If all special assessments, special charges, special taxes and personal property taxes due under sub. (3) or (4) are not paid in full on or before January 31 the due date, the amounts unpaid are delinquent as of February 1 the day after the due date of the first instalment or of the lump-sum payment.

(b) If any special assessments, special charges and special taxes are entered in the tax roll as charges against a parcel of real property and are delinquent under par. (a), the entire annual amount of real property taxes on that parcel which is unpaid is delinquent as of February 1 the day after the due date of the first instalment or of the lump-sum payment.

(11) (a) All real property taxes, ~~special assessments~~, special charges and special taxes that become delinquent shall be paid, together with interest and penalties charged from the preceding February 1, to the county treasurer. All special assessments that become delinquent shall be paid, together with interest and penalties charged from the day after the due date of the first instalment or of the lump-sum payment.

SECTION 179d. 74.12 (1) (a) of the statutes, as affected by 1989 Wisconsin Act 104, is amended to read:

74.12 (1) (a) The governing body of any taxation district, except a taxation district in a county with a population of 500,000 or more, may, by ordinance, authorize the payment of real property taxes or special assessments or both in 3 or more instalments. An ordinance enacted under this paragraph, or any repeal of, or amendment to, such an ordinance applies to the collections of a calendar year only if it is enacted on or before August 15 of the preceding calendar year.

SECTION 179e. 74.12 (2) (a) to (c), (3), (4) (intro.), (5) and (7) to (9) of the statutes are amended to read:

74.12 (2) (a) ~~Real property taxes~~ Any kind of obligation to which the instalment option pertains may be paid in 3 or more instalments. Each instalment is due on the last day of the month designated.

(b) The first instalment shall be paid on or before January 31 and at least 50% of the real property taxes obligation to which the instalment option pertains shall be paid on or before April 30.

(c) All real property taxes obligations to which the instalment option pertains shall be paid by July 31.

(3) MINIMUM PAYMENT, BALANCE PAYABLE. An ordinance enacted under sub. (1) (a) may establish a minimum payment amount for instalments and shall authorize a taxpayer to pay the remaining unpaid balance of any real property taxes on any instalment payment date.

(4) (title) PAYMENT DATES UNDER AN ORDINANCE. (intro.) All real property taxes obligations to which the instalment option pertains shall be paid in one of the following ways:

(5) (title) PAYMENT DATES NOT UNDER AN ORDINANCE. All special assessments to which an instalment option does not pertain, special charges and special taxes that are placed in the tax roll shall be paid in full on or before January 31.

(7) DELINQUENT FIRST INSTALMENT. If the first instalment of real property taxes or special assessments to which an instalment option pertains is not paid on or before January 31, the entire amount of the remaining unpaid taxes or special assessments to which an instalment option pertains on that parcel is delinquent as of February 1.

(8) DELINQUENT 2ND OR SUBSEQUENT INSTALMENT. If the 2nd or any subsequent instalment payment of real property taxes or special assessments to which an instalment option pertains is not paid by the due date specified in the ordinance, the entire amount of the remaining unpaid taxes or special assessments to which an instalment option pertains on that parcel is delinquent as of the first day of the month after the payment is due.

(9) DELINQUENT ANNUAL PAYMENT. (a) If all special assessments to which an instalment option does not pertain, special charges, special taxes and personal property taxes that are due under sub. (5) or (6) are not paid in full on or before January 31, the amounts unpaid are delinquent as of February 1.

(b) If any special assessments, special charges or special taxes are entered in the tax roll as charges against a parcel of real property and are delinquent under par. (a), the entire annual amount of real property taxes on that parcel which is unpaid is delinquent as of February 1.

SECTION 180. 76.13 (2a) of the statutes is amended to read:

76.13 (2a) ~~In 1983 and thereafter for companies defined in s. 76.02 (2) or (5a) and in 1983 for all other companies, taxes~~ Taxes levied under this section shall



be paid to the department in semiannual instalments, on May 10 and November 10, on a partially estimated basis. ~~Companies assessed under s. 76.07 (1) shall adjust the remaining semiannual payment made on November 10 so as to reflect properly and pay the total amount of tax assessed. The semiannual instalments may be reduced by a proportional share of the property tax credit provided by s. 79.10 (1a) (c), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (c), 1979 stats., and the total tax credit reductions in prior semiannual payments for the year shall be added to or subtracted from the November 10 payment in each year. If any company fails to make semiannual payments, prior to the assessment date, of The May 10 payment shall be at least 50% of either the total tax assessed less tax credit under s. 79.10 (1a) (c), 1979 stats., for the previous calendar year or 80% 40% of the tax assessed before applying the tax credit under s. 79.10 (1a) (c), 1979 stats., for the current calendar year, any. Any amounts not paid when due shall become delinquent and shall be subject to interest under s. 76.14. The payment of 25% of the tax of any company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part thereof ultimately required to be paid shall bear interest from the original due date to the date the appeal becomes final at the rate of 12% per year and at 1.5% per month thereafter until paid. In 1984 and thereafter, taxes levied under this section on companies except those defined in s. 76.02 (2) or (5a) shall be paid to the department on May 10. If any company required to pay annually fails to make a payment of at least 105% of the total tax assessed for the prior year, any amounts not paid are subject to interest under s. 76.14. In 1984 and thereafter, on November 10 the department shall refund any overpayments made in the previous May and any company required to pay annually that has underpaid in the previous May shall pay the difference between the amount owed and the amount paid. Companies with a tax liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of taxes due on or before November 10.~~

SECTION 181. 76.38 (3) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4), (5), and (5m) minus the credit under sub. (5r) and the license fees imposed under sub. (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each person that was carrying on business as a telephone company on the preceding January 1 of the amount of the license fee assessed. Any person who pays the May 1 assessment in full has a license to carry on business as a telephone company in this state for the 12-month period beginning on the preceding January 1. The fees assessed by

the department shall become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days after receipt. The payment dates provided for in sub. (3a) shall apply.

SECTION 182. 76.38 (4) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

76.38 (4) (intro.) Every Except as provided in sub. (5r), every telephone company operating one or more telephone exchanges shall pay an annual license fee equal to the following percentages of the total gross revenues in this state from each exchange for local and rural exchange service:

SECTION 183. 76.38 (5) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

76.38 (5) (intro.) Every Except as provided in sub. (5r), every telephone company operating a toll line or toll lines or furnishing toll service that is under the jurisdiction of the federal communications commission and that by the May 1990 assessment has not requested from that commission permission to reduce the surcharge and every telephone company operating a toll line or toll lines or furnishing toll service that is not under the jurisdiction of the federal communications commission that by the May 1990 assessment has not reduced its surcharge shall pay an annual license fee to be computed upon toll business gross revenues as follows:

SECTION 184. 76.38 (5m) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

76.38 (5m) (intro.) Every Except as provided in sub. (5r), every telephone company operating a toll line or toll lines or furnishing toll service that is not subject to the rates under sub. (5) shall pay an annual license fee to be computed upon toll business gross revenues as follows:

SECTION 185. 76.38 (5r) of the statutes is created to read:

76.38 (5r) Every telephone company that owes a fee under sub. (4), (5) or (5m) may credit against that fee the amount that the telephone company is assessed during the previous year under s. 196.858.

SECTION 186. 76.38 (6) of the statutes is amended to read:

76.38 (6) When the total gross revenue of any telephone company from exchange and toll service is less than \$300, such company shall pay a minimum license fee of \$5 and the credit under sub. (5r) does not apply.

SECTION 186m. 77.51 (13h) of the statutes, as created by 1987 Wisconsin Act 399, is amended to read:

77.51 (13h) "Retailer engaged in business in this state", notwithstanding sub. (13g), beginning on the applicable date 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 and do not exceed maintaining, occupying and using, directly or by means of another person, a place that is in this state, that is not owned by the publisher and that is used for the distribution of printed materials. In this subsection, "applicable date" for publishers of books and periodicals other than catalogs means January 1, 1980, and for all other publishers means January 1, 1990. 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 187. 79.005 (1) of the statutes is amended to read:

79.005 (1) "Municipality" means any town, village or city in this state. ~~Where~~ If a municipality is located in more than one county, the portion thereof in each county shall be considered a separate municipality payments under this subchapter shall be computed using data for the municipality as a whole.

SECTION 187m. 79.01 (1) of the statutes is created to read:

79.01 (1) There is established an account in the general fund entitled the "Tax Rate Disparity Payment Account". There shall be appropriated to that account \$25,000,000 in 1991. ~~In 1992 and thereafter, the amount appropriated under this subsection shall increase over the amount appropriated in the previous year by the rate of 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 year before that previous year.~~

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SECTION 187p. 79.01 (2) of the statutes is amended to read:

79.01 (2) There is established an account in the general fund entitled the "Municipal and County Shared Revenue Account", referred to in this chapter as the "shared revenue account". There shall be appropriated to the shared revenue account the sums specified in ~~this subchapter~~ ss. 79.03 and 79.04.

SECTION 187r. 79.015 of the statutes is amended to read:

**79.015 Statement of estimated payments.** The department of revenue, on or before September 15 of each year, shall provide to each municipality and county a statement of estimated payments to be made

in the next calendar year to the municipality or county under ss. 79.03, 79.04, 79.05 and 79.06.

SECTION 187s. 79.02 (2) (b) of the statutes is amended to read:

79.02 (2) (b) Payments in July shall equal 15% of the municipality's or county's estimated payments under ss. 79.03, 79.04 and 79.06 and 100% of the municipality's estimated payments under s. 79.05.

SECTION 187u. 79.03 (3) (b) 3 of the statutes is amended to read:

79.03 (3) (b) 3. "Full valuation" means the full value of all taxable property for the preceding year as equalized for state tax purposes, except that for municipalities the value of real estate assessed under s. 70.995 is excluded. Value increments under s. 66.46 are included for municipalities but excluded for counties. If property that had been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's value is assessed under s. 70.10, 30% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year after the assessment under s. 70.10, 65% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year 2 years after the assessment under s. 70.10 and 100% of that property's full value is included in "full valuation" for purposes of subsequent shared revenue payments.

SECTION 187w. 79.03 (3) (b) 3 of the statutes, as affected by 1989 Wisconsin Act .... (this act), is repealed and recreated to read:

79.03 (3) (b) 3. "Full valuation" means the full value of all taxable property for the preceding year as equalized for state tax purposes, including the estimated value, as defined in s. 70.114 (1) (b), of lands for which payments are made under s. 70.114, except that for municipalities the value of real estate assessed under s. 70.995 is excluded. Value increments under s. 66.46 are included for municipalities but excluded for counties. If property that had been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's value is assessed under s. 70.10, 30% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year after the assessment under s. 70.10, 65% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year 2 years after the assessment under s. 70.10 and 100% of that property's full value is included in "full valuation" for purposes of subsequent shared revenue payments.

SECTION 187y. 79.03 (3) (b) 4. a of the statutes is amended to read:

79.03 (3) (b) 4. a. "Local general purpose taxes" means the portion of tax increments collected for payment to a municipality under s. 66.46 which is attributable to that municipality's own levy, general property taxes, excluding taxes for a county handi-

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capped children's education board, collected to finance the general purpose government unit, property taxes collected for sewage and sanitary districts, mobile home fees, the proceeds of county sales and use taxes and municipal and county vehicle registration fees under s. 341.35 (1).

SECTION 188. 79.03 (3) (d) of the statutes is repealed.

SECTION 189. 79.03 (4) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

79.03 (4) In 1989, the total amount to be distributed under this subchapter from s. 20.835 (1) (d) is \$807,360,000. In 1990, the total amount to be distributed under this subchapter from s. 20.835 (1) (d) is \$835,580,000. In 1991 and thereafter, the total amount to be distributed under ~~this subchapter ss. 79.03, 79.04 and 79.06~~ from s. 20.835 (1) (d) is \$869,000,000.

SECTION 189c. 79.05 of the statutes is created to read:

**79.05 Tax rate disparity payment.** (1) In this section:

(a) "Full value" means the value determined under s. 70.57 including the value of tax increments under s. 66.46.

(b) "Municipal budget" means the municipal operating budget.

(c) "Property tax levy rate" means the amount determined as follows:

1. Subtract the tax increment under s. 66.46 from the total property tax levy.

2. Subtract the tax incremental value under s. 66.46 from the full value.

3. Divide the amount under subd. 1 by the amount under subd. 2.

(2) A municipality is eligible for a payment under sub. (3) if it fulfills all of the following requirements:

(a) Its property tax levy rate established during the year before the statement under s. 79.015 is greater than the average for all municipalities.

(b) The amount obtained by dividing the full value of its property for the year before the statement under s. 79.015 by its population for the year before the statement under s. 79.015 is less than 120% of the average for all municipalities.

(c) ~~Beginning with the 1993 payment,~~ its municipal budget, exclusive of principal and interest on long-term debt, for the year of the statement under s. 79.015 increased over its municipal budget, exclusive of principal and interest on long-term debt, for the year before that year by less than the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for December of the year before the statement under s. 79.015 and that index for December of the previous year plus the following percentages:

1. For payments in 1993, 3%.

2. For payments in 1994, 2%.

~~3. For payments in 1995, 1%.~~  
~~4. For payments in 1996 and thereafter, 0%.~~ **Vetoed in Part**

(3) Each municipality that qualifies under sub. (2) shall receive a payment calculated as follows:

(a) Subtract the statewide average property tax levy rate from the municipality's property tax levy rate.

(b) Multiply the amount under par. (a) by the municipality's full value.

(c) Divide the amount under par. (b) by the total of the amounts under par. (b) for all municipalities that qualify under sub. (2).

(d) Multiply the amount under par. (c) by the amount for the year under s. 79.01 (1).

SECTION 189e. 79.08 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

**79.08 Corrections.** If the department of administration or the department of revenue determines by August 15 of the year following any distribution under this subchapter that there was an overpayment or underpayment made in any certification by the department of revenue or resulting from populations changed as a result of a final court determination or a census determination under s. 16.96 (2) (dm) or (e) or in the distribution by the department of administration, the overpayment or underpayment shall be corrected as provided in this section. No corrections to the elements of any distribution may be made after August 15 of the year following the distribution. Any overpayment shall be corrected by reducing the subsequent year's distribution under the appropriate section of this subchapter. If the payment under s. 79.05 in the subsequent year is not sufficient to recoup the overpayment, the balance is a special charge against the municipality. Any underpayment shall be corrected by increasing the subsequent year's distribution under the appropriate section of this subchapter. Corrections shall be made in the distributions to all municipalities and counties affected by the error. Corrections shall be without interest. When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (1) (e). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

SECTION 190m. 100.06 (1) of the statutes is renumbered 100.06 (1g) and amended to read:

100.06 (1g) (a) No person ~~shall~~ may operate a dairy plant ~~or receiving station, as defined in s. 97.20,~~ and no license therefor shall be issued unless he or she shall have first complied with the requirements of this section and satisfied the department that his or her financial condition is such as to reasonably assure prompt payment to the milk producers for the milk and cream to be purchased by him or her as and when the same becomes due and payable. The requirements of this section also apply to any dairy plant out of state that receives milk from milk producers in this state, to the same extent as if it were a dairy plant located in this

**Vetoed in Part**

**Vetoed in Part**

state, except that such an out-of-state dairy plant need not be licensed in this state.

(c) The department shall require the applicant to file a ~~verified~~ financial statement of his or her business operations and financial condition that meets the requirements of par. (d). The licensee, during the term of his or her license, may be required to file such statements periodically. All such statements shall be confidential and shall not be open for public inspection, ~~except for information from a financial statement provided by the department to a milk producer under sub. (3)(c).~~ (3)(c). The department may require such statements to be certified by a public accountant. Such statements and audits, when made by the department, shall be paid for at cost.

Vetoed in Part

SECTION 190n. 100.06 (1), (1g) (d) and (1m) of the statutes are created to read:

100.06 (1) In this section:

(a) "Asset" means anything of value owned.

Vetoed in Part

(am) "Audited financial statement" means a financial statement on which an independent public accountant holding a certificate of authority under ch. 442, or an independent certified public accountant, has done all of the following:

1. Expressed an opinion in accordance with generally accepted accounting standards.
2. Conducted an audit according to generally accepted auditing standards.

(b) "Balance sheet" means a statement of assets, liabilities and equity on a fixed date.

(c) "Cash flow to debt service ratio" means the result obtained by dividing the total of net income plus noncash expenses plus interest expense by the total of interest expense plus current maturities of long-term debt.

(d) "Current assets" means cash and assets, including trade or investment items, which may be readily converted into cash in the ordinary course of business within one year from the date of the balance sheet.

(e) "Current liabilities" means liabilities which are due and payable within one year from the date of the balance sheet.

(f) "Dairy plant" has the meaning given in s. 97.20 (1) (a).

(g) "Dairy product" has the meaning given in s. 97.20 (1) (b).

(h) "Equity" means the excess of total assets over total liabilities.

(i) "Liability" means an obligation to pay money or other assets or to render a service to another person either now or in the future.

(j) "Milk" has the meaning given in s. 97.22 (1) (e).

(k) "Milk producer" means any person who owns or operates a dairy farm, and sells or distributes milk produced on that farm, directly or through a marketing agent under a written agency contract or such a marketing agent.

~~(L) "Verified financial statement" means a financial statement that contains a notarized statement signed and sworn to by the applicant or an officer of the applicant, that the financial statement is correct.~~

Vetoed in Part

(1g) (d) A dairy plant shall submit to the department a financial statement at the end of each quarter of its fiscal year. The financial statements for the first 3 quarters shall be verified financial statements. The financial statement for the last quarter shall be an audited financial statement, and shall be filed by the 15th day of the 4th month following the close of the fiscal year.

Vetoed in Part

(1m) An applicant or licensee who does not meet all of the following minimum financial standards shall file with the department a bond or other security acceptable to the department that is equal to or greater than 75% of the largest sum likely to be due and accrued from the applicant or licensee to milk producers at any one time:

Vetoed in Part

(a) His or her ratio of current assets to current liabilities shall be at least 1.25 to 1.0.

(b) He or she shall have equity equal to at least 35% of total assets.

(c) He or she shall have a cash flow to debt service ratio of at least 1.5 to 1.0.

SECTION 190p. 100.06 (2) of the statutes is amended to read:

100.06 (2) In all cases where it appears that the financial condition of the applicant or of the licensee would not be adequate, despite filing of security required under sub. (1m), to reasonably assure payment when due for the milk, cream or dairy products to be purchased by him or her, the department may require any of the following:

Vetoed in Part

(a) The filing of a bond or other security acceptable to the department in an amount not to exceed the sum reasonably likely to be due and accrued at any one time for such milk, cream or dairy products, which bond or security shall be that is payable to the department for the benefit of the persons milk producers who would otherwise suffer by reason because of the default of the licensee in the payment for such milk, cream or dairy products and that is in an amount equal to 100% of the largest sum due and accrued at any one time for such milk.

Vetoed in Part

(b) The filing of an agreement providing for the complete control over all manufactured or processed milk and dairy products by a trustee to be selected at least annually by the milk producers. Such trustee shall make and file a trustee's bond and contracts signed by the operator and the purchaser of the dairy products requiring that payment for all such products sold be made to him or her as trustee. Such trustee shall maintain a separate bank account for that purpose and shall at least annually render a true and correct account of his or her dealings to the department and to the milk producers.

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(c) That the licensee shall receive no milk ~~or cream~~ on credit after the 5th day of any month unless at least 90 per cent of the value of the milk ~~or cream~~ delivered during the first 15 days of the preceding month shall have been paid, nor after the 20th day of any month unless the value of all of the milk ~~or cream~~ delivered during the previous month shall have been paid in full; provided that when payment is based on the value of Swiss cheese manufactured from the milk ~~or cream~~ so delivered, an extension of 2 months during which the product is held for curing shall be allowed if the manufactured product is the property of the milk producers or if the proceeds from the sale thereof are made payable to and distributed by a banking institution.

SECTION 190q. 100.06 (2m) of the statutes is created to read:

**Vetoed  
in Part**

100.06 (2m) (a) Except as provided under par. (d), a dairy plant operator shall pay each milk producer according to the estimated price requirements under par. (c) under the following schedule:

1. For milk received by the dairy plant during the first 10 days of the month, on or before the 28th day of that same month.

2. For milk received by the dairy plant after the 10th day and before the 21st day of the month, on or before the 8th day of the following month.

(b) A dairy plant operator shall pay each milk producer the balance due on the actual price for all milk received from that producer during the month on or before the 18th day of the following month.

**Vetoed  
in Part**

(c) A dairy plant operator shall pay each milk producer for milk received under par. (a) according to the following estimated price requirements:

1. For grade A milk that is subject to a federal marketing order under 7 USC 601 to 626, at least 85% of the class III price published by the regional federal milk market administrator for the month preceding the month in which the milk is received.

2. For all other milk that is not subject to a federal marketing order under 7 USC 601 to 626, at least 85% of the Minnesota-Wisconsin series price published by the national agriculture statistical service for the month preceding the month in which the milk is received, or 85% of the price originally contracted for by the dairy plant operator and the milk producer, whichever is less.

(d) The requirement of 3 monthly payments under this subsection does not apply if a majority of milk producers whose milk is sold or distributed to a dairy plant determines through a vote that a payment schedule of less than 3 times per month is acceptable. A vote of such milk producers shall be taken no more than once annually, at the end of the dairy plant's fiscal year, to determine this issue.

SECTION 190r. 100.06 (3) of the statutes is amended to read:

100.06 (3) (a) All dairy plant operators shall inform milk producers delivering milk ~~and cream~~ of the financial basis on which the license was issued including the

type and amount of security, ~~if any~~, filed under this section by statement in writing to each milk producer patron at least once every 6 months.

(b) No person shall ~~may~~ receive milk, ~~cream or dairy products~~ which will increase the amount ~~due and accrued~~ owed from him ~~or her~~ beyond the amount represented as a basis for the issuance of a license without first notifying the department.

~~SECTION 190s. 100.06 (3) (c) of the statutes is created to read:~~

~~100.06 (3) (c) The department annually shall notify a milk producer whose milk is sold or distributed to a dairy plant of the actual financial ratios specified under sub. (1m) (a) to (c), that the dairy plant attained in its last fiscal year, and a comparison of those ratios to the minimum ratios established under sub. (1m) (a) to (c). The department shall promulgate rules establishing a standard form to report such information to a milk producer.~~

SECTION 190t. 100.06 (4) of the statutes is renumbered 100.06 (4) (a) and amended to read:

100.06 (4) (a) Any person ~~milk producer~~ injured by the breach of any obligation under this section may file with the department a verified proof of claim. Upon receipt of such claim or any other evidence of default, the department, by order, may require all interested creditors to file their verified proofs of claim before a certain date or be barred from participating in any recovery made by the department. Notice of the entry of such order shall be given by posting a copy thereof on the premises described in the license and by publication of a class 3 notice, under ch. 985, in the affected area. The date of last insertion shall not be less than 30 days prior to the last date for the filing of such claims. The department shall make the necessary audit and by order allow or disallow all claims presented.

(b) The licensee or trustee, or surety or sureties of either of them, shall pay the interest on any claim that the department allows unless the claimant has waived the payment of that interest in writing. The interest shall accrue from the first day of the breach of the obligation under this section for which the verified claim is filed until full payment of the allowed claim is made. The department, by rule, shall establish the interest rate that applies to any claimant except that if the claimant has contracted the interest rate in writing with the licensee or has specified the interest rate in a written confirmation of purchase delivered to the licensee within a reasonable time of purchase to which interest rate the licensee did not object in writing within 10 days of receipt of that confirmation, the interest rate in the contract or confirmation shall apply to the claimant under this subsection.

(c) Notice of allowance or disallowance and interest and request for the payment within 30 days of the claims allowed shall be sent to the principal and surety by registered mail. The department may demand, collect and receive from the licensee or the trustee, or

**Vetoed  
in Part**



from the surety or sureties of either of them, the amount determined to be necessary to satisfy such claims, plus interest. †

(d) The department may commence an action for ~~that the purpose of collecting claims, plus interest,~~ in the circuit court of the county in which the licensed plant is located. Upon receipt of the money to be applied to the satisfaction of such claims plus interest as provided in this section, the department shall make distribution to the claimants in accordance with the order allowing claims plus interest, in full or proportionally, as the case may be.

(e) No claims for the purchase price of any milk, ~~cream or dairy products~~ the value of which was due and payable more than 30 days prior to the date the first written notice of default is received by the department, nor claims covering transactions wherein the seller has granted to the licensee any voluntary extension of credit, shall be allowed or paid under this section.

SECTION 190u. 100.06 (5), (7) and (8) of the statutes are amended to read:

100.06 (5) When any dairy plant ~~or receiving station~~ shall employ or retain a sales agent or commission dealer to market and distribute its dairy products, and such sales agent or commission dealer shall sell such dairy products to a dairy products dealer, such dairy products dealer shall directly remit or transmit all moneys due thereunder to such dairy plant operator or to the trustee thereof, as the case may be. The dairy plant ~~or receiving station~~ shall be responsible for the payment of any commission or salary that may be due to such sales agent or commission dealer. Such payment by the dairy products dealer shall be considered as in full release, payment and discharge of any obligation thereunder.

(7) The whole claim of any ~~person~~ milk producer against any licensee under s. 97.20 on account of milk, ~~cream or dairy products~~ sold or delivered to such licensee and any judgment therefor shall be entitled to the same preference in any insolvency or other creditor's proceedings as is given by any law of this state to claims for labor. One claim may be filed for any number of milk producers and when so filed the preference shall be allowed on the amount due each milk producer. Such preference shall also be given in bankruptcy proceedings to the extent permitted by the federal law. This section shall not affect or impair any other lien, security or priority for said claim or judgment.

(8) ~~Nothing in this section shall be construed to apply to the sale of milk, cream or dairy products in interstate commerce to an out-of-state plant operator or dealer not licensed under this section.~~ The protection to milk producers afforded by this section shall be available to the milk producers of any state selling milk ~~or cream~~ to any dairy plant licensed in this state.

SECTION 191. 101.123 (4) (am) 1 of the statutes, as created by 1989 Wisconsin Act 97, is amended to read:

101.123 (4) (am) 1. The secretary of health and social services or his or her designee may designate areas where smoking is permitted in a state institution other than a prison, unless a fire marshal, law or resolution prohibits smoking in the area. The secretary of corrections or his or her designee may designate areas where smoking is permitted in a prison, unless a fire marshal, law or resolution prohibits smoking in the area. Either secretary or his or her designee may designate an entire room as a smoking area in a state institution administered by the secretary's department.

SECTION 192. 101.35 (1) (b) of the statutes is renumbered 101.35 (1) (cm) and amended to read:

101.35 (1) (cm) "Eligible county unit of government" means a county described in sub. (2) (a) or designated under sub. (2) (b) or a unit of government designated under sub. (2) (d).

~~SECTION 193. 101.35 (1) (cn) and (cm) of the statutes are created to read:~~

~~101.35 (1) (cn) "Employer" means a business or nonprofit organization.~~

~~(cm) "Nonprofit organization" means an organization that is described in section 501 (c) (3) of the internal revenue code as being exempt from federal income tax under section 501 (a) of that code.~~

SECTION 194. 101.35 (2) (title) of the statutes is amended to read:

101.35 (2) (title) DESIGNATED UNITS OF GOVERNMENT.

SECTION 195. 101.35 (2) (d) of the statutes is created to read:

101.35 (2) (d) In addition to the counties designated under pars. (a) and (b), the department shall designate as an eligible unit of government under sub. (4) a federally recognized American Indian tribe of band.

SECTION 196. 101.35 (3) (a) (intro.) of the statutes is amended to read:

101.35 (3) (a) (intro.) 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 unit of government. 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:

~~SECTION 197. 101.35 (3) (a) 1 of the statutes is amended to read:~~

~~101.35 (3) (a) 1. Marketing and promoting the Wisconsin job opportunity business subsidy program.~~

Vetoed  
in Part

Vetoed  
in Part

**Vetoed in Part** including recruiting participation from qualified business employers.

SECTION 198. 101.35 (3) (a) 2 of the statutes is amended to read:

101.35 (3) (a) 2. Coordinating with a ~~county~~ social services agency to meet the guidelines under sub. (1) (c).

SECTION 199. 101.35 (3) (b) of the statutes is amended to read:

101.35 (3) (b) After reviewing the proposals submitted under par. (a), the department shall designate a local service agency for an eligible county unit of government 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 unit of government to provide administrative services together with the designated local service agency.

**Vetoed in Part** SECTION 200. 101.35 (3) (c) (intro.) of the statutes is amended to read:

101.35 (3) (c) (intro.) A ~~nonprofit nongovernmental~~ organization may be designated a local service agency if the ~~nonprofit nongovernmental~~ organization is organized primarily to do one or more of the following:

SECTION 201. 101.35 (4) (title), (a) and (c) of the statutes are amended to read:

101.35 (4) (title) ALLOCATION. (a) Subject to par. (b), the department shall distribute funds \$70,000 to the local service agency for the unit of government under sub. (2) (d) to create at least 25 jobs and shall distribute the remainder of the amount appropriated under s. 20.445 (1) (e) to local service agencies in eligible counties units of government 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.

(c) If a local service agency in any eligible county unit of government 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 units of government.

**Vetoed in Part** SECTION 202. 101.35 (5) of the statutes is amended to read:

~~101.35 (5) Wage subsidies. A local service agency may subsidize wages paid to an eligible job applicant by a business employer, as provided under sub. (6).~~

**Vetoed in Part**

SECTION 203. 101.35 (6) (a) of the statutes is amended to read:

101.35 (6) (a) The wage subsidy is for an eligible job applicant hired for a position described in sub. (8) by a ~~business employer~~ that qualifies under sub. (7).

SECTION 204. 101.35 (7) (intro.) of the statutes is amended to read:

101.35 (7) (title) QUALIFIED EMPLOYERS. (intro.) A local service agency may determine that a ~~business employer~~ is a qualified business employer for the purposes of sub. (6) (a) if all of the following apply:

SECTION 205. 101.35 (7) (a) of the statutes is amended to read:

101.35 (7) (a) The ~~business employer~~ submits to the local service agency a plan containing all of the following:

1. A description of the duties of and wages paid for each position that the ~~business employer~~ intends to fill with an eligible job applicant.
2. A description of how the wage subsidy will help the ~~business employer~~ succeed and lead to the continued employment of the eligible job applicant.

SECTION 206. 101.35 (7) (a) 3 and 4 of the statutes are created to read:

101.35 (7) (a) 3. A description of the source of funds from which the employer will pay the wages of an eligible job applicant after the subsidy ends.

**Vetoed in Part**

4. A statement whether during the 12 months immediately preceding submission of the plan the employer has acquired the ownership or control, as defined in s. 600.03 (13), of another employer or has become the surviving corporation or new corporation following a merger or consolidation with another employer.

SECTION 207. 101.35 (7) (b) (intro.) and 2 of the statutes are amended to read:

**Vetoed in Part**

101.35 (7) (b) (intro.) The ~~business employer~~ enters into a contract with the local service agency and agrees to do all of the following:

2. Provide eligible job applicants whose wages are subsidized under this section with wages equal to those paid to employees of the ~~business employer~~ who perform the same duties.

SECTION 208. 101.35 (7) (c) of the statutes is amended to read:

101.35 (7) (c) The ~~business employer~~ certifies to the local service agency that the ~~business employer~~ would not have created a position subsidized under this section without a wage subsidy.

SECTION 209. 101.35 (7) (d) and (e) of the statutes are created to read:

101.35 (7) (d) The local service agency determines that the employer is not likely to fund a position subsidized under this section primarily from annual or biannual grants after the subsidy ends.

**Vetoed in Part**

(c) The local service agency determines, if the statement under par. (a) 4 is in the affirmative, that a position that the employer intends to fill with an eligible job applicant represents an increase in the number of jobs provided at that location by the employer over the number of jobs provided at that location by the employer that was acquired or that was a party to the merger or consolidation immediately before the acquisition, merger or consolidation.

Vetoed in Part

SECTION 210. 101.35 (8) of the statutes is renumbered 101.35 (8) (a), and 101.35 (8) (a) (intro.), 1 and 3, as renumbered, are amended to read:

101.35 (8) (a) (intro.) The local service agency may subsidize wages paid to an eligible job applicant who fills a position with a ~~business an employer~~ qualified under sub. (7) if all of the following apply:

1. The position is a new position and results in an increase in the number of jobs provided by the ~~business employer~~.
2. The position does not include duties which are the same as, or substantially similar to, the duties of any employee who the ~~business employer~~ has laid off.

SECTION 211. 101.35 (8) (b) of the statutes is created to read:

101.35 (8) (b) Notwithstanding par. (a), a position is not a new position and does not result in an increase in the number of jobs provided by the employer if any of the circumstances described in sub. (7) (a) 4 apply and the position does not represent an increase in the number of jobs provided by the employer under the criteria described in sub. (7) (e).

Vetoed in Part

SECTION 212. 101.35 (9) (b) and (c) of the statutes are amended to read:

101.35 (9) (b) The individual is unemployed or is employed, but lives in a household described in sub. (10) (b) 5.

Vetoed in Part

(c) The local service agency determines that the individual will likely be available to fill a position with a ~~business an employer~~ qualified under sub. (7) for the duration of the position, or at least 12 months after the subsidy ends, whichever is longer.

SECTION 213. 101.35 (10) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

101.35 (10) (a) When allocating funds among ~~businesses or employers~~ qualified for wage subsidies under sub. (7), a local service agency shall give priority to a ~~business an employer~~ if the local service agency determines any of the following:

1. That the ~~business employer~~ is an existing ~~business employer~~ with low employee turnover.
2. That the ~~business employer~~ is a small business with a high potential for growth.
3. That the positions for which the ~~business employer~~ is seeking a subsidy are likely to be long-term.

~~4. That the employer is a business that is at least 51% owned, controlled and actively managed by a woman or women.~~

Vetoed in Part

~~5. That the business employer is a minority business.~~

~~6. That the position for which the business employer is seeking a subsidy will pay at least \$4 per hour and provide fringe benefits.~~

~~7. That the business employer has certified that it uses or will use techniques or processes that reduce or eliminate the use of chlorofluorocarbons, halons or other compounds or substances with ozone depletion weights, as set out in 40 CFR, part 82 appendix A, of 0.1 or more.~~

SECTION 214. 101.35 (10) (b) 5 of the statutes is created to read:

101.35 (10) (b) 5. The eligible job applicant lives in a household whose total income for the 6-month period before application for this program, excluding unemployment compensation, child support payments and welfare payments, in relation to family size did not exceed the higher of the poverty level, determined under criteria established by the director of the federal office of management and budget, or 70% of the lower living standard income level, determined annually by the federal secretary of labor.

SECTION 215. 101.35 (10) (d) of the statutes is amended to read:

101.35 (10) (d) A local service agency shall emphasize subsidizing wages for positions in areas of an eligible ~~county~~ unit of government with the greatest unemployment.

~~SECTION 216. 101.35 (11) (a) (intro.) and (b) of the statutes are amended to read:~~

Vetoed in Part

~~101.35 (11) (a) (intro.) If an eligible job applicant leaves the employ of a ~~business an employer~~ that received funds to subsidize the wages of the eligible job applicant under sub. (5), the ~~business employer~~ shall repay the following percentage of the funds:~~

~~(b) A ~~business An employer~~ need not repay funds under par. (a) if the ~~business employer~~ replaces the departing eligible job applicant with another eligible job applicant who remains employed with the ~~business employer~~ for at least 12 months after the subsidy paid to the departing eligible job applicant would have ended.~~

~~SECTION 217. 101.35 (11) (d) of the statutes is amended to read:~~

~~101.35 (11) (d) The local service agency shall use the amounts repaid under this subsection for additional wage subsidies, except that amounts repaid after June 30, 1993, shall be deposited in the general fund.~~

SECTION 218. 101.35 (12) (b) of the statutes is amended to read:

**Vetoed in Part** 101.35 (12) (b) The number of qualified ~~businesses~~ ~~employers~~ and eligible job applicants participating in each eligible county unit of government.

**Vetoed in Part** SECTION 219. 101.35 (13) (intro.) of the statutes is amended to read:

101.35 (13) FINAL REPORT. (Intro.) On or before September 1, 1991-1993, 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:

SECTION 220. 101.35 (13) (b) of the statutes is amended to read:

101.35 (13) (b) The number of qualified businesses and eligible job applicants that participated in each eligible county unit of government.

SECTION 221. 101.35 (14) of the statutes is amended to read:

**Vetoed in Part** 101.35 (14) SUNSET. Subsections (1) to (10) and (12) do not apply after June 30, ~~1991-1993~~.

**Vetoed in Part** SECTION 221. 111.81 (1) of the statutes is renumbered 111.81 (Nm).

**Vetoed in Part** SECTION 221k. 111.81 (1) of the statutes is created to read:

111.81 (1) "Academic staff" has the meaning given under s. 36.05 (1), but excludes individuals who hold appointments under s. 36.13 or faculty appointments under s. 36.15 (2m).

SECTION 221L. 111.81 (7) (d) of the statutes is created to read:

111.81 (7) (d) Unclassified academic staff of the university of Wisconsin system, excluding supervisors, management employes and individuals who are privy to confidential matters affecting the employer-employee relationship.

SECTION 221m. 111.81 (10) of the statutes is repealed and recreated to read:

111.81 (10) "Institution" means any university of the university of Wisconsin system, the center system or an organizational equivalent designated by the board of regents of the university of Wisconsin system.

SECTION 221n. 111.815 (4) of the statutes is created to read:

111.815 (4) With regard to collective bargaining activities involving employes who are members of the academic staff, the secretary of the department shall maintain close liaison with the board of regents of the university of Wisconsin system.

SECTION 221o. 111.825 (2) (e) to (g) and (2m) of the statutes are created to read:

111.825 (2) (e) The academic staff of the university of Wisconsin-Madison.

(f) The academic staff of the university of Wisconsin-Milwaukee.

(g) The academic staff of the universities of Wisconsin-Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior and Whitewater and the university of Wisconsin-center system.

(2m) (a) Notwithstanding sub. (2), 2 or more collective bargaining units specified in sub. (2) (c) to (g) may be combined into a single unit. If 2 or more collective bargaining units seek to combine into a single collective bargaining unit, the commission shall, upon the petition of at least 30% of the employes in each unit, hold an election to determine whether a majority of those employes voting in each unit desires to combine into a single unit. A combined collective bargaining unit shall be formed including all employes from each of those units in which a majority of the employes voting in the election approves a combined unit. The combined collective bargaining unit shall be formed immediately if there is no existing collective bargaining agreement in force in any of the units to be combined. If there is a collective bargaining agreement in force at the time of the election in any of the collective bargaining units to be combined, the combined unit shall be formed upon expiration of the last agreement for the units concerned.

(b) If 2 or more collective bargaining units have combined under par. (a), the commission shall, upon petition of at least 30% of the employes in any of the original units, hold an election of the employes in the original unit to determine whether the employes in that unit desire to withdraw from the combined collective bargaining unit. If a majority of the employes voting desires to withdraw from the combined collective bargaining unit, separate units consisting of the unit in which the election was held and a unit composed of the remainder of the combined unit shall be formed. The new collective bargaining units shall be formed immediately if there is no collective bargaining agreement in force for the combined unit. If there is a collective bargaining agreement in force for the combined collective bargaining unit, the new units shall be formed upon the expiration of the agreement. An election to change or discontinue representation under s. 111.83 (6) may be held in the petitioning collective bargaining unit concurrently with an election under this paragraph. The ballots for the election under s. 111.83 (6) shall only be counted if a majority of the employes voting at the election vote to withdraw from the combined collective bargaining unit. While there is a collective bargaining agreement in force for the combined collective bargaining unit, a petition for an election under this paragraph may only be filed during October in the calendar year prior to the expiration of the agreement.

SECTION 221p. 111.83 (3) of the statutes is amended to read:

111.83 (3) Whenever a question arises concerning the representation of employes in a collective bargaining unit the commission shall determine the representative thereof by taking a secret ballot of the employes

**Vetoed in Part**

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and certifying in writing the results thereof to the interested parties and to the secretary of the department. There shall be included on any ballot for the election of representatives the names of all labor organizations having an interest in representing the employees participating in the election as indicated in petitions filed with the commission. The name of any existing representative shall be included on the ballot without the necessity of filing a petition. The commission may exclude from the ballot one who, at the time of the election, stands deprived of his or her rights under this subchapter by reason of a prior adjudication of his or her having engaged in an unfair labor practice. The ballot shall be so prepared as to permit a vote against representation by anyone named on the ballot. For elections in collective bargaining units comprised of employees who are members of the academic staff, whenever more than one representative qualifies to appear on the ballot, the ballot shall be prepared to provide separate votes on 2 questions. The first question shall be: "Shall the employees of the (name of collective bargaining unit) participate in collective bargaining?" The 2nd question shall be: "If the employees of the (name of collective bargaining unit) elect to participate in collective bargaining, which labor organization do you favor to act as representative of the employees?" The 2nd question shall not include a choice for no representative. All employees in the collective bargaining unit may vote on both questions. Unless a majority of those employees voting in the election vote to participate in collective bargaining, no votes for a particular representative may be counted. If a majority of those employees voting in the election vote to participate in collective bargaining, the ballots for representatives shall be counted. In the collective bargaining unit specified in s. 111.825 (2) (g), only those ballots for representatives cast at those institutions at which a majority of the employees voting in the election vote to participate in collective bargaining shall be counted in determining the representative. The commission's certification of the results of any election is conclusive as to the findings included therein unless reviewed under s. 111.07 (8).

SECTION 221q. 111.83 (4) of the statutes is renumbered 111.83 (4) (a) and amended to read:

111.83 (4) (a). Whenever an election has been conducted under sub. (3) in a collective bargaining unit specified in s. 111.825 (1) or (2) (a) to (c) in which the name of more than one proposed representative appears on the ballot and results in no conclusion, the commission may, if requested by any party to the proceeding within 30 days from the date of the certification of the results of the election, conduct a runoff election. In that runoff election, the commission shall drop from the ballot the name of the representative who received the least number of votes at the original election. The commission shall drop from the ballot the privilege of voting against any representative if the

least number of votes cast at the first election was against representation by any named representative.

SECTION 221r. 111.83 (4) (b) of the statutes is created to read:

111.83 (4) (b). Whenever an election has been conducted under sub. (3) in a collective bargaining unit specified in s. 111.825 (2) (e) to (g) in which a majority of the employees voting indicate a desire to participate in collective bargaining but in which no named representative is favored by a majority of the employees voting, the commission may, if requested by any party to the proceeding within 30 days from the date of the certification of the results of the election, conduct a runoff election. In that runoff election, the commission shall drop from the ballot the name of the representative who received the least number of votes at the original election. In the collective bargaining unit specified in s. 111.825 (2) (g), only the employees at those institutions at which a majority of those employees voting in the election vote to participate in collective bargaining shall be permitted to vote in the runoff election.

SECTION 221s. 111.83 (5) (a) to (c), (h) and (i) of the statutes are amended to read:

111.83 (5) (a). This subsection applies only to the collective bargaining unit units specified in s. 111.825 (2) (c) and (e).

(b) Upon filing of a petition with the commission indicating a showing of interest of at least 30% of the employees at an institution who are included within a collective bargaining unit to be represented by a labor organization, the commission shall hold an election in which the employees in that unit at that institution may vote on the question of representation. The labor organization named in any such petition shall be included on the ballot. Within 60 days of the time that an original petition is filed, another petition may be filed with the commission indicating a showing of interest of at least 10% of the employees at the same institution who are included in the same collective bargaining unit to be represented by another labor organization, in which case the name of that labor organization shall be included on the ballot. If more than one original petition is filed within a 30-day period concerning employees in the collective bargaining unit specified in s. 111.825 (2) (c), the results of or (d), all elections held pursuant to the petitions shall be announced by the commission at the same time. The ballot elections shall be held on the same day and the ballots for all the elections shall be prepared in accordance with sub. (3), except as otherwise provided in this subsection.

(c) Notwithstanding s. 111.825 (2) (c) and (e), the employees at any institution included within the collective bargaining unit at which no petition is filed and no election is held or at which the employees indicate, by a majority of those voting in an election, a desire not to participate in collective bargaining are not con-

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sidered to be a part of that collective bargaining unit. In the collective bargaining unit specified in s. 111.825 (2) (e), once the employees at any institution vote to participate in collective bargaining, the commission shall not determine the votes of employees on that question at that institution at a future election except in conjunction with the votes of the employees at the other institutions in the collective bargaining unit.

(h) If a petition is filed under sub. (6) for the discontinuance of existing representation indicating a showing of interest by 30% of the total number of employees at all institutions at which employees in the collective bargaining unit have voted to become a part of the unit, the commission shall hold an election on that question at all such institutions. If in the collective bargaining unit specified in s. 111.825 (2) (c), if a petition is filed under sub. (6) for the discontinuance of existing representation indicating a showing of interest by 30% of the employees at one or more, but not all, of the institutions at which employees in the collective bargaining unit have voted to become a part of the unit, the commission shall hold an election on that question only at the institution or institutions at which the showing is made. In such an election, the only question appearing on the ballot shall be whether the employees desire to participate in collective bargaining.

(i) If a petition is filed under sub. (6) for a change of existing representation, the commission shall hold an election on the question in accordance with par. (b), except that participation shall be limited to employees at those institutions included in the collective bargaining unit who have previously voted to become a part of the unit. Runoff elections shall be held, as provided in par. (c), when necessary. At any such election, if a majority of the total number of employees included in the collective bargaining unit at all institutions at which employees have voted to become a part of the unit elect not to participate in collective bargaining, regardless of the result of the vote at any single institution, no representative may be certified by the commission to represent the employees at any institution within that collective bargaining unit, unless a new petition and election is held under par. (b). However, in the collective bargaining unit specified in s. 111.825 (2) (e), if a majority of the total number of employees included in the collective bargaining unit at all institutions at which employees have voted to become a part of the unit elect to participate in collective bargaining, but a majority of the employees at one or more of the institutions elect not to participate in collective bargaining, then only the employees at those institutions electing not to participate shall not be considered a part of that collective bargaining unit. In the collective bargaining unit specified in s. 111.825 (2) (e), if the employees at an institution vote to become a part of the unit, the commission shall not accept a petition for an election on the question of withdrawal from the unit.

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SECTION 221i. 111.84 (2) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

111.84 (2) (c). To refuse to bargain collectively on matters set forth in s. 111.91 (1) with the duly authorized officer or agent of the employer which is the recognized or certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (b) or (c) or (d) in an appropriate collective bargaining unit. Such refusal to bargain shall include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

SECTION 221u. 111.89 (1) of the statutes is amended to read:

111.89 (1) Upon establishing that a strike is in progress, the employer may either seek an injunction or file an unfair labor practice charge with the commission under s. 111.84 (2) (e) or both. In this regard it shall be the responsibility of the department of employment relations to decide whether to seek an injunction or file an unfair labor practice charge. The existence of an administrative remedy shall does not constitute grounds for denial of injunctive relief.

SECTION 221v. 111.91 (3) (a) of the statutes is amended to read:

111.91 (3) (a) The structure, mission and goals of state agencies as set forth in the statutes.

SECTION 221w. 111.91 (2) (br) of the statutes is created to read:

111.91 (2) (br) Matters affecting the rights and responsibilities of students as provided in s. 36.09 (5).

SECTION 221x. 111.91 (4) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

111.91 (4) The secretary of the department, in conjunction with the development of tentative collective bargaining agreements to be submitted under s. 111.92, shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) and with each certified labor organization representing employees specified in s. 111.81 (7) (b) or (c) or (d) which do not contain any provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.

Vetoed  
in Part

SECTION 221y. 111.92 (1) of the statutes is amended to read:

111.92 (1) Tentative agreements Any tentative agreement reached between the department of employment relations, acting for the executive branch, and any certified labor organization shall, after official ratification by the labor organization, be submitted by the department to the joint committee on employment relations, which shall hold a public hear-

ing before determining its approval or disapproval. If the committee approves the tentative agreement, it shall introduce in a bill or companion bills, to be put on the calendar or referred to the appropriate scheduling committee of each house, that portion of the tentative agreement which requires legislative action for implementation, such as salary and wage adjustments, changes in fringe benefits, and any proposed amendments, deletions or additions to existing law. Such bill or companion bills shall are not be subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit suitable portions of the tentative agreement to appropriate legislative committees for advisory recommendations on the proposed terms. The committee shall accompany the introduction of such proposed legislation with a message that informs the legislature of the committee's concurrence with the matters under consideration and which recommends the passage of such legislation without change. If the joint committee on employment relations does not approve the tentative agreement, it shall be returned to the parties for renegotiation. If the legislature does not adopt without change that portion of the tentative agreement introduced by the joint committee on employment relations, the tentative agreement shall be returned to the parties for ~~negotiation~~ renegotiation.

Vetoed  
in Part

~~SECTION 221z. 111.93 (2) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~111.93 (2) All civil service and other applicable statutes concerning wages, fringe benefits, hours and conditions of employment apply to employes specified in s. 111.81 (7) (a) who are not included in collective bargaining units for which a representative is recognized or certified and to employes specified in s. 111.81 (7) (b) or (c) or (d) who are not included in a collective bargaining unit or part of a collective bargaining unit for which a representative is certified.~~

~~SECTION 221zm. 111.93 (3) of the statutes, as affected by 1989 Wisconsin Acts 13 and 31, is amended to read:~~

~~111.93 (3) Except as provided in ss. 40.05, 40.80 (3), 111.91 (1) (cm) and 230.88 (2) (b), if a collective bargaining agreement exists between the employer and a labor organization representing employes in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the board of regents of the university of Wisconsin system, related to wages, fringe benefits, hours and conditions of employment whether or not the matters contained in those statutes, rules and policies are set forth in the collective bargaining agreement. This subsection does not apply to the provisions of s. 36.09 (4m) concerning the application of that subsection.~~

SECTION 222. 115.28 (27) of the statutes is created to read:

115.28 (27) WISCONSIN GEOGRAPHY ALLIANCE. Annually allocate the amount in the appropriation under s. 20.255 (1) (ec) to the Wisconsin geography alliance to train teachers and develop curricula for primary and secondary education in geography. This subsection does not apply after June 30, 1993.

SECTION 223. 115.745 of the statutes is created to read:

**115.745 Home school coordinators.** (1) (a) In this subsection, "membership" has the meaning given in s. 121.004 (5).

(b) Beginning in the 1990-91 school year, from the appropriation under s. 20.255 (2) (cs), the state superintendent annually shall award a grant to support the costs of 2.0 full-time equivalent home school coordinators to a school district in which at least 50% of the membership in the previous school year was American Indian pupils. The home school coordinators shall work with pupils and their families to address problems that adversely affect the pupils' success in school.

(2) The state superintendent shall not award a grant under sub. (1) unless he or she determines that all of the following conditions have been met:

(a) The application for the grant describes how the home school coordinators will be used to improve communication between the school district and parents or guardians and to promote parental involvement in the school district.

(b) The award will not supplant funds otherwise available for home school coordinators.

(3) The state superintendent shall promulgate rules to implement and administer this section.

SECTION 224. 115.75 (1) (a) of the statutes is amended to read:

115.75 (1) (a) Subject to the requirements of par. (b), each alternative school operating an American Indian language and culture education program under this subchapter shall receive state aid, from the appropriation under s. 20.255 (1) (cw), in an amount equal to ~~\$140~~ \$185 for each pupil who has completed the fall semester in the program.

SECTION 225. 118.125 (4) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district shall transfer to another school or school district all pupil records relating to a specific pupil if the transferring school district has received written notice from the pupil if he or she is an adult or his or her parent or guardian if the pupil is a minor that the pupil intends to enroll in the other school or school district or written notice from the other school or school district that the pupil has enrolled or from a court that legal custody of the pupil has been transferred to the department of ~~corrections~~ health and social services for placement in a juvenile correctional facility. In this subsection, "school" and

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"school district" include any state juvenile correctional facility which provides an educational program for its residents instead of or in addition to that which is provided by public and private schools.

SECTION 225d. 118.15 (1) (d) (intro.) of the statutes is amended to read:

118.15 (1) (d) (intro.) Any child's parent or guardian, or the child if the parent or guardian is notified, may request the school board, in writing, to provide the child with program or curriculum modifications, including but not limited to:

SECTION 225h. 118.15 (1) (dm) of the statutes is created to read:

118.15 (1) (dm) The school board shall render its decision, in writing, within 90 days of a request under par. (d), except that if the request relates to a child who has been examined by a multidisciplinary team under s. 115.80 and has not been recommended for special education, the school board shall render its decision within 30 days of the request. If the school board denies the request, the school board shall give its reasons for the denial.

~~SECTION 225p. 118.15 (1) (e) of the statutes is amended to read:~~

**Vetoed  
in Part**

~~118.15 (1) (e) Any decision made by a school board or a delegate of the school board in response to a request for program or curriculum modifications under par. (d) shall be reviewed by the school board upon request of the child's parent or guardian. The school board shall render its determination upon review in writing of the child's parent or guardian requests.~~

SECTION 225t. 118.15 (1) (f) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

118.15 (1) (f) At the beginning of each school term, the school board shall notify the pupils enrolled in the school district and their parents or guardians of the substance of ~~par.~~ pars. (d), (dm) and (e).

SECTION 226. 118.153 (4) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

118.153 (4) (b) Except as provided under par. (d), if upon receipt of a school board's annual report under par. (a) the state superintendent determines that any 3 of the conditions listed under par. (c) existed in the school district in the previous school year, the school district shall receive from the appropriation under s. 20.255 (2) ~~(ae)~~ (bc), for each pupil enrolled in the school district's program for children at risk, additional state aid in an amount equal to 10% of the school district's average per pupil aids provided under ~~s. ss. 20.143 (1) (bs) and 20.255 (2) (ac) (add. par.) and~~ ss. 20.143 (1) (bs) and 20.255 (2) (ac) in the previous school year.

**Vetoed  
in Part**

SECTION 227. 118.153 (4) (e) of the statutes is created to read:

118.153 (4) (e) If the appropriation under s. 20.255 (2) (bc) in any fiscal year is insufficient to pay the full amount of aid under par. (b), state aid payments shall

be prorated among the school districts entitled to such aid.

SECTION 227d. 118.165 (1) (f) of the statutes is amended to read:

118.165 (1) (f) The pupils in the institution's educational program, in the ordinary course of events, return annually to the homes of their parents or guardians for not less than 2 months of summer vacation, or the institution is licensed as a child ~~earing~~ welfare agency under s. 48.60 (1).

~~SECTION 227g. 119.20 of the statutes is created to read:~~

**Vetoed  
in Part**

~~119.20 Educational programs for learning pupils.~~

~~(1) The board may provide modified educational programs to meet the needs of dropouts, as defined in s. 118.153 (1) (b), who have been sanctioned under s. 49.50 (7) (h) and are at least 13 but not more than 17 years old. Such programs may include work experiences and parenting skills and shall be designed to meet the high school graduation requirements under s. 118.33.~~

~~(1m) The board may contract with private, non-profit, nonsectarian agencies located in the school district to provide the programs under sub. (1) for up to 30% of the individuals described under sub. (1). The board shall pay each contracting agency, for each full-time equivalent pupil served by the agency, an amount equal to at least 80% of the average per pupil cost for the school district.~~

~~(2) In the 1990-91 school year, from the appropriation under s. 20.255 (2) (eL) the state superintendent shall pay \$1,000 to the board for each pupil enrolled in a program under sub. (1).~~

~~(3) (a) By September 1, 1991, the board and each county department receiving aid under s. 46.62 shall provide the state superintendent with the data necessary to evaluate whether programs provided under sub. (1) and services provided under s. 46.62 have been effective in reducing the number of pupils sanctioned under s. 49.50 (7) (h) and improving attendance rates.~~

~~(b) The state superintendent shall compile the data under par. (a) and submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.173 (3) by January 1, 1992. The report shall include an evaluation of whether the programs and services have been effective.~~

SECTION 228. 119.23 of the statutes is created to read:

**119.23 Milwaukee parental choice program.** (1) In this section, "membership" has the meaning given in s. 121.004 (5).

(2) (a) Subject to par. (b), beginning in the 1990-91 school year, any pupil in grades kindergarten to 12 who resides within the city may attend, at no charge, any nonsectarian private school located in the city if all of the following apply:

1. The pupil is a member of a family that has a total family income that does not exceed an amount equal

to 1.75 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget.

2. In the previous school year the pupil was enrolled in the school district operating under this chapter, was attending a private school under this section or was not enrolled in school.

3. The private school notified the state superintendent of its intent to participate in the program under this section by June 30 of the previous school year.

4. The private school complies with 42 USC 2000d.

5. The private school meets all health and safety laws or codes that apply to public schools.

(b) 1. No more than 1% of the school district's membership may attend private schools under par. (a) in any school year.

2. No more than 49% of a private school's enrollment may consist of pupils attending the private school under this section.

(3) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend by June 30 of the school year immediately preceding the school year in which he or she wishes to enroll. Within 60 days after receiving the application, the private school shall notify the applicant, in writing, whether the application has been accepted. The state superintendent shall ensure that the private school determines which pupils to accept on a random basis.

(4) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school, the state superintendent shall pay to the private school, from the appropriation under s. 20.255 (2) (fu), an amount equal to the total amount to which the school district is entitled under ss. 121.08 and 121.085 divided by the school district membership. The state superintendent shall pay 25% of the total amount in September, 25% in November, 25% in February and 25% in May.

(5) The state superintendent shall:

(a) Annually reduce the aid paid to the board under s. 121.08 by an amount determined as follows:

1. Divide the total amount to which the school district is entitled under ss. 121.08 and 121.085 by the school district membership.

2. Multiply the quotient under subd. 1 by the number of pupils attending private schools under this section.

(b) Ensure that aid paid to other school districts under s. 121.08 is neither reduced nor increased as a result of the payments under sub. (4) or the reduction in aid to the board under par. (a) and that the amount of the aid reduction under par. (a) lapses to the general fund.

(c) Ensure that pupils and parents and guardians of pupils who reside in the city are informed annually of

the private schools participating in the program under this section.

(d) Annually submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), and to each private school participating in the program under this section, a report comparing the academic achievement, daily attendance record, percentage of dropouts, percentage of pupils suspended and expelled and parental involvement activities of pupils attending a private school under this section and pupils enrolled in the school district operating under this chapter.

(6) The board shall provide transportation to pupils attending a private school under this section if required under s. 121.54 and may claim transportation aid under s. 121.58 for pupils so transported.

(7) (a) Each private school participating in the program under this section shall meet at least one of the following standards:

1. At least 70% of the pupils in the program advance one grade level each year.

2. The private school's average attendance rate for the pupils in the program is at least 90%.

3. At least 80% of the pupils in the program demonstrate significant academic progress.

4. At least 70% of the families of pupils in the program meet parent involvement criteria established by the private school.

(b) The state superintendent shall monitor the performance of the pupils attending private schools under this section. If the state superintendent determines in any school year that the private school is not meeting at least one of the standards under par. (a), that private school may not participate in the program under this section in the following school year.

(8) There is created a pupil assignment council composed of one representative from each private school participating in the program under this section. Annually by June 30, the council shall make recommendations to the participating private schools to achieve, to the extent possible, a balanced representation of pupils participating in the program under this section.

(9) (a) The state superintendent may conduct one or more financial or performance evaluation audits, or both, of the program under this section.

(b) The legislative audit bureau shall perform a financial and performance evaluation audit on the program under this section. The bureau shall submit copies of the audit report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) by January 15, 1995.

~~(10) This section applies beginning in the 1996-97 school year and ending in the 1994-95 school year.~~

SECTION 229. 120.13 (2) (dm) of the statutes is created to read:

**Vetoed  
in Part**

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120.13 (2) (dm) Every self-insured health plan under par. (b) shall comply with s. 632.896.

SECTION 230. 121.007 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

**121.007 Use of state aid; exemption from execution.** All moneys paid to a school district under s. 20.255 (2) (ac), ~~(ad), (ba), (bc), (bm), (cg), and (cr) and (q)~~ shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employes and as to claims for school materials, supplies, fuel and current repairs.

SECTION 231m. 121.008 of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

SECTION 232. 121.05 (1) (a) 4 of the statutes is created to read:

121.05 (1) (a) 4. Pupils enrolled in a private school under s. 119.23 who, in the school year prior to their initial enrollment in the private school, were enrolled in the school district operating under ch. 119 or were not enrolled in school.

SECTION 232m. 121.06 (1) of the statutes is amended to read:

121.06 (1) Annually on or before October 1, the full value of the taxable property in each part of each city, village and town in each school district shall be determined by the department of revenue according to its best judgment from all sources of information available to it and shall be certified by the department to the state superintendent. The "estimated value", as defined in s. 70.114 (1) (b), of land for which aids are required to be paid during the next calendar year under s. 70.114 shall be included in the determination of full value of each city, village or town in each school district.

SECTION 233. 121.07 (6) (a) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund and the net cost of the debt service fund. ~~The net cost of the debt service fund included in shared cost may not exceed an amount equal to \$110 multiplied by the membership.~~ In this paragraph, "net cost of the debt service fund" includes all of the following amounts:

SECTION 234. 121.07 (6) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

121.07 (6) (b) The "primary ceiling cost per member" shall be \$4,335 in the 1989-90 school year and ~~\$4,595~~ \$4,660 in each school year thereafter, except as provided in s. 121.23.

SECTION 235. 121.07 (7) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

121.07 (7) (a) The "primary guaranteed valuation per member" is an amount, rounded to the next lowest

dollar, that, after subtraction of payments under ss. ~~118.153 (4) (b), 121.09 and 121.85 (6) (b) 2 and 3 and (c), fully distributes the sum of the amount remaining in the appropriation under s. 20.255 (2) (ac) for payments under ss. 121.08, 121.10, 121.105, 121.135, 121.85 (6) (a) and (g) and 121.86 (2) and the amounts in the appropriations under s. 20.255 (2) (ad) and (q) for payments under s. 121.08 (3) (a) (i) and (b) (i).~~

SECTION 236g. 121.085 (title), (l) and (1m) of the statutes are amended to read:

**121.085 (title) Supplemental state aid calculations.** (1) Except as provided under sub. (1m), the state department of development, under s. 560.18, shall pay to each school district the amount determined by subtracting the amount determined under par. (b) from the amount determined under par. (a):

(a) The amount which would be paid by the state to the school district under this subchapter, other than the amount calculated under this section and paid under s. 560.18, if the full value of the taxable property of the territory in the school district were calculated and certified under s. 121.06 with the equalized valuation of any taxable property in a tax incremental district not exceeding its equalized value determined for the purpose of the determination of the tax incremental base of that district under s. 66.46.

(b) The amount to be paid to the school district under this subchapter, other than the amount calculated under this section and paid under s. 560.18, with the full value of the taxable property of the school district calculated and certified as provided in s. 121.06.

(1m) No aid calculated under this section and paid under s. 560.18 may be paid to any school district unless a city or village located within the school district verifies to the department of revenue that it has adopted a resolution under s. 66.46 (4) (gm) ~~before January 1, 1983.~~

SECTION 236r. 121.10 (1) (b) of the statutes is amended to read:

121.10 (1) (b) "State aid" means the sum of payments provided to a school district under ss. 121.08 and ~~121.085~~ 560.18.

SECTION 238. 121.10 (2) (intro.) of the statutes is amended to read:

121.10 (2) (intro.) From the appropriation under s. 20.255 (2) ~~(ae) (bm)~~, the state shall annually pay:

SECTION 239. 121.10 (4) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

121.10 (4) If a school district is ineligible for a payment under sub. (2) or (3), the state superintendent shall pay to the school district in that school year, from the appropriation under s. 20.255 (2) ~~(ae) (bm)~~, an amount which, when added to the amount of state aid the school district will receive in that school year, is equal to an amount determined by multiplying \$100 by the membership.

SECTION 240. 121.10 (5) of the statutes is created to read:

Vetoed  
in Part

Vetoed  
in Part



121.10 (5) If the appropriation under s. 20.255 (2) (bm) in any fiscal year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the school districts entitled to such aid.

SECTION 240m. 121.105 (1) of the statutes is amended to read:

121.105 (1) In this section "state aid" means the sum of the payments provided to a school district under this section and ss. 121.08, ~~121.085~~, 121.10, 121.85 ~~and~~, 121.86 and 560.18.

SECTION 241. 121.105 (2) (a) of the statutes is amended to read:

121.105 (2) (a) Beginning in the 1985-86 school year, if a school district would receive less than 90% of the state aid for the current school year than it received as state aid in the previous school year, its state aid for the current school year shall be increased to an amount equal to 90% of the state aid received in the previous school year. The additional aid shall be paid from the appropriation under s. 20.255 (2) ~~(ae)~~ (ba).

SECTION 242. 121.105 (3) of the statutes, as affected by 1989 Wisconsin Act 114, is amended to read:

121.105 (3) In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 2 school years, the consolidated school district's state aid shall be an amount that is not less than the aggregate state aid received by the consolidating school districts in the school year prior to the school year in which the consolidation takes effect. The additional state aid shall be paid from the appropriation under s. 20.255 (2) ~~(ae)~~ (ba).

SECTION 243. 121.105 (5) of the statutes is created to read:

121.105 (5) If the appropriation under s. 20.255 (2) (ba) in any fiscal year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the school districts entitled to such aid.

SECTION 244. 121.135 (1) and (2) (a) 1 and 2 of the statutes are amended to read:

121.135 (1) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that any there are children enrolled and participating in a special education program provided by a county handicapped children's education board under this subchapter and not counted as pupils enrolled under s. 121.05 are receiving the substantial equivalent of an elementary or high school education from those services, the superintendent shall certify to the department of administration from the appropriation under s. 20.255 (2) ~~(ae)~~ (bh) in favor of the county handicapped children's education board providing those services the amount determined under sub. (2) ~~for each pupil enrolled~~, except as provided under sub. (3).

~~Enrollment for aid purposes shall be determined in accordance with s. 121.05.~~

(2) (a) 1. ~~"Average member"~~ "Additional general aid per member" means the amount of additional aid per member that a school district would receive under ss. 121.08 and 121.085 if its membership included each pupil who is a resident of the school district and solely enrolled in a special education program provided by a county handicapped children's education board and the school district's shared costs were increased by the ~~average per pupil~~ costs of the county handicapped children's education board program for ~~each pupil who is solely enrolled~~ all pupils participating in the county handicapped children's education board program who are residents of the school district.

2. ~~"Average per pupil costs"~~ "Costs of the county handicapped children's education board program" means the gross cost of the county handicapped children's education board program minus all nonduplicative receipts except property taxes and state aid paid under this section in the previous school year, ~~divided by the number of pupils enrolled in the county handicapped children's education board program~~.

SECTION 244m. 121.135 (2) (a) 1 of the statutes is amended to read:

121.135 (2) (a) 1. "Average general aid per member" means the amount of aid per member that a school district would receive under ss. 121.08 and ~~121.085~~ 560.18 if its membership included each pupil who is a resident of the district and solely enrolled in a special education program provided by a county handicapped children's education board and the district's shared costs were increased by the average per pupil costs of the county handicapped children's education board program for each pupil who is solely enrolled in the county handicapped children's education board program.

SECTION 244q. 121.135 (2) (a) 3 and (b) of the statutes are repealed.

SECTION 244r. 121.135 (2) (c) of the statutes is amended to read:

121.135 (2) (c) The state superintendent shall pay the additional general aid to the county handicapped children's education board. If a school district is eligible for minimum aid under s. 121.10, the state superintendent shall pay to the county handicapped children's education board ~~shall be eligible to receive a~~ the minimum aid amount calculated as follows: the applicable dollar amount for which the school district is eligible under s. 121.10 is multiplied by each pupil who is solely enrolled for those pupils enrolled solely in the county handicapped children's education board program and who is a resident are residents of the school district ~~which is eligible for minimum aid~~.

SECTION 245. 121.135 (3) of the statutes is amended to read:

121.135 (3) This section does not apply beginning on the effective date of a resolution adopted under s.

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115.86 (9) (c), except that in the school year beginning July 1 of the year prior to the effective date of the resolution, the state superintendent shall certify to the department of administration from the appropriation under s. 20.255 (2) ~~(ae)~~ (bh) in favor of the county handicapped children's education board an amount equal to one-half the amount specified under sub. (2) for each pupil enrolled.

Vetoed in Part

~~SECTION 246. 121.15 (1) (a), (b) and (c) of the statutes are amended to read:~~

~~121.15 (1) (a) Each school district shall receive 15% 10% of its total aid entitlement in August, September, 25% of its total aid entitlement in December, 25% October, December and January, 15% of its total aid entitlement in March and 35% of its total aid entitlement in June.~~

~~(b) For the September payment payments made from August to October, the total aid entitlement for each district shall be estimated based upon the total aid payment in the previous year.~~

~~(c) Payments under this subsection shall be made on the first Monday of the month for the December payment, on the 3rd Monday of the month for the September and June payments and on the 4th Monday of the month for the August, October, January and March payment payments.~~

SECTION 246d. 121.85 (6) (a) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

121.85 (6) (a) 1. Divide the state aid received in the current school year under ss. 121.08 and ~~121.085 560.18~~ by the membership used to compute state aid to the school district for the current school year.

Vetoed in Part

~~SECTION 247. 121.86 (2) (a) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~121.86 (2) (a) (intro.) Except as provided under sub. subs. (3) and (3m), if a school board establishes a merged attendance area after January 1, 1984, for the purpose of reducing racial imbalance in the school district, the school district shall be entitled to an amount determined as follows.~~

SECTION 247m. 121.86 (2) (a) 1 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

121.86 (2) (a) 1. Divide the state aid received in the current school year under ss. 121.08 and ~~121.085 560.18~~ by the membership used to compute state aid to the school district for the current school year.

Vetoed in Part

~~SECTION 248. 121.86 (3) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is renumbered 121.86 (3).~~

~~SECTION 249. 121.86 (3m) of the statutes is created to read:~~

~~121.86 (3m) (a) In the 1989-90 school year, a school district that received aid under this section in the 1988-89 school year is entitled to the greater of the following:~~

- ~~1. The amount determined under sub. (2).~~

~~2. The amount determined by multiplying the amount received under this section in the 1988-89 school year by 42.6%.~~

Vetoed in Part

~~(b) In the 1990-91 school year, a school district that received aid under this section in the 1988-89 school year is entitled to the greater of the following:~~

- ~~1. The amount determined under sub. (2).~~

~~2. The amount determined by multiplying the amount received under this section in the 1988-89 school year by 29.8%.~~

~~SECTION 250. 121.86 (5) of the statutes is amended to read:~~

~~121.86 (5) SOURCES OF AID PAYMENTS. State aid under this section sub. (3m) (a) 1 and (b) 1 shall be paid from the appropriation under s. 20.255 (2) (ac). State aid under sub. (3m) (a) 2 and (b) 2 shall be paid from the appropriation under s. 20.255 (2) (bn).~~

SECTION 250g. 125.07 (4) (c) 1 of the statutes, as affected by 1989 Wisconsin Act 121, is amended to read:

125.07 (4) (c) 1. For a first violation, a forfeiture of not more than \$50 ~~or~~, suspension of the person's operating privilege as provided under s. 343.30 (6) (b) 1, participation in a supervised work program under par. (cg) or ~~both~~ any combination of these penalties.

SECTION 250m. 125.085 (3) (b) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

125.085 (3) (b) (intro.) Any underage person who does any of the following is subject to a forfeiture of not less than \$100 nor more than \$500 the penalties under ss. 48.344 and 125.07 (4) (c) and (d):

SECTION 250p. Chapter 130 of the statutes is repealed.

SECTION 250q. 134.72 (title) of the statutes is amended to read:

**134.72 (title) Prohibition of certain unsolicited messages by telephone or facsimile machine.**

SECTION 250q. 134.72 (1) of the statutes is renumbered 134.72 (1) (intro.) and amended to read:

134.72 (1) (title) DEFINITIONS. (intro.) ~~As used in~~ In this section "telephone:

(c) "Telephone solicitation" means the unsolicited initiation of a telephone conversation for the purpose of encouraging a person to purchase property, goods or services.

SECTION 250r. 134.72 (1) (a) and (b) of the statutes are created to read:

134.72 (1) (a) "Facsimile machine" means a machine that transmits copies of documents by means of a telecommunications facility, as defined in s. 76.38 (1) (bm).

(b) "Facsimile solicitation" means the unsolicited transmission of a document by a facsimile machine for the purpose of encouraging a person to purchase property, goods or services.

SECTION 250s. 134.72 (2) (title) of the statutes is amended to read:

134.72 (2) (title) PROHIBITIONS.

SECTION 250t. 134.72 (2) of the statutes is renumbered 134.72 (2) (a).

SECTION 250u. 134.72 (2) (a) (title) and (b) of the statutes are created to read:

134.72 (2) (a) (title) *Prerecorded telephone solicitation.*

(b) *Facsimile solicitation.* 1. A person may not make a facsimile solicitation without the consent of the person solicited unless all of the following apply:

a. The document transmitted by facsimile machine does not exceed one page in length and is received by the person solicited after 9 p.m. and before 6 a.m.

b. The person making the facsimile solicitation has had a previous business relationship with the person solicited.

2. Notwithstanding subd. 1, a person may not make a facsimile solicitation to a person who has notified the facsimile solicitor in writing or by facsimile transmission that the person does not want to receive facsimile solicitation.

SECTION 250v. 134.72 (3) of the statutes is amended to read:

134.72 (3) TERRITORIAL APPLICATION. (a) *Intrastate.* This section applies to any intrastate telephone solicitation or intrastate facsimile solicitation.

(b) *Interstate.* This section applies to any interstate telephone solicitation, or interstate facsimile solicitation, received by a customer person in this state.

SECTION 251. 138.12 (6) (a) of the statutes is amended to read:

138.12 (6) (a) Every licensee shall maintain records of its premium finance transactions and the records shall be open to an examination and investigation by the commissioner. The commissioner may make an examination of the books, records and accounts of any licensee as he the commissioner deems necessary. The expenses incurred in making any such commissioner shall determine the cost of an examination and that cost shall be assessed against and paid by the licensee so examined. The commissioner may, at any time, require any licensee to bring such records as he the commissioner directs to the commissioner's office for examination.

SECTION 252. 140.03 of the statutes is created to read:

**140.03 State public health funding program. (1)**

DEFINITIONS. In this section:

(a) ~~"Community health center" has the meaning given in 42 USC 254c (a).~~

(b) "Primary health care services" means all of the following:

1. Services of a physician, as defined in s. 448.01 (5), and, if feasible, services of a physician's assistant, as defined in s. 448.01 (6), a nurse practitioner or a public health nurse under s. 141.05.

2. Diagnostic laboratory and radiologic services, if the public health agency provides laboratory and radiologic services.

3. Preventive health services, including eye and ear examinations for children to determine the need for vision or hearing correction, perinatal services, well-child services and family planning services.

4. Preventive dental services.

5. Case management services.

(c) "Public health agency" means a health department, commission, committee, board or officer under s. 140.09, 141.01, 141.015, 141.02 or 141.04.

~~(2) PUBLIC HEALTH AGENCY FUNDING. From the appropriation under s. 20.435 (1) (ch), the department shall allocate up to \$4,800,000 in fiscal year 1990-91 to public health agencies to provide direct public health services under priorities established by the department after consulting with members of the group for whose services the department has contracted to designate the department's public health service delivery beginning in 2000. Distribution of the funds under this subsection shall be made at \$1 for each person who resides in the area served by a public health agency.~~

(3) PRIMARY HEALTH CARE SERVICES GRANTS. From the appropriation under s. 20.435 (1) (ch), the department shall allocate up to \$1,000,000 in fiscal year 1990-91 as grants to applying public health agencies. Grants under this subsection shall be awarded, under procedures and criteria developed by the department, for the provision, primarily by nurse practitioners who meet the qualifications for certification as medical assistance providers by the department and by public health nurses, of primary health care services in, among other places, maternal and child health clinics and community health settings. Award of a grant to a public health agency under this subsection is conditioned upon receipt by the department of an agreement by the county, city, town or village that has established the public health agency to provide funds or in-kind services to match 25% of the amount of a grant awarded.

~~(4) COMMUNITY HEALTH CENTER FUNDING. From the appropriation under s. 20.435 (1) (ch), the department shall allocate up to \$1,000,000 in fiscal year 1990-91, in amounts determined by the department, to community health centers that receive funding under 42 USC 254c or that provide the services specified in 42 USC 254c (a) and (b) and are nonprofit corporations organized under ch. 181 that provide services in conjunction with a public health agency, to enable expansion of the number of individuals served and the services provided by the community health centers.~~

(5) MAINTENANCE-OF-EFFORT REQUIREMENTS. Funds allocated under this section may not be used to provide payment for administration of a public health agency and may not be used to supplant any of the following, as of the effective date of this subsection ... [revisor inserts date]:

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

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(a) Any funds otherwise available to a public health agency.

(b) Any services provided by a public health agency under otherwise available funds.

(c) Any services provided by a public health agency on behalf of another public health agency.

SECTION 253. 140.87 of the statutes is created to read:

**140.87 Grant for dental services.** From the appropriation under s. 20.435 (1) (a), the department shall allocate up to \$125,000 in state fiscal year 1989-90 and up to \$500,000 in state fiscal year 1990-91 to the Marquette university school of dentistry for the provision of dental services by the Marquette university school of dentistry in clinics in the city of Milwaukee.

SECTION 253g. 144.24 (4) (d) of the statutes is created to read:

144.24 (4) (d) If a project funded under this section fails, the department may not require the recipient of the grant to reimburse the department for costs determined to be eligible under this section if all of the following apply:

1. The applicant initiates legal action and pursues the action to completion, unless the department agrees otherwise, to recover costs from parties potentially liable for the project's failure and the legal action is not resolved before the effective date of this subdivision ... [revisor inserts date].

2. The applicant agrees in writing to pay to the department, for the state-funded portion of the project, funds recovered under the legal action in excess of the cost of the legal action.

SECTION 253k. 144.24 (8m) of the statutes is created to read:

144.24 (8m) **REPAYMENT.** The department may not require a municipality that received a construction grant under this section for a wastewater treatment system that subsequently failed to repay any portion of the grant related to the costs of that failed system if all of the following apply:

(a) The municipality received the construction grant during fiscal year 1980-81.

(b) Prior to the construction of the wastewater treatment system funded by the grant under par. (a) the municipality was an unsewered municipality.

(c) The department directed the municipality to correct the failed wastewater treatment system and the municipality received construction grant funding during fiscal year 1987-88 to make the corrections.

SECTION 253m. 144.241 (20) (c) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

144.241 (20) (c) The department may not make any loan under this subsection before ~~April~~ June 1, 1990.

SECTION 253r. 144.241 (20) (d) of the statutes is created to read:

144.241 (20) (d) The department may make transition loan commitments under this subsection in an amount not to exceed the amount of public debt the

state is authorized to contract under s. 20.866 (2) (tc), plus the amount of all capitalization grants in the clean water fund under s. 25.43 (1) (a) that are provided by the federal government under 33 USC 1381 to 1387.

SECTION 253s. 144.25 (9) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

144.25 (9) The department may distribute grants and aids to state agencies, including itself, for administration and implementation of the nonpoint source water pollution abatement program on land under state ownership or control for projects affecting priority lakes identified under sub. (4) (cd) or in priority watershed areas. The department may distribute grants and aids to itself for the purchase of easements in priority watershed areas.

~~SECTION 253u. 144.945 of the statutes is created to read:~~

~~144.945 **Prohibition on mining on department lands.** (1) **DEFINITIONS.** In this section:~~

~~(a) "Land" notwithstanding s. 990.01 (18), does not include an easement or a lease of land.~~

~~(b) "Minerals" means metalliferous and nonmetalliferous minerals, including mineral commodities, gas and oil, but does not include peat, crushed stone, sand or gravel.~~

~~(c) "Mining" means operations or activities for the extraction of minerals from the earth or the exploration or prospecting for minerals and includes related operations, processes or activities such as drilling, excavation, grading, construction of roads, screening, scalping, dewatering and blending.~~

~~(2) **PROHIBITION.** No person may engage in mining on land that is owned by this state and is under the jurisdiction of the department. This subsection does not prohibit the removal and lease or sale of material under s. 30.20 (2) (a).~~

~~(3) **PENALTIES.** Any person who violates sub. (2) shall forfeit not less than \$100 nor more than \$10,000 for each site on which the mining took place and shall forfeit all revenues obtained from mining in violation of sub. (2). The violator shall be liable to the department for the full cost of reclaiming the affected area of land and any damages caused due to mining in violation of sub. (2). Each day of violation constitutes a separate offense. If the violator is a corporation, partnership or association, any officer, director or partner who knowingly authorizes, supervises or contracts for mining in violation of sub. (2) is also subject to the penalties in this subsection.~~

SECTION 253v. 144.99 of the statutes is amended to read:

**144.99 Penalties.** Any person who violates this chapter, except ss. 144.30 to 144.426, ~~144.945~~ and 144.96 (1), or any rule promulgated or any plan approval, license or special order issued under this chapter, except under those sections, shall forfeit not less than \$10 nor more than \$5,000, for each violation.

Vetoed  
in Part

Vetoed  
in Part

Each day of continued violation is a separate offense. While the order is suspended, stayed or enjoined, this penalty shall does not accrue.

SECTION 254. 146.022 (1) (dm) of the statutes is created to read:

146.022 (1) (dm) "Physician" has the meaning given in s. 448.01 (5).

SECTION 255. 146.022 (2) (c) of the statutes is created to read:

146.022 (2) (c) *Clinical trials program grant.* From the appropriation under s. 20.435 (1) (ao), the department shall allocate up to \$150,000 in state fiscal year 1990-91 as a grant to a community-based agency or a medical or academic institution. The grant under this paragraph is to establish a statewide program of community-based clinical trials of investigational new drugs for management of individuals with HIV infections in this state. These services will, under the program, be provided by a statewide network of physicians known as the Wisconsin community-based research consortium. Award of a grant to an entity under this paragraph is conditioned upon receipt by the department of an agreement by the entity to provide funds to match at least 100% of the amount of the grant awarded.

SECTION 256. 146.40 (1) (bt) of the statutes is created to read:

146.40 (1) (bt) "Intermediate care facility for the mentally retarded" has the meaning under 42 USC 1396d (c) and (d).

~~SECTION 256m. 146.40 (1) (h) of the statutes is created to read:~~

~~146.40 (1) (h) "Personal care worker" means an individual employed by, or under contract with, an agency certified to provide personal care under s. 49.46 (2) (b) o. j. "Personal care worker" does not include an individual who is licensed, permitted, certified or registered under ch. 441, 443, 449, 450, 455 or 459.~~

SECTION 257. 146.40 (2) (intro.) of the statutes, as affected by 1989 Wisconsin Acts 31 and 84, is amended to read:

146.40 (2) (intro.) After September 30, 1990, a hospital ~~or~~ nursing home or intermediate care facility for the mentally retarded may not employ or contract for the services of an individual as a nurse's assistant and a home health agency may not employ or contract for the services of an individual as a home health aide, regardless of the title under which the individual is employed, unless one of the following is true:

SECTION 258. 146.40 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

146.40 (2) (a) The For hospitals, nursing homes or home health agencies, whether or not certified providers of medical assistance, except as provided in par. (g), and intermediate care facilities for the mentally retarded that are certified providers of medical assis-

tance, the individual has successfully completed instruction in an instructional and competency evaluation program for nurse's assistants or for home health aides that is certified by the department under sub. (3).

SECTION 259. 146.40 (2) (am) and (b) of the statutes, as affected by 1989 Wisconsin Acts 31 and 84, are amended to read:

146.40 (2) (am) ~~If For hospitals, nursing homes or home health agencies that are not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance,~~ if the individual was employed or under contract as a nurse's assistant or home health aide between October 1, 1985, and October 1, 1990, and if par. (b) or (c) does not apply, after the individual successfully completes, by December 31, 1991, a competency evaluation program that is approved by the department under sub. (3m).

(b) ~~The For hospitals, nursing homes or home health agencies that are not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance,~~ the individual has practiced been employed or under contract as a nurse's assistant or as a home health aide for at least 12 months on or prior to October 1, 1990.

SECTION 260. 146.40 (2) (bm) of the statutes is created to read:

146.40 (2) (bm) For nursing homes that are certified providers of medical assistance, the individual has been employed or under contract as a nurse's assistant for one or more such nursing homes of the same employer in this state for at least 24 consecutive months before December 19, 1989.

SECTION 261. 146.40 (2) (c) and (d) of the statutes, as affected by 1989 Wisconsin Act 31, are amended to read:

146.40 (2) (c) ~~The For hospitals, nursing homes or home health agencies whether or not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance,~~ the individual is employed or under contract as a nurse's assistant or home health aide fewer than 120 calendar days by the hospital, nursing home or home health agency.

(d) ~~The For hospitals, nursing homes or home health agencies whether or not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance,~~ the individual has successfully completed instruction in an instructional and competency evaluation program or has successfully completed a competency evaluation program for nurse's assistants or for home health aides that is certified in another state that is specified by the department by rule, or the individual is certified as a nurse's assistant or as a home health aide in another state that is speci-

Vetoed  
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fied by the department by rule, except that after December 31, 1991, par. (a) applies.

SECTION 262. 146.40 (2) (e) of the statutes, as affected by 1989 Wisconsin Acts 31 and 84, is amended to read:

146.40 (2) (e) The For hospitals or home health agencies whether or not certified providers of medical assistance, nursing homes that are not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual is a student nurse who has successfully completed a basic nursing course from a school that is on the accredited list of schools specified under s. 441.01 (4) or who successfully completes a competency evaluation program for nurse's assistants or home health aides that is approved by the department under sub. (3m).

SECTION 263. 146.40 (2) (em) of the statutes is created to read:

146.40 (2) (em) For nursing homes that are certified providers of medical assistance, the individual is a student nurse who has successfully completed a basic nursing course from a school that is on the accredited list of schools specified under s. 441.01 (4) and who successfully completes a competency evaluation program for nurse's assistants that is approved by the department under sub. (3m).

SECTION 264. 146.40 (2) (f) of the statutes, as affected by 1989 Wisconsin Acts 31 and 84, is amended to read:

146.40 (2) (f) The For hospitals, nursing homes or home health agencies whether or not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual has successfully completed, prior to October 1, 1990, an instructional and competency evaluation program that is substantially the same as an instructional and competency evaluation program certified by the department under sub. (3) and that the department determines generally meets the standards for certification promulgated under sub. (3).

SECTION 265. 146.40 (2) (g) of the statutes is created to read:

146.40 (2) (g) For nursing homes that are certified providers of medical assistance, the individual, if he or she has performed no nursing-related service for monetary compensation for 24 consecutive months after having satisfied the requirement under par. (a), again successfully completes instruction in an instructional and competency evaluation program for nurse's assistants that is certified by the department under sub. (3).

~~SECTION 265d. 146.40 (3) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~146.40 (3) The department shall certify instructional and competency evaluation programs for nurse's assistants and, for home health aides and for~~

~~personal care workers that apply for certification and satisfy standards for certification promulgated by rule by the department. The department shall review the curriculum of each certified instructional and competency evaluation program at least once every 36 months following the date of certification to determine whether the program satisfies the standards for certification. The department may, following a hearing, suspend or revoke the certification of an instructional and competency evaluation program if the program does not satisfy the standards for certification.~~

~~SECTION 265f. 146.40 (3m) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~146.40 (3m) The department shall review competency evaluation programs for nurse's assistants and, for home health aides and for personal care workers and may approve those competency evaluation programs that satisfy standards for approval that are specified in rules of the department. The department may, following a hearing, suspend or revoke approval of a competency evaluation program if the competency evaluation program fails to satisfy the standards.~~

~~SECTION 265h. 146.40 (5) (a) and (b) (intro.) 1 and 2. (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, are amended to read:~~

~~146.40 (5) (a) The department, in consultation with the board of vocational, technical and adult education, shall promulgate rules specifying standards for certification in this state of instructional and competency evaluation programs for nurse's assistants and, for home health aides and for personal care workers. The standards shall include specialized training in providing care to individuals with special needs. The department shall promulgate rules regarding this specialized training in consultation with a private non-profit organization awarded a grant under s. 46.855.~~

~~(b) (intro.) The department shall promulgate rules specifying states that are included under sub. (2) (d). A state may be specified in the rule only if the state grants nurse's assistant privileges or home health aide privileges or personal care worker privileges to persons who have completed instruction in an instructional and competency evaluation program that is certified under sub. (3) and if one of the following is true:~~

~~1. If the other state certifies instructional and competency evaluation programs for nurse's assistants or, for home health aides or personal care workers, the state's requirements are substantially similar, as determined by the department, to certification requirements in this state.~~

~~2. (intro.) If the other state certifies nurse's assistants or, home health aides or personal care workers, that state's requirements are such that one of the following applies:~~

~~SECTION 265k. 146.40 (7) of the statutes is created to read:~~

Vetoed  
in Part

Vetoed  
in Part



Vetoed  
in Part

~~146.40 (7) An agency certified to provide personal care under s. 49.46 (2) (b) 6. j may not employ an individual to provide personal care reimbursed under s. 49.46 (2) (b) 6. j unless one of the following is true:~~

~~(a) The individual has successfully completed instruction in an instructional and competency evaluation program for personal care workers that is certified by the department under sub. (3). Forty percent of the time required for such instruction may be completed on-site in a recipient's home.~~

~~(am) If the individual was employed as a personal care worker between October 1, 1986, and October 1, 1991, the individual successfully completes, by December 31, 1993, a competency evaluation program that is approved by the department under sub. (3m).~~

~~(b) The individual has practiced as a personal care worker for at least 12 months on or prior to October 1, 1991.~~

~~(c) The individual has been employed fewer than 120 calendar days by the agency certified for personal care. The individual may provide personal care prior to the 120th day of employment if the nurse supervisor under s. HSS 105.17 (3) (b) 1, Wis. adm. code, determines that the individual is capable of providing such services, orients the individual to the care needs and preferences of each recipient, and instructs the individual in the specific tasks required by each recipient whom the individual will serve.~~

~~(d) The individual has successfully completed instruction in an instructional and competency evaluation program or has successfully completed a competency evaluation program for personal care workers that is certified in another state that is specified by the department by rule, or the individual is certified as a personal care worker in another state that is specified by the department by rule.~~

~~(e) The individual has successfully completed, prior to October 1, 1991, an instructional and competency evaluation program that is substantially the same as an instructional and competency evaluation program certified by the department under sub. (3) and that the department determines generally meets the standards for certification promulgated under sub. (3).~~

SECTION 265m. 146.82 (2) (a) 15 of the statutes is created to read:

146.82 (2) (a) 15. To the department under s. 48.60 (5) (c), 50.02 (5) or 51.03 (2) or to a sheriff, police department or district attorney for purposes of investigation of a death reported under s. 48.60 (5) (a) or (b), 50.035 (5) (b) or (c), 50.04 (2t) (b) or (c) or 51.64 (2).

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SECTION 266. 146.88 of the statutes is created to read:

**146.88 Continuation coverage premium subsidies.**

(1) DEFINITIONS. In this section:

(a) "Continuation coverage" means coverage under a group health plan that is available under s.

632.897, 29 USC 1161 to 1168 or 42 USC 300bb-1 to 300bb-8, to a group member upon termination of the group member's employment or a reduction in his or her hours.

(b) "Group health plan" means an insurance policy or a partially or wholly uninsured plan or program, that provides hospital, medical or other health coverage to members of a group.

(c) "HIV" means any strain of human immunodeficiency virus, which causes acquired immunodeficiency syndrome.

(d) "HIV infection" means the pathological state produced by a human body in response to the presence of HIV.

(e) "Residence" means the concurrence of physical presence with intent to remain in a place of fixed habitation. Physical presence is prima facie evidence of intent to remain.

(2) SUBSIDY PROGRAM. The department shall establish and administer a program to subsidize, from the appropriation under s. 20.435 (1) (ak), the premium costs for continuation coverage available to an individual who has HIV infection and who is unable to continue his or her employment or must reduce his or her hours because of an illness or medical condition arising from or related to HIV infection.

(3) ELIGIBILITY. An individual is eligible to receive a subsidy in an amount determined under sub. (4), if the department determines that the individual meets all of the following criteria:

(a) Has residence in this state.

(b) Has a family income, as defined by rule under sub. (6), that does not exceed 200% of the federal poverty line, as defined under 42 USC 9902 (2), for a family the size of the individual's family.

(c) Has submitted to the department a certification from a physician, as defined in s. 448.01 (5), of all of the following:

1. That the individual has an infection that is an HIV infection.

2. That the individual's employment has terminated or his or her hours have been reduced, because of an illness or medical condition arising from or related to the individual's HIV infection.

(d) Is eligible for continuation coverage.

(e) Authorizes the department, in writing, to do all of the following:

1. Contact the individual's former employer or the administrator of the group health plan under which the individual is covered, to verify the individual's eligibility for continuation coverage and the premium and any other conditions of coverage, to make premium payments as provided in sub. (4) and for other purposes related to the administration of this section.

2. Make any necessary disclosure to the individual's former employer or the administrator of the group health plan under which the individual is covered regarding the individual's HIV status.

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(f) Is not covered by a group health plan other than any of the following:

1. The group health plan under which the individual is eligible for continuation coverage.

2. A group health plan that offers a substantial reduction in covered health care services from the group health plan under subd. 1.

(g) Is not covered by an individual health insurance policy other than an individual health insurance policy that offers a substantial reduction in covered health care services from the group health plan under par. (f) 1.

(h) Is not eligible for medicare under 42 USC 1395 to 1395zz and does not have his or her health care costs paid for by medical assistance under ss. 49.45 to 49.47, general relief administered under s. 49.02 or any other federal, state, county or municipal program.

(i) Is employed by an employer that employed at least 20 individuals on a typical business day during the preceding year, if the continuation coverage for which the subsidy is sought is available through that employer.

(4) AMOUNT AND PERIOD OF SUBSIDY. (a) Except as provided in pars. (b) and (c), if an individual satisfies sub. (3), the department shall pay the full amount of each premium payment for continuation coverage that is due from the individual under s. 632.897 (2) (d), 29 USC 1162 (3) or 42 USC 300bb-2 (3), whichever is applicable, on or after the date on which the individual becomes eligible for a subsidy under sub. (3). The department may not refuse to pay the full amount of each premium payment because the continuation coverage that is available to the individual who satisfies sub. (3) includes coverage of the individual's spouse and dependents. Except as provided in par. (b), the department shall terminate the payments under this section when the individual's continuation coverage ceases, when the individual no longer satisfies sub. (3) or upon the expiration of 18 months after the continuation coverage began, whichever occurs first. The department may not make payments under this section for premiums for a conversion policy or plan that is available to an individual under s. 632.897 (4) or (6), 29 USC 1162 (5) or 42 USC 300bb-2 (5).

(b) The obligation of the department to make payments under this section is subject to the availability of funds in the appropriation under s. 20.435 (1) (ak).

(c) The amount paid under par. (a) may not exceed the applicable premium, as defined in 29 USC 1164 or 42 USC 300bb-4, as amended to April 7, 1986.

(5) APPLICATION PROCESS. The department may establish, by rule, a procedure under which an individual who does not satisfy sub. (3) (b), (c) 2 or (d) may submit to the department an application for a premium subsidy under this section that the department shall hold until the individual satisfies each requirement of sub. (3), if the department determines that the procedure will assist the department to make premium payments in a timely manner once the individual satis-

fies each requirement of sub. (3). If an application is submitted by an employed individual under a procedure established by rule under this subsection, the department may not contact the individual's employer or the administrator of the group health plan under which the individual is covered, unless the individual authorizes the department, in writing, to make that contact and to make any necessary disclosure to the individual's employer or the administrator of the group health plan under which the individual is covered regarding the individual's HIV status.

(6) RULES. The department shall promulgate rules that do all of the following:

(a) Define family income for purposes of sub. (3) (b).

(b) Establish a procedure for making payments under this section that ensures that the payments are actually used to pay premiums for continuation coverage available to individuals who satisfy sub. (3).

SECTION 266e. 146.90 (4m) (am) of the statutes is created to read:

146.90 (4m) (am) Notwithstanding the requirement under par. (a) that the pilot projects be conducted in the manner described in the department's plan and recommendations submitted under subs. (1) and (2) to the joint committee on finance on December 29, 1986, the department shall expand the pilot project described in par. (a) 2 to provide subsidies for low-income persons employed by firms not offering health insurance for the purpose of purchasing health insurance if the person's employer decides to offer individual health insurance that satisfies all of the following conditions:

1. The policy form for the individual health insurance has been filed with and approved by the commissioner of insurance under s. 631.20.

2. The individual health insurance policy provides coverage of nervous and mental disorders and alcoholism and other drug abuse problems at least to the same extent as group policies are required under s. 632.89, and the policy provides maternity coverage at least to the same extent as group policies are required under s. 632.895 (7).

3. The total annual liability of insureds for any deductibles and copayments under the individual health insurance policy is limited to no more than \$1,000 per individual or \$2,500 per family.

4. Dependent coverage is available under the individual health insurance policy.

5. If a person who is employed by the firm offering the individual health insurance policy is determined to be uninsurable, coverage under the individual health insurance is offered to the person's dependents who are insurable, or, if the policy does not include coverage for these dependents, the policy is revised before September 1, 1990, to include coverage for these dependents.

6. The firm's payments for the individual health insurance are deductible for federal income tax pur-

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poses under section 162 of the internal revenue code, as defined under s. 71.01 (6), 71.22 (4) or 71.42 (2).

SECTION 266g. 146.90 (4m) (b) (intro.), (c) (intro.) and (e) of the statutes are amended to read:

146.90 (4m) (b) (intro.) With respect to the pilot projects conducted under ~~par. pars.~~ (a) and (am), the department shall establish all of the following:

(c) The department, with the advice of the council on pilot projects for the uninsured, shall by rule specify the criteria for selecting from the locations described in its plan and recommendations submitted under subs. (1) and (2) the location for each of the pilot projects conducted under ~~par. pars.~~ (a) and (am), and any conditions governing participation in and the receipt of benefits under the pilot projects, including but not limited to all of the following:

(e) The department shall, before implementing the pilot projects, conduct a survey in each area where a pilot project under par. (a) or (am) will be implemented to determine the number of persons residing in those areas who have health insurance coverage and certain social and economic characteristics of the persons residing in those areas.

SECTION 266m. 150.31 (2m) of the statutes is created to read:

150.31 (2m) (a) The department may, on July 1, 1990, increase the statewide bed limit in sub. (1) by not more than 25 beds to permit the permanent and complete conversion of a hospital to a nursing home if the hospital seeking conversion:

1. Had, on January 1, 1990, an approved bed capacity of no more than 50 beds; and
2. Ceases to exist as an acute care hospital by July 1, 1990.

(b) The department shall decrease the number of beds authorized for increase under par. (a) by the amount of any addition in the actual number of available beds within the limit specified in sub. (1), up to 25 beds, that exists on July 1, 1990.

SECTION 266n. 165.72 (3) of the statutes, as created by 1989 Wisconsin Act 122, is amended to read:

165.72 (3) REWARD PAYMENT PROGRAM. The department shall administer a reward payment program. Under the program, the department may offer and pay rewards from the ~~appropriation~~ appropriations under s. 20.455 (2) (e) and (mb) for information under sub. (2) (a) leading to the arrest and conviction of a person for a violation of ch. 161.

SECTION 266p. 165.85 (2) (bc) of the statutes is created to read:

165.85 (2) (bc) "Fiscal year" has the meaning given in s. 20.902.

SECTION 266q. 165.85 (4) (a) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

165.85 (4) (a) (intro.) The following law enforcement officers are not required to meet any requirement of pars. (b) 1- (bn) 1 and (c) as a condition of

~~tenure or continued employment. The failure of any such law enforcement officer to fulfill those requirements does not make that officer ineligible for any promotional examination for which he or she is otherwise eligible. Those law enforcement officers may voluntarily participate in this program.~~

~~SECTION 266r. 165.85 (4) (bn) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~165.85 (4) (bn) 1. No person other than an officer elected by popular vote may continue as a law enforcement officer, except on a temporary or probationary basis, unless that person completes annual recertification training. The Any officer elected by popular vote who is also a certified officer must complete annual recertification training to maintain certification. Any officer who is subject to this subdivision shall complete at least 24 hours each calendar fiscal year beginning in the later of the following:~~

- ~~a. Calendar Fiscal year 1990 1990-91.~~
- ~~b. The calendar fiscal year following the calendar fiscal year in which he or she complies with par. (b) 1.~~
- ~~2. No person may continue as a jail officer, except on a temporary or probationary basis, unless that person completes annual recertification training. The officer shall complete at least 24 hours each calendar fiscal year beginning in the later of the following:~~
- ~~a. Calendar Fiscal year 1990 1990-91.~~
- ~~b. The calendar fiscal year following the calendar fiscal year in which he or she complies with par. (b) 2.~~

~~SECTION 266s. 165.97 (4) (b) 5m, 7m, 12m and 16m of the statutes are created to read:~~

- ~~165.97 (4) (b) 5m. For Door county, \$13,800 in fiscal year 1989-90 and \$41,300 in fiscal year 1990-91.~~
- ~~7m. For Green county, \$13,800 in fiscal year 1989-90 and \$41,300 in fiscal year 1990-91.~~
- ~~12m. For Marinette county, \$13,800 in fiscal year 1989-90 and \$41,300 in fiscal year 1990-91.~~
- ~~16m. For Shawano county, \$13,800 in fiscal year 1989-90 and \$41,300 in fiscal year 1990-91.~~

~~SECTION 266z. 175.20 (1) of the statutes is amended to read:~~

~~175.20 (1) No person shall conduct any dance to which the public is admitted, or conduct, establish or manage any public dance hall or pavilion, amusement park, carnival, concert, street fair, bathing beach or other like place or form of amusement in any county in which the board of supervisors has adopted an ordinance or resolution or enacted bylaws in accordance with the provisions of s. 59.07 (18) (b) or (br) without first securing a license as provided therein. No person required to have such a license shall conduct a dance to which the public is admitted except in the presence and under the supervision of a county dance supervisor.~~

~~SECTION 267. 185.981 (9) of the statutes is created to read:~~

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185.981 (9) Every cooperative sickness care association organized under this section that provides coverage for dependent children of members shall provide coverage for adopted children and children placed for adoption, as required under s. 632.896. Coverage of health care services obtained by adopted children and children placed for adoption may be subject to any requirements that the sickness care plan imposes under s. 609.05 (2) and (3) on the coverage of health care services obtained by other members and their dependents.

SECTION 268. 185.983 (1) (intro.) of the statutes, as affected by 1989 Wisconsin Act 23, section 3, and 1989 Wisconsin Acts .... (Assembly Bill 116) and .... (1989 Assembly Bill 400), is amended to read:

185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.93, 632.79, 632.795, 632.87 (2m) and (3) and 632.895 (5) and (8) and 632.896, subch. II of ch. 619 and chs. 609, 630, 645 and 646, but the sponsoring association shall:

SECTION 268m. 192.73 of the statutes is created to read:

**192.73 Sale of abandoned rail property after release by state.** (1) DEFINITIONS. In this section:

(a) "Abandoned rail property" means rail property that is determined to be abandoned as provided in s. 85.09 (3).

(b) "Condemnation commission" means the office of the commissioner of condemnation under s. 32.08 for the county in which abandoned rail property is located.

(c) "Lessee" means a person occupying abandoned rail property under a lease.

(d) "Owner" means a person that owns abandoned rail property but "owner" does not include any of the following:

1. A railroad operating as a common carrier in this state on the effective date of this subdivision .... [revisor inserts date].

2. A railroad corporation that owns a controlling interest on the effective date of this subdivision .... [revisor inserts date], in a railroad operating as a common carrier in this state.

3. A railroad corporation that is under common control on the effective date of this subdivision .... [revisor inserts date], with a railroad operating as a common carrier in this state.

(e) "Rail property" has the meaning given in s. 85.01 (3).

(2) RIGHT OF LESSEE TO ACQUIRE. (a) If the department determines not to acquire abandoned rail property under s. 85.09 (4) and issues a release of its first right to acquire the property under s. 85.09 (2), an owner may not sell or offer to sell abandoned rail property to a person other than the lessee of the aban-

doned rail property unless the owner first offers to sell that property to the lessee under this subsection.

(b) The owner shall send by certified mail a written offer to sell abandoned rail property at a fair market price to the lessee of that property. The lessee relinquishes the right to acquire abandoned rail property under this section if it does not respond to the offer by certified mail within 60 days after receipt of the offer to sell.

(c) If the owner and the lessee do not agree on a purchase price within 60 days after the lessee's response, the lessee or the owner may request that the condemnation commission determine the fair market value for the abandoned rail property. The condemnation commission shall determine the fair market value for the abandoned rail property on the basis of 3 independent appraisals. The owner and the lessee shall each select one appraiser and shall pay the cost of that appraisal. The condemnation commission shall select one appraiser and shall divide the cost of the appraisal equally between the owner and the lessee. The condemnation commission shall inform the owner and lessee by certified mail of its determination of the fair market value for the abandoned rail property.

(d) Within 30 days after receipt of the determination, the lessee shall notify the owner if the lessee agrees to purchase the abandoned rail property at its fair market value. If the lessee agrees to purchase, the owner shall sell the abandoned rail property to the lessee at its fair market value.

~~SECTION 269. 196.01 (10) of the statutes is amended to read:~~

~~196.01 (10) "Telecommunications utility" means any person, corporation, company, cooperative, partnership, association, and lessee, trustee or receiver appointed by any court that owns, operates, manages or controls any plant or equipment used to furnish telecommunications services within the state directly or indirectly to the public. "Telecommunications utility" does not include the relay service board.~~

~~SECTION 270. 196.198 of the statutes is created to read:~~

~~**196.198 Telecommunications relay service exemption.** The commission may not regulate the provision of telecommunication relay service, as defined in s. 16.995 (1) (b), if the service is provided under a contract entered into by the relay service board under s. 16.995 (4).~~

SECTION 271. 196.858 of the statutes is created to read:

**196.858 Assessment for telephone relay service.** (1) The commission shall annually assess against local exchange and interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the amounts appropriated under s. 20.505 (4) (is).

(2) The commission shall assess a sum equal to the annual total to local exchange and interexchange telecommunications utilities in proportion to their gross

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operating revenues during the last calendar year. If total expenditures for telephone relay service exceeded the payment made under this section in the prior year, the commission shall charge the remainder to assessed telecommunications utilities in proportion to their gross operating revenues during the last calendar year. A telecommunications utility shall pay the assessment within 30 days after the bill has been mailed to the assessed telecommunication utility. The bill constitutes notice of the assessment and demand of payment. Payments shall be credited to the appropriation under s. 20.505 (4) (is).

(3) Section 196.85 (3) to (8), as it applies to assessments under s. 196.85 (1) or (2), applies to assessments under this section.

(4) Fees assessed under this section may be used to calculate the credit under s. 76.38 (5r).

SECTION 272. 218.01 (2) (d) 1 of the statutes is amended to read:

218.01 (2) (d) 1. For motor vehicle dealers, to the department, \$20 for each office or branch thereof, plus \$1 for a supplemental license for each used motor vehicle lot within the same municipality, but not immediately adjacent to the office or to a branch.

SECTION 273. 218.01 (2) (d) 8 of the statutes is renumbered 218.01 (2) (d) 8. a and amended to read:

218.01 (2) (d) 8. a. ~~For~~ Except as provided in subd. 8. b. for motor vehicle dealers, which to the commissioner, \$50.

b. For motor vehicle dealers that operate as a sales finance company, and carry or retain time sales contracts for more than 30 days, to the commissioner, the same as for sales finance companies under par. (d), except for the first \$10,000 of gross volume, \$10; and on each \$1,000 of gross volume, or part thereof, over \$10,000 and up to \$25,000, \$1 of \$100,000 or less, \$50.

SECTION 274. 218.01 (2) (i) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

218.01 (2) (i) Application for dealers' licenses shall be submitted to the department in duplicate and, except for information relating to the applicant's solvency or financial standing as provided in par. (bb), shall contain such information as the licensors require. Application for sales finance company licenses shall contain such information as the commissioner requires. No motor vehicle dealer or sales finance company, unless so licensed, shall be permitted to register or receive or use registration plates under ss. 341.47 to 341.57. The department shall transmit the duplicate copy of each application for a dealer's license to the commissioner with the fee required under par. (d) 8 ~~and the~~. The commissioner may not refund the fee required under par. (d) 8. The commissioner shall ~~issue~~ approve a sales finance company license to the for a dealer if no prior sales finance company license has been suspended or revoked, and

if the applicant meets the requirements of this section relating to sales finance companies.

SECTION 275. 218.01 (3) (d) of the statutes is amended to read:

218.01 (3) (d) The licensor may inspect the pertinent books, records, letters and contracts of a licensee and shall determine the cost of an examination. ~~The actual cost of each such an examination shall be paid by such licensee so examined within 30 days after demand therefor by the licensor, and the licensor may maintain an action for the recovery of such costs in any court of competent jurisdiction.~~

SECTION 276. 218.02 (7) (c) of the statutes is amended to read:

218.02 (7) (c) At any time and so often as the commissioner may determine to investigate the business and examine the books, accounts, records and files used therein of every licensee. ~~The actual cost of such an examination shall be determined by the commissioner and shall be paid to the commissioner by every licensee so examined within 30 days after demand therefor by the commissioner, and the state may maintain an action for the recovery of such costs in any court of competent jurisdiction;~~

SECTION 277. 218.04 (7) (b) of the statutes is amended to read:

218.04 (7) (b) For the purpose of discovering violations of this section the commissioner may cause an investigation to be made of the business of the licensee transacted under the provisions of this section, and shall cause an investigation to be made of convictions reported to ~~him~~ the commissioner by any district attorney for violation by a licensee of any of the provisions of this section. The place of business, books of accounts, papers, records, safes and vaults of said licensee shall be open to inspection and examination by the commissioner or ~~his~~ the commissioner's representative for the purpose of such investigation and the commissioner shall have authority to examine under oath all persons whose testimony ~~he may require is~~ required relative to said investigation. ~~The cost of the first investigation or examination during any licensing year shall be paid by the licensee, but the cost of additional investigation or examination during such year shall be paid by the licensee only if such examination discloses violation of sub. (5) (a) 4. Said cost shall be determined by prorating the amount of salaries and expenses of all examiners, employes and other persons engaged in examining licensees under this section, if any, and any other expenses which may be attributable thereto~~ The commissioner shall determine the cost of an investigation or examination. The licensee shall pay the cost of any hearing including witness fees, unless it be found by the commissioner, board of review or court that licensee has not violated any provision of this section. All said costs shall be paid by the licensee within 30 days after demand therefor by the commissioner. The state may maintain an action



for the recovery of such costs and expenses in any court of competent jurisdiction.

SECTION 278. 218.05 (14) (title) of the statutes is amended to read:

218.05 (14) (title) ANNUAL REPORT; RECORDS; EXAMINATION.

SECTION 279. 218.05 (14) of the statutes is renumbered 218.05 (14) (a) and amended to read:

218.05 (14) (a) ~~Each~~ A licensee shall annually, on or before February 15, file a report with the commissioner ~~(which that shall be used only for the official purposes of the commissioner)~~ giving such relevant information as that the commissioner may reasonably require concerning, and for the purpose of examining, the business and operations during the preceding calendar year of each licensed place of business conducted by such the licensee within ~~the~~ this state. Such ~~The~~ report shall be made under oath and shall be in the form prescribed by the commissioner. ~~The commissioner may at any time and at least once in each year investigate the community currency exchange business of any licensee and of every person, partnership, association and corporation who or which shall be engaged in the business of operating a community currency exchange. For that purpose, the commissioner shall have free access to the offices and places of business and to such records of all such persons, firms, partnerships, associations and corporations and to the officers and directors thereof that shall relate to such community currency exchange business. The commissioner may require the attendance for examination under oath of all persons whose testimony he may require relative to such business, and in such cases the commissioner, or any qualified representative of the commissioner, may administer oaths to all such persons called as witnesses, and the commissioner, or his representative, may conduct such examinations, and there shall be paid to the commissioner by the licensee for each examination a fee of \$20 for each day or part thereof required to conduct the examination.~~

SECTION 280. 218.05 (14) (b) and (c) of the statutes are created to read:

218.05 (14) (b) 1. A licensee shall keep books, accounts and records to enable the commissioner to determine if the licensee is complying with this section and with rules promulgated by and orders issued by the commissioner.

2. A licensee shall keep within this state the books, accounts and records required by this paragraph at the licensee's place of business or a place readily accessible to the commissioner or examiners.

(c) 1. The commissioner may investigate the business and examine the books, accounts and records of a licensee at any time. For that purpose, the commissioner shall have free access to the offices and places of business and to the books, accounts and records of a licensee. The commissioner may examine any person under oath or affirmation whose testimony the commissioner requires relative to the licensee. The com-

missioner or a designated representative may administer an oath or affirmation to a person called as a witness. The commissioner or the commissioner's representative may conduct the examination.

2. The commissioner shall determine the cost of an examination. A licensee shall pay the cost of an examination within 30 days after the commissioner demands payment.

~~SECTION 280g. Subchapter VIII of chapter 218 of the statutes, as affected by 1989 Wisconsin Act 31, is repealed.~~

~~SECTION 280m. 237.01 (13) (zi) of the statutes is created to read:~~

~~237.01 (13) (zi) Establishes policies or procedures under s. 978.045 (2).~~

SECTION 280p. 230.08 (2) (cm) of the statutes is created to read:

230.08 (2) (cm) All positions of the university of Wisconsin system identified in s. 20.923 (4), (4m) and (5).

SECTION 281. 230.08 (2) (jg) of the statutes is created to read:

230.08 (2) (jg) American Indian youth employed under s. 23.09 (22) (b).

SECTION 281f. 230.08 (4) (b) 2 of the statutes is amended to read:

230.08 (4) (b) 2. Functions of the department of justice relating to criminal investigations, except for controlled substance criminal investigations.

~~SECTION 281k. 230.10 (2) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~230.10 (2) The compensation plan in effect at the time that a representative is recognized or certified to represent employees in a collective bargaining unit and the employe salary and benefit provisions under s. 230.12 (3) (c) in effect at the time that a representative is certified to represent employees in a collective bargaining unit under subch. V of ch. 111 constitute the compensation plan or employe salary and benefit provisions for employees in the collective bargaining unit until a collective bargaining agreement becomes effective for that unit. If a collective bargaining agreement under subch. V of ch. 111 expires prior to the effective date of a subsequent agreement, and a representative continues to be recognized or certified to represent employees specified in s. 111.81 (7) (a) or certified to represent employees specified in s. 111.81 (7) (b) or (c) or (d) in that collective bargaining unit, the wage rates of the employes in such a unit shall be frozen until a subsequent agreement becomes effective, and the compensation plan under s. 230.12 and salary and benefit changes adopted under s. 230.12 (3) (e) do not apply to employes in the unit.~~

SECTION 281L. 230.12 (1) (a) 1. b and (5) (d) of the statutes are amended to read:

230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions except positions for employes of the university of Wisconsin system which

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are not identified under s. 20.923 (4), ~~or (4m) 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).

(5) (d) *Individual increase limit.* ~~No~~ Except as authorized in s. 36.09 (1) (j) for a position specified in s. 20.923 (4) (j) or (4m), no appointing authority shall award an employe cumulative performance award increases or other types of cumulative within range pay adjustments exceeding a total of 10% of the employe's base pay during a fiscal year.

SECTION 281m. 230.12 (10) (a) 3 of the statutes is amended to read:

230.12 (10) (a) 3. The person occupies ~~the a position of chancellor of the university of Wisconsin-Madison or the university of Wisconsin-Milwaukee or a university of Wisconsin institution or institutional equivalent~~ specified in s. 20.923 (4) (j) or (4m) and the board of regents of the university of Wisconsin system grants the increase to correct a salary inequity or to recognize competitive factors.

SECTION 281r. 232.07 (1) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

232.07 (1) The secretary of state shall, on July 1, ~~1990~~ 1993, issue a certificate of involuntary dissolution for the corporation if the corporation fails to submit to the secretary of state by June 30, ~~1990~~ 1993, evidence that it has received the Bradley center under s. 232.05 (2) (a). Notwithstanding ss. 232.03 and 232.05, upon issuance of the certificate of involuntary dissolution, the corporation shall cease to exist and may not transact business or exercise the powers under s. 232.05 except as provided in sub. (2).

SECTION 282. 234.265 (2) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

234.265 (2) Records or portions of records consisting of personal or financial information provided by a person seeking a grant or loan under s. 234.08, 234.49, 234.59, 234.65, 234.70, 234.765, 234.82, 234.90, 234.905 or 234.907, seeking financial assistance under ss. 234.75 to 234.807, seeking investment of funds under s. 234.03 (18m) or in which the authority has invested funds under s. 234.03 (18m), unless the person consents to disclosure of the information.

SECTION 283. 234.765 (1) (intro.) and (5) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

234.765 (1) (intro.) The authority may use money from the drought assistance and ~~agricultural~~ development loan fund to guarantee a loan if all of the following apply:

(5) If the amount in the drought assistance and ~~agricultural~~ development loan fund is insufficient to cover the amount owed on a loan guarantee under this section, the authority shall pay the amount from uncommitted funds in the agricultural production loan fund under s. 234.91.

SECTION 284. 234.82 of the statutes is created to read:

**234.82 Business improvement loan guarantee program.** (1) DEFINITIONS. In this section:

(a) "Eligible business" means a business that is primarily engaged in or derives a substantial percentage of its annual gross revenue from furnishing goods, services, lodging, recreation facilities or amusement facilities to tourists or from furnishing goods or services to such businesses.

(b) "Tourist" means a person who resides away from his or her permanent residence for a continuous period of less than 31 days or on a seasonal basis.

(2) GUARANTEE REQUIREMENTS. The authority may use money from the drought assistance and development loan fund to guarantee a business improvement loan if all of the following apply:

(a) The borrower qualifies as an eligible borrower under sub. (3).

(b) The loan qualifies as an eligible loan under sub. (4).

(c) The lender is a financial institution that enters into an agreement under sub. (5).

(3) ELIGIBLE BORROWER. A person qualifies as an eligible borrower if all of the following apply:

(a) The person is engaged in an eligible business.

(b) The annual gross revenue of the person, together with any parent, subsidiary or affiliate corporation, does not exceed \$2,500,000.

(c) The person, together with any parent, subsidiary or affiliate corporation, employs fewer than 25 employees on a full-time basis.

(d) The person is unable to obtain adequate business financing on reasonable terms.

(4) ELIGIBLE LOAN. A loan may be eligible for guarantee of collection under sub. (2) by the authority if all of the following requirements are met:

(a) The borrower uses the loan proceeds for upgrading, renovating or expanding an eligible business. Loan proceeds may be used for direct or related expenses associated with the purchase or improvement of land, buildings, machinery, equipment or inventory. Loan proceeds may not be used to refinance existing debt or for operating or entertainment expenses.

(b) The interest rate on the loan, including any origination fees or other charges, is approved by the authority.

(c) The loan term does not extend beyond 10 years after the date on which the financial institution disburses the loan unless the loan is extended by the authority.

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(d) The total principal amount of all loans to the borrower that are guaranteed under this section may not exceed \$100,000.

(e) The financial institution obtains a security interest in physical plant, equipment, machinery or other assets.

(f) The financial institution believes that it is reasonably likely that the borrower will be able to repay the loan in full with interest.

(g) The financial institution agrees to the percentage of guarantee established for the loan by the authority.

(5) AGREEMENT. The authority shall enter into an agreement with any financial institution that wishes to participate and provide loans guaranteed under this section. The authority may determine all of the following, consistent with this section:

(a) The form of the agreement.

(b) Any conditions under which the authority may refuse to enter into an agreement.

(c) Any procedures required to carry out the agreement, including default procedures and procedures for determining the guaranteed percentage of each loan.

(6) INTEREST SUBSIDY. Annually, from the drought assistance and development loan fund under s. 234.92, the authority may pay a financial institution that makes a loan to a borrower that is guaranteed under this section an amount equal to up to 3.5% of the outstanding balance of the loan.

(7) GUARANTEE OF COLLECTION. (a) Subject to par. (b), the authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (2). The authority shall establish the percentage of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under sub. (5). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

(b) 1. Except as provided in subd. 2, the total guaranteed principal amounts of all loans which the authority may guarantee under par. (a) may not exceed \$5,000,000.

2. The authority may request permission from the secretary of administration to increase the total principal amounts of all business improvement loans that it may guarantee under this section. The secretary of administration may authorize the increase if the secretary determines that the drought assistance and development loan fund under s. 234.92 and the agricultural production loan fund under s. 234.91 contain sufficient funds to guarantee business improvement loans in the requested total principal amount. If the secretary authorizes the increase, the secretary shall notify the joint committee on finance in writing. The authority may proceed with the proposed increase if within 14 working days after notification the committee does not schedule a meeting to review the proposed increase. If the committee schedules a meeting to

review the proposed increase, the increase may not take effect unless the committee approves it.

(c) If the amount in the drought assistance and development loan fund is insufficient to cover the amount owed on a loan guarantee under this section, the authority shall pay the amount from uncommitted funds in the agricultural production loan fund under s. 234.91.

(8) MORAL OBLIGATION. Recognizing its moral obligation, the legislature expresses its expectation that, if called upon to do so, it shall make an appropriation to meet all demands for funds under this section.

(9) ANNUAL REPORT. On or before November 1, the authority shall submit to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) an annual report on the number and total dollar amount of guaranteed loans, the default rate on the loans and any other information on the program under this section that the authority determines is significant.

SECTION 285. 234.90 (7m) (a) 3 and (b) of the statutes, as affected by 1989 Wisconsin Act 31, are amended to read:

234.90 (7m) (a) 3. An amount equal to the moneys in the agricultural production loan fund that are committed to cover guarantees of small business loans under s. 234.765, business improvement loans under s. 234.82 (7) (c), agricultural production drought assistance loans under s. 234.905 (6) (c) and agricultural development loans under s. 234.907 (4) (c).

(b) If under par. (a) the authority deducts an amount sufficient to pay outstanding and anticipated claims under this section or to cover payments on loan guarantees under ss. 234.765, 234.82 (7) (c), 234.905 (6) (c) and 234.907 (4) (c), the authority shall transfer moneys to the general fund each calendar quarter as claims are resolved or the guaranteed loans covered under ss. 234.765, 234.82 (7) (c), 234.905 (6) (c) and 234.907 (4) (c) are paid or resolved, until no balance remains in the agricultural production loan fund.

SECTION 286. 234.905 (4) (b) 2 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

234.905 (4) (b) 2. The authority may request permission from the secretary of administration to increase the total principal amounts of all agricultural production drought assistance loans it may guarantee under this section. The secretary of administration may authorize the increase if the secretary determines that the drought assistance and ~~agricultural~~ development loan fund under s. 234.92 and the agricultural production loan fund under s. 234.91 contain sufficient funds to guarantee agricultural production drought assistance loans in the requested total principal amount. If the secretary authorizes the increase, the secretary shall notify the joint committee on finance in writing. The authority may proceed with the proposed increase if within 14 working days after notification the committee does not schedule a meeting to review the proposed increase. If the committee

schedules a meeting to review the proposed increase, the increase may not take effect unless the committee approves it.

SECTION 287. 234.905 (5) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

234.905 (5) INTEREST REDUCTION. The authority shall pay, from the moneys in the drought assistance and ~~agricultural~~ development loan fund under s. 234.92, to each participating lender an amount equal to 3.5% of the principal amount of any guaranteed loan to reduce interest payments on the guaranteed loan paid by a farmer.

SECTION 288. 234.905 (6) (b) and (c) of the statutes, as affected by 1989 Wisconsin Act 31, are amended to read:

234.905 (6) (b) Not more than 60 days after accepting notice of enforcement and deficiency under par. (a), the authority shall pay to a participating lender, from the drought assistance and ~~agricultural~~ development loan fund under s. 234.92, the amount of the deficiency.

(c) If the funds in the drought assistance and ~~agricultural~~ development loan fund under s. 234.92 are insufficient to pay a deficiency under par. (b), the authority may pay the deficiency from uncommitted funds in the agricultural production loan fund under s. 234.91.

SECTION 289. 234.905 (7) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

234.905 (7) (b) Except as provided in sub. (6) (c), the authority may not use any moneys other than those in the drought assistance and ~~agricultural~~ development loan fund to guarantee an agricultural production drought assistance loan under this section.

SECTION 290. 234.905 (7m) (a) of the statutes, as affected by 1989 Wisconsin Acts 2 and 31, is amended to read:

234.905 (7m) (a) No later than December 31, 1992, the authority shall transfer to the general fund any balance remaining in the drought assistance and ~~agricultural~~ development loan fund on that date, after deducting an amount equal to all claims under this section outstanding on the date of transfer and the amount necessary to fund guarantees of loans under ss. 234.765, 234.82 and 234.907. When the authority makes the transfer under this paragraph, the executive director of the authority shall provide to the secretary of administration a signed statement listing the amount deducted to fund guarantees under ss. 234.765, 234.82 and 234.907 and explaining how that amount was calculated.

SECTION 291. 234.905 (7m) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

234.905 (7m) (b) If under par. (a) the authority deducts an amount sufficient to pay outstanding

claims under this section, the authority shall transfer moneys to the general fund each calendar quarter as claims are resolved, until no money remains in the drought assistance and ~~agricultural~~ development loan fund to pay outstanding claims under this section.

SECTION 292. 234.907 (1) (b) and (c) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

234.907 (1) (b) "Drought assistance and ~~agricultural~~ development loan fund" means the fund established under s. 234.92.

(c) "Final guaranteed loan" means the last guaranteed loan ~~or~~ small business loan guaranteed under s. 234.765 or business improvement loan guaranteed under s. 234.82 to come due after the authority is unable to guarantee new loans because of the limit under sub. (3) (b).

SECTION 293. 234.907 (4) (b) and (c) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

234.907 (4) (b) Not more than 60 days after accepting notice of enforcement and deficiency under par. (a), the authority shall pay the amount of the deficiency to a participating lender from the drought assistance and ~~agricultural~~ development loan fund.

(c) If the funds in the drought assistance and ~~agricultural~~ development loan fund are insufficient to pay a deficiency under par. (b), the authority may pay the deficiency from uncommitted funds in the agricultural production loan fund under s. 234.91.

SECTION 294. 234.907 (5) (b) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

234.907 (5) (b) Except as provided in sub. (4) (c), the authority may not use any moneys other than those in the drought assistance and ~~agricultural~~ development loan fund to guarantee a loan under this section.

SECTION 295. 234.907 (7) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

234.907 (7) BALANCE TRANSFER. (a) On the 180th day beginning after the day that the term of the final guaranteed loan expires, the authority shall transfer to the general fund any balance remaining in the drought assistance and ~~agricultural~~ development loan fund on that date, after deducting an amount sufficient to pay all claims outstanding under this section and ss. 234.765, 234.82 and 234.905 on the date of the transfer.

(b) If under par. (a) the authority deducts an amount sufficient to pay outstanding claims, the authority shall transfer moneys to the general fund each calendar quarter as claims are resolved, until no balance remains in the drought assistance and ~~agricultural~~ development loan fund.

SECTION 296. 234.92 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

**234.92 (title) Drought assistance and development loan fund.** There is established under the jurisdiction

and control of the authority a drought assistance and agricultural development loan fund, consisting of both of the following:

(1) Any moneys appropriated to the authority under s. 20.490 (5) (a) or received by the authority for the drought assistance and agricultural development loan fund from any other source.

(2) Any income from investment of moneys in the drought assistance and agricultural development loan fund by the authority under s. 234.03 (18).

SECTION 297. 301.03 (3g) of the statutes is created to read:

301.03 (3g) Provide treatment for alcoholics and intoxicated persons on parole.

SECTION 298. 302.31 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

**302.31 Use of jails.** The county jail may be used for the detention of persons charged with crime and committed for trial; for the detention of persons committed to secure their attendance as witnesses; to imprison persons committed pursuant to a sentence or held in custody by the sheriff for any cause authorized by law; for the detention of persons sentenced to imprisonment in state penal institutions or the Milwaukee county house of correction, until they are removed to said institutions; for the temporary detention of persons in the custody of the department; and for other detentions authorized by law. The county jail may be used for the temporary placement of persons in the custody of the department, and persons who have attained the age of 18 years but have not attained the age of 25 years who are in the legal custody of the department of health and social services under s. 48.355 (4) or 48.366 and who have been taken into custody pending revocation of aftercare under s. 48.357 (5) or 48.366 (5).

Vetoed  
in Part

~~SECTION 298d. 304.02 (3) (a) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:  
304.02 (3) (a) The prisoner population equals or exceeds 120% of the prisoner population limit under s. 301.055 (1).~~

SECTION 298e. 304.02 (3) (e) of the statutes is created to read:

304.02 (3) (e) The prisoner is eligible for release under s. 304.06 (1) (b).

SECTION 298t. 343.30 (6) (b) 1 of the statutes is created to read:

343.30 (6) (b) 1. For a first violation, suspension for 30 to 90 days.

SECTION 299. 343.44 (2) (b) 2 of the statutes, as created by 1989 Wisconsin Act 12, is amended to read:

343.44 (2) (b) 2. If the revocation or suspension that is the basis of a violation was imposed solely due to a failure to pay a fine or a forfeiture, or was imposed solely due to a failure to pay a fine or forfeiture and one or more subsequent convictions for violating sub. (1), the person shall forfeit not less than \$300 nor more than \$1,000. This subdivision applies regardless of the

person's failure to reinstate his or her operating privilege.

SECTION 300. 343.44 (2) (c) 2 of the statutes, as created by 1989 Wisconsin Act 12, is amended to read:

343.44 (2) (c) 2. If the revocation or suspension that is the basis of a violation was imposed solely due to a failure to pay a fine or a forfeiture, or was imposed solely due to a failure to pay a fine or forfeiture and one or more subsequent convictions for violating sub. (1), the person shall forfeit not less than \$1,000 nor more than \$2,000. This subdivision applies regardless of the person's failure to reinstate his or her operating privilege.

SECTION 301. 343.44 (2) (d) 2 of the statutes, as created by 1989 Wisconsin Act 12, is amended to read:

343.44 (2) (d) 2. If the revocation or suspension that is the basis of a violation was imposed solely due to a failure to pay a fine or a forfeiture, or was imposed solely due to a failure to pay a fine or forfeiture and one or more subsequent convictions for violating sub. (1), the person shall forfeit not less than \$1,500 nor more than \$2,000. This subdivision applies regardless of the person's failure to reinstate his or her operating privilege.

SECTION 302. 343.44 (2) (e) 2 of the statutes, as created by 1989 Wisconsin Act 12, is amended to read:

343.44 (2) (e) 2. If the revocation or suspension that is the basis of a violation was imposed solely due to a failure to pay a fine or a forfeiture, or was imposed solely due to a failure to pay a fine or forfeiture and one or more subsequent convictions for violating sub. (1), the person shall forfeit not less than \$2,000 nor more than \$2,500. This subdivision applies regardless of the person's failure to reinstate his or her operating privilege.

SECTION 302g. 347.26 (8) of the statutes is amended to read:

347.26 (8) (title) WARNING LAMPS FOR MAIL DELIVERY VEHICLES. Any vehicle used for rural mail delivery may be equipped with a flashing amber lamp or strobe light mounted above the top line of the windshield at the highest practicable point and showing to the front and rear so as that may be used only to warn other motorists that the operator of the vehicle is stopped or about to stop to deliver mail or is preparing to resume operation on the highway after having stopped of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing when the vehicle is being used to deliver mail. ~~Such lamp may be used only for the purpose specified in this subsection.~~

SECTION 302m. 350.12 (4) (b) 1m of the statutes is amended to read:

350.12 (4) (b) 1m. State gas tax funds appropriated for snowmobile trail aids under s. 20.370 (4) (bt) which exceed the amount expended under that appropriation during the fiscal year for which they are appropriated may be made available in the following fiscal year to counties which apply for state aids for



the actual cost of grooming snowmobile trails in an amount above the \$165 per mile per year limit under subd. 1. By June 30, the department of natural resources shall establish a limit on the total amount to be made available in the next fiscal year under this subdivision, ~~but not to exceed \$150,000 per year.~~

SECTION 302me. 440.05 (3) (am) (title) of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

SECTION 302mf. 440.05 (3) (am) 1 of the statutes, as created by 1989 Wisconsin Act 31, is renumbered 440.05 (3) (L) 2.

Vetoed  
in Part

~~SECTION 302mm. 440.05 (3) (bm) of the statutes is created to read:~~

~~440.05 (3) (bm) Auctioneers examining board.  
1. Auctioneer, \$50.~~

SECTION 302mg. 451.01 (1) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

451.01 (1) (intro.) "Acupuncture" means promoting, maintaining or restoring health or diagnosing, preventing or treating disease based on traditional Chinese Oriental medical concepts of treating specific areas of the human body, known as acupuncture points or meridians, by performing any of the following practices:

SECTION 302mh. 451.02 (1) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

451.02 (1) ~~A person lawfully practicing within the scope of An individual holding a license, permit or certificate under ch. 441, 446, 447, 448 or 449 who engages in a practice of acupuncture that is also included within the scope of his or her license, permit or certificate.~~

SECTION 302mi. 451.02 (3) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

451.02 (3) An individual who engages in the practice of acupuncture as part of a supervised course of study or residency program in acupuncture that is approved by the department if the individual is designated by a title that clearly indicates his or her status as a student or trainee.

SECTION 302mj. 451.04 (1) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is renumbered 451.04 (1) and amended to read:

451.04 (1) CERTIFICATE REQUIRED. No person may engage in the practice of acupuncture or use the title "acupuncturist" or any similar title unless the person is certified as an acupuncturist ~~and does all of the following: by the department.~~

SECTION 302mk. 451.04 (1) (a) to (e) of the statutes, as created by 1989 Wisconsin Act 31, are renumbered 451.04 (2) (a) to (e), and 451.04 (2) (c) to (e), as renumbered, are amended to read:

451.04 (2) (c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory to the department that he or she does not have an arrest or conviction record.

(d) Subject to s. 451.08, submits evidence satisfactory to the department that he or she has completed a course of study and residency program in acupuncture that meets standards established by the department by rule.

(e) Subject to s. 451.08, passes an examination approved by the department to determine fitness as an acupuncturist.

SECTION 302mL. 451.04 (2) (intro.) of the statutes is created to read:

451.04 (2) ACUPUNCTURIST CERTIFICATE. (intro.) The department shall grant an acupuncturist certificate to any individual who does all of the following:

SECTION 302mm. 451.04 (3) and (4) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

451.04 (3) POSTING OF CERTIFICATE. The department shall issue a certificate to each individual who satisfies the requirements in sub. (2) or s. 451.08, certifying that the holder is authorized to practice acupuncture in this state. The holder shall post the certificate in a conspicuous place in his or her place of business.

(4) EXPIRATION AND RENEWAL. Certificates issued under this chapter expire on July 1 of each odd-numbered year. Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.05 (3). Any person who fails to renew his or her certificate on or before the date of its expiration is subject to s. 451.10.

SECTION 302mn. 451.06 (1) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

451.06 (1) Examinations shall consist of written ~~and or~~ practical tests, or both, requiring applicants to demonstrate minimum competency in services and subjects substantially related to the practice of acupuncture.

SECTION 302mo. 451.06 (3) of the statutes, as created by 1989 Wisconsin Act 31, is renumbered 451.06 (2) and amended to read:

451.06 (2) A person is not eligible for examination unless the person has satisfied the requirements for certification under s. 451.04 (2) (a) to (d) at least 30 days before the date of the examination.

SECTION 302mp. 451.08 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

**451.08 Reciprocal certificate.** Upon application and payment of the fee specified in s. 440.05 (2), the department shall grant an acupuncturist certificate to any applicant who holds an acupuncturist certificate or license in another state or territory of the United States if the department determines that the applicant has actively engaged in the practice of acupuncture for at least 5 years or that the requirements for certification or licensure in the other state or territory are substantially equivalent to the requirements under s. 451.04 (2).

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SECTION 302mq. 451.10 (1) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

451.10 (1) If the application for renewal is submitted to the department not more than 4 years after the expiration of the applicant's last certificate, by payment of the fee specified in s. 440.05 (3) and the fee specified in s. 440.05 (4) or (5) and submission of proof of completion of continuing education programs or courses of study approved by the department for at least 10 hours of credit for each year that the certificate was inactive.

SECTION 302mr. 451.12 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

**451.12 Infection control.** The department shall promulgate rules relating to the prevention of infection, the sterilization of needles and other equipment or materials capable of transmitting infection and the safe disposal of potentially infectious materials. The rules shall require acupuncture needles to be thoroughly cleansed with an antiseptic solution prior to sterilization by autoclave and shall permit an acupuncturist to use needles that are presterilized, prewrapped and disposable.

SECTION 302ms. 451.14 (1), (2) (intro.) and (3) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

451.14 (1) Subject to the rules promulgated under s. 440.03 (1), the department may make investigations or conduct hearings to determine whether a violation of this chapter or any rule promulgated under this chapter has occurred.

(2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the department may reprimand a certified acupuncturist or deny, limit, suspend or revoke a certificate under this chapter if it finds that the applicant or certified acupuncturist has done any of the following:

(3) In addition to or in lieu of a reprimand or denial, limitation, suspension or revocation of a certificate under sub. (2), the department may assess against an applicant or certified acupuncturist a forfeiture of not less than \$100 nor more than \$1,000 for each violation enumerated under sub. (2).

SECTION 302q. Chapter 457 of the statutes is created to read:

CHAPTER 457

AUCTIONEERS EXAMINING BOARD

**457.01 Definitions.** In this chapter:

(1) "Auction" means an oral exchange between an auctioneer and members of his or her audience in which property is sold or attempted to be sold by the auctioneer by any of the following methods:

(a) The auctioneer makes a series of invitations for offers for one or more articles of merchandise, one or more members of the audience makes an offer and the auctioneer accepts the highest or most favorable offer.

(b) The auctioneer announces a price at which he or she will sell one or more articles of merchandise and, if no sale occurs, adds articles of merchandise to those

originally offered until a member of the audience buys the articles at the announced price.

(2) "Auctioneer" means an individual who conducts an auction or has primary responsibility for the proceeds of an auction.

(3) "Examining board" means the auctioneers examining board.

**457.02 Applicability.** This chapter does not apply to any of the following:

(1) An auction conducted by or under the direction of an official of the United States or of this state or a city, village or town in this state.

(2) An auction required by a court order or judgment.

(3) A sale of property required by law to be a sale by auction.

(4) An auction conducted by the owner of the property for sale if the owner has held the property for his or her personal use for at least one year immediately preceding the date of the auction.

(5) An auction conducted by or under the direction of a church, school or nonprofit organization.

(6) An auction conducted by or under the direction of a political organization or candidate if the proceeds of the auction will be used for political purposes.

(7) An auction in which the total appraised value of the property for sale is less than \$500.

(8) Fur auctions and fur auctioneers licensed by the department of natural resources under ch. 29.

**457.04 Licensure.** (1) LICENSE REQUIRED. No person may conduct an auction or use the title "auctioneer" or any similar title unless the person holds an auctioneer license issued under this chapter.

(2) AUCTIONEER LICENSE. The examining board shall grant an auctioneer license to an individual who is at least 18 years old and does all of the following:

(a) Submits an application for the license to the department on a form provided by the department.

(b) Pays the fee specified in s. 440.05 (1).

(c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory to the examining board that he or she does not have an arrest or conviction record.

(d) Passes an examination conducted by the examining board to determine fitness as an auctioneer.

(3) LICENSE CERTIFICATE. The department shall issue a certificate to each licensee, certifying that the holder is licensed as an auctioneer in this state.

(4) EXPIRATION AND RENEWAL. Licenses issued under this chapter expire on July 1 of each odd-numbered year. Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.05 (3). Renewal applications shall be accompanied by proof of completion of the biennial training requirements in sub. (5). Any individual who fails to renew his or her license on or before the date of its expiration shall comply with s. 457.10.

Vetoed  
in Part

Vetoed  
in Part

Vetoed in Part

~~(5) BIENNIAL TRAINING REQUIREMENTS. At the time of renewal, each licensee shall submit proof of attendance at and completion of continuing education programs or courses of study approved for at least 10 hours of credit by the examining board within the 2 years immediately preceding the date on which the renewal application is submitted. The examining board may waive the requirement in this subsection if it determines that prolonged illness, disability or other exceptional circumstances have prevented a licensed auctioneer from completing the requirement.~~

~~(6) TEMPORARY LICENSE. (a) Upon application, the examining board shall grant a temporary auctioneer license if the applicant satisfies the requirements under sub. (2) (Intro.) and (a) to (c) and has submitted an application to take the next available examination for licensure as an auctioneer under s. 457.06.~~

~~(b) A temporary license granted under this subsection shall be valid for a period designated by the examining board, not to exceed 9 months, and may be renewed once. An applicant for a temporary license shall pay the fee specified in s. 440.05 (6).~~

~~457.06 Examination. (1) The examining board shall conduct examinations for auctioneer licensure at least semiannually at times and places determined by the examining board. The examining board shall provide public notice of each examination at least 60 days before the date of the examination.~~

~~(2) Examinations shall consist of written and oral tests requiring applicants to demonstrate minimum competency in services and subjects substantially related to conducting an auction.~~

~~(3) An individual is not eligible for examination unless the individual has satisfied the requirements for licensure under s. 457.04 (2) (a) to (c) at least 30 days before the date of the examination.~~

~~(4) The examining board shall promulgate rules establishing standards for public notice of examinations and for acceptable examination performance by an applicant for licensure as an auctioneer.~~

~~457.08 Licensees of other states. (1) Upon application and payment of the fee specified in s. 440.05 (2), the examining board shall grant an auctioneer license to an applicant who holds an auctioneer license in another state if the examining board determines that the requirements for licensure in the other state are substantially equivalent to the requirements under s. 457.04 (2).~~

~~(2) The examining board may enter into reciprocal agreements with officials of other states for licensing auctioneers and grant licenses to applicants who are licensed in those states according to the terms of the reciprocal agreements.~~

~~457.10 Restoration of license. Any individual licensed as an auctioneer who fails to renew the license on or before the date of its expiration may restore the license as follows:~~

Vetoed in Part

~~(1) If the application for renewal is submitted to the department not more than 2 years after the expiration of the applicant's last license, by payment of the fee specified in s. 440.05 (3) and the fee specified in s. 440.05 (4) or (5).~~

~~(2) If the application for renewal is submitted to the department more than 2 years after the expiration of the applicant's last license, by payment of the fee specified in s. 440.05 (1) and successful completion of the examination under s. 457.06.~~

~~457.12 Disciplinary proceedings and actions. (1) Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations or conduct hearings to determine whether a violation of this chapter or any rule promulgated under this chapter has occurred.~~

~~(2) Subject to the rules promulgated under s. 440.03 (1), the examining board may reprimand a licensee or deny, limit, suspend or revoke a license under this chapter if it finds that the applicant or licensee has done any of the following:~~

~~(a) Made a material misstatement in an application for license or renewal.~~

~~(b) Engaged in conduct while practicing as an auctioneer which evidences a lack of knowledge or ability to apply professional principles or skills.~~

~~(c) Subject to ss. 111.321, 111.322 and 111.335, been arrested or convicted of an offense committed while licensed as an auctioneer.~~

~~(d) Advertised in a manner which is false, deceptive or misleading.~~

~~(e) Advertised, practiced or attempted to practice as an auctioneer under another's name.~~

~~(f) Subject to ss. 111.321, 111.322 and 111.34, practiced as an auctioneer while the individual's ability to practice was impaired by alcohol or other drugs.~~

~~(g) Violated this chapter or any rule promulgated under this chapter.~~

~~457.14 Penalties. (1) Any person who violates this chapter or any rule promulgated under this chapter may be fined not less than \$100 nor more than \$1,000 or imprisoned for not more than 90 days or both.~~

~~(2) In addition to or in lieu of the penalties under sub. (1) and the remedies under s. 457.12 (2), any person who violates this chapter or any rule promulgated under this chapter may be required to forfeit not less than \$100 nor more than \$1,000 for each separate offense. Each day of continued violation constitutes a separate offense.~~

~~SECTION 303. 551.22 (7) of the statutes is amended to read:~~

~~551.22 (7) Any security listed, or approved for listing upon notice of issuance, on the New York stock exchange, the American stock exchange, or a national securities exchange registered under the securities exchange act of 1934 and designated by rule of the commissioner; any security designated, or approved for designation upon notice of issuance, as a national~~

market system security by the national association of securities dealers, inc., subject to rules that the commissioner may promulgate under this subsection; any security of the same issuer which is of senior or substantially equal rank to the security listed, designated or approved for listing or designation, except that if the security is any preferred stock or debt security the security is not exempt unless the issuer satisfies s. 551.235 (5) (d); any security called for by subscription rights or warrants so listed or approved or designated; or any warrant or right to purchase or subscribe to any of the foregoing.

SECTION 304. 551.22 (18) of the statutes is repealed.

SECTION 305. 560.075 (1) (ag) of the statutes is created to read:

560.075 (1) (ag) "Indian business" means a sole proprietorship, partnership, joint venture or corporation that satisfies all of the following requirements:

1. Is at least 51% owned, controlled and actively managed by American Indians.
2. Is currently performing a useful business function.

SECTION 306. 560.075 (1) (c) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

560.075 (1) (c) (intro.) "Targeted program" means a program or form of assistance available to an American Indian, ~~a an Indian business owned by one or more American Indians~~ or an Indian tribe that is administered by a state agency and that relates to any of the following:

SECTION 307. 560.075 (1) (c) 5 of the statutes is amended to read:

560.075 (1) (c) 5. Any other program or form of state assistance which the department considers relevant to American Indians, Indian businesses or Indian tribes.

SECTION 308. 560.075 (2) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

560.075 (2) (b) Provide information about economic development and targeted programs to American Indians, Indian businesses ~~owned by American Indians~~ or tribal governing bodies by using brochures, conferences, counseling or other means determined by the department.

SECTION 309. 560.075 (2) (d) of the statutes, as affected by 1989 Wisconsin Act 31, is repealed and recreated to read:

560.075 (2) (d) Provide, upon request, assistance to American Indians, Indian businesses and tribal governing bodies to promote economic development through the use of targeted programs.

SECTION 310. 560.075 (2) (e) and (f) of the statutes are created to read:

560.075 (2) (e) Designate in the department a liaison between the state agencies that administer targeted programs and American Indians, Indian

businesses and Indian tribes interested in targeted programs. The liaison shall also perform functions related to the administration of the program under s. 560.12.

(f) From the appropriation under s. 20.143 (1) (dh), make an annual grant to the Great Lakes inter-tribal council in an amount equal to the amount appropriated under s. 20.143 (1) (dh), to partially fund in the Great Lakes inter-tribal council a liaison between American Indians, Indian businesses and Indian tribes interested in targeted programs and the state agencies that administer targeted programs.

SECTION 310t. 560.12 of the statutes is created to read:

**560.12 Grants for tribal and community relations committees.** (1) In this section:

(a) "Indian band" means any band in this state of a federally recognized tribe of American Indians.

(b) "Indian tribe" means any federally recognized American Indian tribe in this state that does not have one or more bands in this state.

(c) "Surrounding municipality" means a city, village or town that is at least partially located within a 75-mile radius of a reservation of the Indian tribe or an Indian band participating in forming and operating a tribal and community relations committee under sub. (3).

(2) The department may make a grant from the appropriation under s. 20.143 (1) (dp) to a tribal and community relations committee formed under sub. (3), if all of the following apply:

(a) The tribal and community relations committee that will receive the grant was formed and is operating in accordance with sub. (3).

(b) The amount of the grant does not exceed \$10,000 or \$20,000 if 2 bands are represented on the tribal and community relations committee under sub. (3) (b), unless a greater amount is permitted under sub. (5).

(c) The Indian tribe or each Indian band represented on the tribal and community relations committee applying for a grant was not represented on any other tribal and community relations committee that received a grant under this section in the same fiscal biennium in which the application is made.

(d) The proceeds of the grant will be used to fund only the projects described in the application under sub. (4) (a), except that up to 5% of the grant proceeds may be used for administrative expenses of the tribal and community relations committee.

(e) The application complies with sub. (4) (b).

(f) The proceeds of the grant will not be used to replace funds from other sources that are used for existing programs.

(g) In awarding the grant, the department considers the criteria developed under sub. (6).

(3) (a) An Indian tribe or Indian band and persons residing in one or more surrounding municipalities may jointly form a tribal and community relations committee for purposes of developing projects to

improve relations between Indians and non-Indians and applying for a grant under this section to fund those projects. To be eligible to apply for a grant under this section, the committee shall consist of the following:

1. Nine individuals whom the elected governing body of the Indian tribe or Indian band participating in forming the committee recognizes as members of the Indian tribe or Indian band and selects to serve on the committee.

**Vetoed in Part**

2. ~~Subject to par. (c),~~ 9 individuals who each reside in a surrounding municipality, are not members of any Indian tribe or Indian band and are selected in any manner determined by the persons participating with the Indian tribe or Indian band in forming the committee.

(b) Two Indian bands may join together to form a tribal and community relations committee under this subsection with persons residing in one or more surrounding municipalities for the purposes described in par. (a), if the reservations of the Indian bands are no more than 35 miles apart. To be eligible for a grant under this section, the committee shall consist of the following:

1. Nine individuals who are selected in a manner determined by the elected governing bodies of the 2 Indian bands, except each individual shall be recognized by the elected governing body of one of the Indian bands as a member of the Indian band.

**Vetoed in Part**

2. ~~Subject to par. (c),~~ 9 individuals described in par. (a) 2.

**Vetoed in Part**

~~(c) The individuals serving on a committee under par. (a) 2 or (b) 2 shall include a representative of at least 5 of the following:~~

~~1. The governing body of a surrounding municipality or the governing body of a county located at least partially within a 75-mile radius of a reservation of the Indian tribe or an Indian band participating in forming the committee.~~

~~2. Service or civic organizations operating in one or more surrounding municipalities.~~

~~3. The law enforcement agency of a surrounding municipality or of a county located at least partially within a 75-mile radius of a reservation of the Indian tribe or an Indian band participating in forming the committee.~~

~~4. Clergy or church groups operating in one or more surrounding municipalities.~~

~~5. Human and social service agencies of a surrounding municipality or of a county located at least partially within a 75-mile radius of a reservation of the Indian tribe or an Indian band participating in forming the committee.~~

~~6. Business, industry or labor groups operating in one or more surrounding municipalities.~~

~~7. Public or private schools located in one or more surrounding municipalities.~~

~~8. Newspapers or radio or television stations located in one or more surrounding municipalities.~~

**Vetoed in Part**

(d) Each committee formed under par. (a) shall select as cochairpersons one member who satisfies par. (a) 1 and one member who satisfies par. (a) 2. Each committee formed under par. (b) shall select as cochairpersons one member who satisfies par. (b) 1 and one member who satisfies par. (b) 2. Each committee shall determine the terms of its members, the location and frequency of meetings, the quorum and vote required to take action and any other matters necessary for the operations of the committee.

(4) (a) A tribal and community relations committee may apply for a grant under this section by submitting to the department an application, on a form prescribed by the department, that complies with par. (b) and that describes the projects which the committee proposes to fund with the grant. Each project shall be for the purpose of improving relations and increasing understanding between Indians and non-Indians residing on the reservation of the Indian tribe or each Indian band represented on the committee and in surrounding municipalities. Projects that may be funded by a grant under this section include, but are not limited to, any of the following:

1. Intercultural exchanges to improve community awareness about tribal rituals, cultural heritage and tribal history.

2. Town meetings to educate Indians and non-Indians about tribal history and resource management.

3. Communications and promotions about activities of the tribal and community relations committee.

(b) In addition to the information required under par. (a), each application for a grant under this section shall include all of the following:

1. Recommendations on how local governing bodies, the state and other persons might help improve relations between Indians and non-Indians residing on the reservation of an Indian tribe or Indian band represented on the committee and in surrounding municipalities.

2. The name and address of each committee member and proof in a form required by the department that the committee was formed and is operating in accordance with sub. (3).

3. Designation of an Indian tribe, Indian band, city, village or town which is participating on the committee and which is authorized by the committee to contract with the department to receive and administer the grant proceeds on behalf of the committee.

4. Any other information required by the department.

(c) The department shall develop an application to be used for grants under this section and furnish the application, upon request, to tribal and community relations committees formed under sub. (3).

(5) (a) The department may award a grant under this section in an amount greater than that permitted



under sub. (2) (b) if all of the following occur in a fiscal biennium:

1. The total amount appropriated under s. 20.143 (1) (dp) for the fiscal biennium has not been expended.

2. Each Indian tribe or Indian band was represented on a tribal and community relations committee that received a grant under this section during the fiscal biennium, or, if each Indian tribe or Indian band was not represented, the elected governing body of each unrepresented Indian tribe or Indian band informs the department that it does not intend to participate on a tribal and community relations committee that would apply for a grant under this section during the remainder of the fiscal biennium.

(b) If the circumstances described in par. (a) occur, during the remainder of the fiscal biennium the department may award the unexpended portion of the amount appropriated under s. 20.143 (1) (dp) to tribal and community relations committees that had received grants previously in the fiscal biennium. In awarding the unexpended funds, the department shall attempt to allocate those funds equitably among tribal and community relations committees that are continuing to pursue the projects funded by a grant received under this section in the fiscal biennium or that have completed those projects and propose a new project that satisfies sub. (2) (a) and (c) to (g).

(6) The department shall develop, by rule, criteria for evaluating applications for grants under this section. The criteria shall include at a minimum all of the following:

(a) The likelihood that the projects proposed in the application will improve relations and increase understanding between Indians and non-Indians residing on the reservation of an Indian tribe or Indian band represented on the committee and in surrounding municipalities.

(b) The likelihood that the projects proposed in the application will foster economic development on the reservation of an Indian tribe or Indian band represented on the committee or in surrounding municipalities.

(c) Whether financing of the projects proposed in the application is available from another source.

(d) Whether the projects proposed in the application would probably not be implemented without a grant under this section.

(e) Whether the projects proposed in the application serve a public purpose.

**Vetoed in Part** (7) The department shall review and evaluate the program conducted under this section and shall report its findings and recommendations by January 1, 1993, 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:

(a) The number of grants awarded and the total amount expended each biennium.

(b) Identification of each Indian tribe or Indian band and the surrounding municipalities that were

represented on a tribal and community relations committee that applied for a grant.

(c) The types of projects funded by grants under this section.

(d) An evaluation of whether tensions between Indians and non-Indians decreased because of projects funded by grants under this section.

(8) This section does not apply after June 30, 1993.

SECTION 311d. 560.18 of the statutes is created to read:

**560.18 Supplemental state aid.** The department shall pay to each school district the amount determined under s. 121.085 from the appropriation under s. 20.143 (1) (bs).

SECTION 311g. 560.31 of the statutes is created to read:

**560.31 Heritage tourism program.** (1) In this section:

(a) "Heritage tourism" means tourism that has as its primary object the enjoyment of historic and pre-historic resources.

(b) "Heritage tourism pilot program" means a 3-year program offered by the national trust for historic preservation for the purpose of promoting heritage tourism and in which a state may participate if selected by the national trust for historic preservation.

(c) "Political subdivision" means a county, city, village or town.

(2) The department shall establish and administer, in consultation with the historical society, a heritage tourism program to coordinate state and local participation in the heritage tourism pilot program and to assist political subdivisions in assessing the resources available for heritage tourism, analyzing current interest in heritage tourism and developing and implementing plans to increase heritage tourism. The department shall do all of the following:

(a) Enter into contracts to obtain heritage tourism consulting services provided by the national trust for historic preservation.

(b) Employ, in the state classified service, staff for the state's participation in the heritage tourism pilot program.

(c) With the assistance of the committees created by the secretary under sub. (3), develop a plan establishing objectives for the state's participation in the heritage tourism pilot program.

(d) Together with the national trust for historic preservation select, upon application, 4 areas of the state to be the subject of the state's participation in the heritage tourism pilot program. Each area selected may consist of any part or all of one or more political subdivisions.

(e) Provide information and technical assistance to political subdivisions that are not selected to be the subject of the state's participation in the heritage tourism pilot program.

(f) Upon the conclusion of the state's participation in the heritage tourism pilot program, submit to the

**Vetoed in Part**

**Vetoed in Part**

Vetoed  
in Part

governor and to the chief clerk of each house of the legislature for distribution under s. 13.172(2), a report summarizing and evaluating the heritage tourism pilot program.

(3) The secretary shall exercise his or her authority under s. 15.04(1)(c) to create one or more committees to advise the department on issues related to the state's participation in the heritage tourism pilot program. The secretary shall create a sufficient number of committees, as determined by the secretary, to address each major type of heritage tourism that is the focus of the state's participation in the heritage tourism pilot program. The secretary shall appoint at least 2 members of each committee created under this subsection from a list of names submitted by the director of the historical society.

SECTION 312. 560.71 (3) (a) of the statutes is amended to read:

560.71 (3) (a) Determine the number of development zones designated under sub. (1) but may not designate more than 8 12 development zones.

SECTION 313. 560.71 (3) (c) 2 of the statutes is amended to read:

560.71 (3) (c) 2. Designate at least ~~one~~ 2 development ~~zone~~ zones that is are each at least partially within an Indian reservation.

SECTION 314. 560.745 (2) (a) of the statutes is amended to read:

560.745 (2) (a) When the department designates a development zone under s. 560.71, it shall establish a limit for tax benefits for the development zone determined by allocating to the development zone, under rules promulgated by the department, a portion of \$14,000,000 \$18,155,000.

SECTION 315. 562.01 (3m) of the statutes is created to read:

Vetoed  
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562.01 (3m) "Business day" means a business day, as defined in s. 421.301(6), that is not a legal holiday under s. 895.20 or a federal legal holiday.

SECTION 316. 562.065 (3) (b) 2 of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

562.065 (3) (b) 2. For dog races, from the total amount deducted under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 4.5% of the total amount wagered on each race day for purses. Purses shall be paid no less frequently than on a weekly basis on or before Thursday of the calendar week immediately following the race day on which the purses are won. The licensee shall pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay the purse directly to the lessor and lessee of the dog as agreed in a written lease agreement on file with the licensee.

SECTION 317. 562.065 (3) (c) 1. (intro.) and 2. (intro.) of the statutes are amended to read:

562.065 (3) (c) 1. (intro.) For horse races, from the total amount deducted under par. (a) on each race

day, a licensee under s. 562.05 (1) (b) shall deposit with the board, no later than 48 hours after the close of that race day, the following amounts:

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2. (intro.) For dog races, from the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board, no later than 48 hours after the close of that race day, the following amounts:

SECTION 318. 562.065 (3) (d) 1 and (e) (intro.) of the statutes are amended to read:

562.065 (3) (d) 1. From the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board, no later than 48 hours after the close of that race day, an amount equal to 0.75% of the total amount wagered on that race day.

(e) *Breakage*. (intro.) A licensee under s. 562.05 (1) (b) shall pay deposit with the board an amount equal to 50% of the breakage for each race day to the board, no later than 48 hours after the close of the race day. The moneys received under this paragraph shall be deposited as follows:

SECTION 319. 562.065 (3m) (c) 2 of the statutes is amended to read:

562.065 (3m) (c) 2. The licensee may retain 50% of the amount of the deduction under par. (a) remaining after the payment of purses under par. (b), and the payment of the licensee's cost under subd. 1. No later than 48 hours after the close of the race day, the licensee shall deposit the remaining 50% of that amount with the board. The board shall deposit moneys received under this subdivision in the appropriation under s. 20.192 (2) (i).

SECTION 320. 562.065 (3r) of the statutes is created to read:

562.065 (3r) PERIOD FOR DEPOSIT BY LICENSEE. The licensee shall make the deposits required under subs. (3) (c) 1. (intro.) and 2. (intro.), (d) 1 and (e) (intro.) and (3m) (c) 2 no later than 48 hours after the close of the race day or, if the 48-hour period does not include a business day, on the first business day immediately following the close of the race day.

SECTION 321. 562.065 (4) of the statutes is amended to read:

562.065 (4) UNCLAIMED PRIZES. Any winnings on a race which are not claimed within 90 days after the close of the race day during which the race occurred and of the period authorized for racing in that year under s. 562.05 (9) shall be paid to the board. The board shall deposit moneys received under this subsection in the appropriation under s. 20.192 (1) (g).

SECTION 322. 600.01 (1) (b) 8 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

600.01 (1) (b) 8. Guarantees of the Wisconsin housing and economic development authority under ss. 234.765, 234.82, 234.90, 234.905 and 234.907.

SECTION 323. 601.41 (1) of the statutes, as affected by 1989 Wisconsin Acts .... (Assembly Bill 277) and .... (Assembly Bill 400), is amended to read:

**Vetoed in Part** 601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to 655, ~~excluding s. 632.896 (5), and ss. 59.07 (2) (c), 66.183, 66.184 and 120.13 (2) (b) to (g) and shall act as promptly as possible under the circumstances on all matters placed before the commissioner.~~

**Vetoed in Part** SECTION 323c. 601.47 (1) of the statutes is amended to read:

**Vetoed in Part** 601.47 (1) GENERAL. The commissioner may prepare books, pamphlets and other publications relating to insurance and sell them in the manner and at the prices the commissioner determines, ~~except as provided in s. 601.475 (2). The cost of publication and distribution may be paid from the appropriation under s. 20.145 (1) (g).~~

SECTION 323d. 601.475 of the statutes is created to read:

**601.475 Publication of motor vehicle insurance guide.** (1) (a) The commissioner shall publish at least annually a consumer guide for motor vehicle insurance. The guide shall include at least 10 scenarios depicting risks typically insured under noncommercial, motor vehicle insurance policies purchased in this state. For each scenario, the guide shall specify the premium rates applicable to the risk for all of the following:

1. At least 10 insurers that, among all of the insurers licensed to write motor vehicle insurance in this state, have the lowest premium rates applicable to the risk. In determining insurers that satisfy this subdivision, the commissioner may exclude any insurer that, because of the small number of motor vehicle insurance policies written by the insurer in this state, the commissioner determines has premium rates that do not accurately reflect the premium rates available to consumers in this state.

2. Each insurer doing business in this state that is among the top 10 insurers in motor vehicle premium volume in this state. The guide may include the applicable premium rates for more than the top 10 insurers if determined appropriate by the commissioner.

(b) If determined appropriate by the commissioner, the guide may present for any scenario the premium rates specified in par. (a) 1 and 2 by regions of the state. The commissioner shall annually change the scenarios presented in the guide. The guide shall also include a listing of each insurer licensed to write motor vehicle insurance in this state and may include any other information that the commissioner determines is helpful for purchasers of motor vehicle insurance.

(2) The commissioner shall provide at no charge a copy of the guide prepared under sub. (1) to any person upon request. Upon request from a legislator, the commissioner shall provide the legislator at no charge with as many copies of the guide as requested for purposes of distributing the guide to constituents. In

~~addition to copies delivered on request, the commissioner shall annually furnish a free copy of the guide to each public library maintained under s. 43.52, 43.53 or 43.57 and may otherwise initiate distribution of free copies of the guide to consumers. The costs of preparing and distributing the guide shall be paid from the appropriation under s. 20.145 (1) (g).~~

**Vetoed in Part**

(3) (a) Immediately upon preparation of the first edition of the guide under sub. (1), the commissioner shall notify each insurer licensed to write motor vehicle insurance in this state that the guide is available and that the insurer is required to notify policyholders as provided in par. (b).

(b) Beginning within 20 days after an insurer receives the notice under par. (a), the insurer shall include in each renewal notice delivered in this state soliciting renewal of a noncommercial motor vehicle insurance policy a statement explaining that the commissioner has prepared a consumer guide for motor vehicle insurance and that the guide may be obtained at no charge from the office and is also available at public libraries. The statement shall appear on the renewal notice or on a separate piece of paper enclosed with the renewal notice.

SECTION 324. 609.75 of the statutes is created to read:

**609.75 Adopted children coverage.** Health maintenance organizations, limited service health organizations and preferred provider plans are subject to s. 632.896. Coverage of health care services obtained by adopted children and children placed for adoption may be subject to any requirements that the health maintenance organization, limited service health organization or preferred provider plan imposes under s. 609.05 (2) and (3) on the coverage of health care services obtained by other enrolled participants.

SECTION 324e. 614.10 (2) of the statutes is amended to read:

614.10 (2) APPLICANTS AUTHORIZED. Subject to s. 631.07, a fraternal may do any of the following:

(a) ~~In general. Fraternal~~ Provide insurance benefits to ~~their~~ its members and, on the application of members, to others; ~~and~~.

(b) ~~Children. Fraternal~~ Insure the lives or disability of children younger than the minimum age for membership in the fraternal but otherwise eligible for membership, on the application of some adult person.

SECTION 324g. 614.10 (2) (c) of the statutes is created to read:

614.10 (2) (c) *Employes.* Notwithstanding s. 614.01 (1) (a) 2, provide insurance benefits to its employes and to employes of the fraternal's subsidiaries or other affiliates.

SECTION 324i. 614.19 (3) of the statutes is renumbered 614.19 (3) (b) and amended to read:

614.19 (3) (b) Except as provided in s. 614.24 (1m), every fraternal shall contain in its laws and in each certificate of insurance it issues, a provision, to which

every certificate of insurance issued by the fraternal shall be subject, that if the financial position of the fraternal becomes impaired, the board of directors or the supreme governing body may determine on an equitable basis the proportionate share of the deficiency of each member of the fraternal and each insured employe. The member or insured employe may then either pay the member's or insured employe's share of the deficiency, or accept the imposition of a lien on the certificate of insurance, to bear interest at the rate charged on policy loans under the certificate, compounded annually until paid, or may accept a proportionate reduction in benefits under the certificate. The fraternal may specify the manner of the election and which alternative is to be presumed if no election is made.

SECTION 324j. 614.19 (3) (a) of the statutes is created to read:

614.19 (3) (a) In this subsection, "insured employe" means an employe of a fraternal or of a subsidiary or other affiliate of a fraternal who is provided insurance benefits by the fraternal under s. 614.10 (2) (c) but is not a member of the fraternal.

SECTION 324m. 623.15 (1) of the statutes is renumbered 623.15 (1) (b) and amended to read:

623.15 (1) (b) A fraternal may be organized for the transaction of business on a plan set forth in the contract which provides for sufficient contributions by each member and insured employe in each year to pay the member's or insured employe's share of the actual death claims of the year through advance payments graded according to any mortality table approved by the commissioner, without any reserve, or with such reserve as may accumulate from overpayments of individual members and insured employes, in which case each member and insured employe shall each year be informed of the member's or insured employe's credit and of the cost of the member's or insured employe's insurance.

SECTION 324n. 623.15 (1) (a) of the statutes is created to read:

623.15 (1) (a) In this subsection, "insured employe" means an employe of a fraternal or of a subsidiary or other affiliate of a fraternal who is provided insurance benefits by the fraternal under s. 614.10 (2) (c) but is not a member of the fraternal.

SECTION 325. 631.07 (3) (a) 3m of the statutes is created to read:

631.07 (3) (a) 3m. A person may obtain a disability insurance policy on a child placed for adoption, as defined in s. 632.896 (1) (c), with the person.

SECTION 326. 632.896 of the statutes is created to read:

**632.896 Mandatory coverage of adopted children.**  
(1) DEFINITIONS. In this section:

(a) "Department" means the department of health and social services.

(b) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(c) "Placed for adoption" means any of the following:

1. The department, a county department under s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 places a child in the insured's home for adoption and enters into an agreement under s. 48.833 with the insured.

2. A court under s. 48.837 (6) (b) orders a child placed in the insured's home for adoption.

3. A sending agency, as defined in s. 48.988 (2) (d), places a child in the insured's home under s. 48.988 for adoption, and the insured takes physical custody of the child at any location within the United States.

4. The person bringing the child into this state has complied with s. 48.98, and the insured takes physical custody of the child at any location within the United States.

5. A court of a foreign jurisdiction appoints the insured as guardian of a child who is a citizen of that jurisdiction, and the child arrives in the insured's home for the purpose of adoption by the insured under s. 48.839.

(2) ADOPTED OR PLACED FOR ADOPTION. Every disability insurance policy that is issued or renewed on or after the effective date of this subsection .... [revisor inserts date], and that provides coverage for dependent children of the insured, as defined in the disability insurance policy, shall cover adopted children of the insured and children placed for adoption with the insured, on the same terms and conditions, including exclusions, limitations, deductibles and copayments, as other dependent children, except as provided in subs. (3) to (6).

(3) WHEN COVERAGE BEGINS AND ENDS. (a) 1. Coverage of a child under this section shall begin on the date that a court makes a final order granting adoption of the child by the insured or on the date that the child is placed for adoption with the insured, whichever occurs first.

2. Subdivision 1 does not require coverage to begin before coverage is available under the disability insurance policy for other dependent children.

(b) Coverage of a child placed for adoption with the insured is required under this section despite whether a court ultimately makes a final order granting adoption of the child by the insured. If adoption of a child who is placed for adoption with the insured is not finalized, the insurer may terminate coverage of the child when the child's adoptive placement with the insured terminates.

(4) PREEXISTING CONDITIONS. Notwithstanding s. 632.76 (2) (a) ~~and except as provided in sub. (5) (c)~~, a disability insurance policy that is subject to sub. (2) and that is in effect when a court makes a final order granting adoption or when the child is placed for adoption may not exclude or limit coverage of a dis-

Vetoed  
in Part

ease or physical condition of the child on the ground that the disease or physical condition existed before coverage is required to begin under sub. (3).

**Vetoed  
in Part**

~~(5) PREEXISTING CONDITION REIMBURSEMENTS. (a) If coverage under a disability insurance policy is subject to sub. (4), the department shall reimburse the insurer from the appropriation under s. 20.435 (1) (fe) for claims paid or services provided under the disability insurance policy for treatment relating to a preexisting condition of the adopted child or child placed for adoption, if all of the following conditions are satisfied:~~

~~1. The child is at least age 7 months when coverage of the child under the disability insurance policy is required to begin under sub. (3).~~

~~2. The insured notifies the insurer that the child is adopted or placed for adoption and pays any premium or fees required to provide coverage, as required by the disability insurance policy in accordance with sub. (6).~~

~~3. The insured provides information to the department about the age of the child and coverage available to the child under a disability insurance policy, as required by the department by rule under par. (e).~~

~~4. Within 45 days after receiving notice under subd. 2, the insurer provides to the department a written certification of any disease or physical condition, identified by name or specific description, of the child that the insurer determines existed before the effective date of coverage.~~

~~5. The insurer submits to the department a statement for reimbursement of a claim paid or service provided under the disability insurance policy for treatment that satisfies all of the following:~~

~~a. Relates to a disease or physical condition certified to the department as a preexisting condition under subd. 4.~~

~~b. Was provided to the child within 6 months after the effective date of coverage if the disability insurance policy is a group insurance policy or within 12 months after the effective date of coverage if the disability insurance policy is other than a group insurance policy.~~

~~(b) Subject to the availability of funds under s. 20.435 (1) (fe), the department shall reimburse an insurer under par. (a) in an amount equal to the insurer's liability for coverage of the preexisting condition, excluding any amount for which the insured is liable under a deductible, copayment or other provision of the disability insurance policy.~~

~~(c) If an insured fails to satisfy par. (a) 2 or 3, the disability insurance policy may exclude or limit coverage of a preexisting condition of the adopted child or child placed for adoption to the extent permitted under s. 632.76 (2) (a), except the disability insurance policy may not treat the adopted child or child placed for adoption less favorably than it treats other dependents who seek coverage at a time other than at birth.~~

~~(d) If coverage under a self-insured health plan of a county, city, village or school district is subject to sub. (4), the self-insured health plan is eligible for reimbursement under par. (a) to the same extent as an insurer, if par. (a) 1 to 3 are satisfied and the administrator of the self-insured health plan satisfies par. (a) 4 and 5.~~

**Vetoed  
in Part**

~~(e) The department shall promulgate rules specifying all of the following:~~

~~1. The information that an insured must provide under par. (a) 3, and the time within which the information must be provided.~~

~~2. The form and required contents of a certification under par. (a) 4 and a statement for reimbursement under par. (a) 5.~~

~~(6) NOTICE TO INSURER. The disability insurance policy may require the insured to notify the insurer that a child is adopted or placed for adoption and to pay the insurer any premium or fees required to provide coverage for the child, within 60 days after coverage is required to begin under sub. (3). If the insured fails to give notice or make payment within 60 days as required by the disability insurance policy in accordance with this subsection, the disability insurance policy shall treat the adopted child or child placed for adoption no less favorably than it treats other dependents, other than newborn children, who seek coverage at a time other than when the dependent was first eligible to apply for coverage.~~

SECTION 326e. 632.91 of the statutes is created to read:

**632.91 Definition.** In this subsection, "insured employe" means an employe of a fraternal or of a subsidiary or other affiliate of a fraternal who is provided insurance benefits by the fraternal under s. 614.10 (2) (c) but is not a member of the fraternal.

SECTION 326g. 632.93 (1) of the statutes is amended to read:

632.93 (1) **ISSUANCE OF CERTIFICATE.** A fraternal shall issue to each benefit member and insured employe a policy or certificate specifying the benefits provided and containing at least in substance all sections of the laws of the fraternal which might result in the termination of coverage or the reduction of benefits. The policy or certificate, any riders or endorsements attached thereto, the laws of the fraternal, and the application and declarations made in connection therewith and signed by the applicant, constitute the agreement between the fraternal and the member or insured employe, and the policy or certificate shall so state.

SECTION 326h. 632.93 (2) of the statutes is amended to read:

632.93 (2) **CHANGES IN LAWS OF FRATERALS.** (2) Except as provided in s. 614.24 (1m), any changes in the laws of a fraternal made subsequent to the issuance of a policy or certificate bind the member and beneficiary and insured employe as if they had been in force at the time of the application, so long as they do



not destroy or diminish benefits promised in the policy or certificate.

SECTION 326i. 632.93 (5) of the statutes is amended to read:

632.93 (5) GRACE PERIOD. Every fraternal certificate shall contain a provision entitling the member or insured employe to a grace period of not less than one month, or 30 days at the fraternal's option, for the payment of any premium due except the first, during which the death benefit shall continue in force. A fraternal may specify in the grace period provision that the overdue premium will be deducted from the death benefit in the event of death before it is paid.

SECTION 326j. 632.96 (1) of the statutes is amended to read:

632.96 (1) Any member or insured employe may designate as beneficiary any person permitted by the laws of the fraternal. Those laws shall authorize the designation of the member's or insured employe's estate as beneficiary.

SECTION 327. 753.06 (1) (a) of the statutes, as affected by 1989 Wisconsin Act 65, is amended to read:

753.06 (1) (a) Milwaukee county. The circuit has 39 branches. Commencing August 1, 1989, the circuit has 40 branches. Commencing August 1, 1990, the circuit has 41 branches. Commencing August 1, 1991, the circuit has 42 branches. Commencing August 1, 1992, the circuit has 44 branches.

SECTION 328. 753.06 (2) (b) of the statutes is amended to read:

753.06 (2) (b) Racine county. The circuit has 8 branches. Commencing August 1, 1991, the circuit has 9 branches.

SECTION 329. 753.06 (4) (e) of the statutes is amended to read:

753.06 (4) (e) Winnebago county. The circuit has 5 branches. Commencing August 1, 1991, the circuit has 6 branches.

SECTION 330. 753.06 (6) (b) of the statutes is amended to read:

753.06 (6) (b) Columbia county. The circuit has 2 branches. Commencing August 1, 1991, the circuit has 3 branches.

SECTION 331. 753.06 (8) (a) of the statutes is amended to read:

753.06 (8) (a) Brown county. The circuit has 7 branches. Commencing August 1, 1991, the circuit has 8 branches.

SECTION 332. 753.06 (10) (i) of the statutes is amended to read:

753.06 (10) (i) Polk county. The circuit has one branch. Commencing August 1, 1991, the circuit has 2 branches.

SECTION 332g. 767.265 (3h) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

767.265 (3h) A person who receives notice of assignment under this section or similar laws of another state shall withhold the amount specified in the notice from any money that person pays to the payer later than one week after receipt of notice of assignment. Within 10 days after the day the person pays money to the payer, the person shall send the amount withheld to the clerk of court of the jurisdiction providing notice or, in the case of an amount ordered withheld for health care payments, to the appropriate health care insurer, provider or plan. Except as provided in sub. (3m), for each payment the person from whom the payer receives money shall receive an amount equal to the person's necessary disbursements, not to exceed \$3, which shall be deducted from the money to be paid to the payer. Section 241.09 does not apply to assignments under this section.

~~SECTION 332Lm. 812.23 (2) (c) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:~~

~~812.23 (2) (c) A garnishee is entitled to \$10 as a garnishee fee, and need not answer unless the fee is first paid. The fee becomes In addition to that fee, the garnishee shall receive an amount equal to the garnishee's necessary disbursements, not to exceed \$3, for each payment delivered to the court under sub. (5) (a) after the first payment. That additional fee shall be deducted from the moneys delivered to the court. Those fees become part of the funds of the state if the department of administration is the garnishee, funds of the county if the county clerk is the garnishee, funds of the municipality if the municipal clerk is the garnishee, funds of the school district if the school district is the garnishee, or funds of the appropriate subdivision of government where any other government entity is the garnishee. The judgment creditor shall pay the initial fee to the treasurer of the state, county, municipality, school district or other subdivision of government, as applicable.~~

SECTION 332m. 939.32 (1) (b) of the statutes is amended to read:

939.32 (1) (b) Whoever attempts to commit a battery as ~~defined in~~ under s. 940.20 (2) or (2m) is guilty of a Class A misdemeanor.

SECTION 332n. 940.20 (2m) of the statutes is created to read:

940.20 (2m) BATTERY TO PROBATION AND PAROLE AGENTS. (a) In this subsection, "probation and parole agent" means any person authorized by the department of corrections to exercise control over a probationer or parolee.

(b) Whoever intentionally causes bodily harm to a probation and parole agent, acting in an official capacity and the person knows or has reason to know

Vetoed  
in Part



that the victim is a probation and parole agent, by an act done without the consent of the person so injured, is guilty of a Class D felony.

SECTION 332nz. 943.215 of the statutes is created to read:

**943.215 Absconding without paying rent.** (1) Whoever having obtained the tenancy, as defined in s. 704.01 (4), of residential property he or she is entitled to occupy, intentionally absconds without paying all current and past rent due is guilty of a Class A misdemeanor.

(2) A person has a defense to prosecution under sub. (1) if he or she has provided the landlord with a security deposit that equals or exceeds the amount that the person owes the landlord regarding rent and damage to property.

(3) A person has a defense to prosecution under sub. (1) if, within 5 days after the day he or she vacates the rental premises, he or she pays all current and past rent due or provides to the landlord, in writing, a complete and accurate forwarding address.

(4) When the existence of a defense under sub. (2) or (3) has been placed in issue by the trial evidence, the state must prove beyond a reasonable doubt that the facts constituting the defense do not exist in order to sustain a finding of guilt under sub. (1).

(5) Subsection (1) does not apply to any tenant against whom a civil judgment has been entered for punitive damages because the tenant left the premises with unpaid rent.

SECTION 332p. 968.01 of the statutes is renumbered 968.01 (2) and amended to read:

968.01 (2) The complaint is a written statement of the essential facts constituting the offense charged. ~~It may be made~~ A person may make a complaint on information and belief. ~~It Except as provided in sub. (3), the complaint shall be made upon oath before a district attorney or judge as provided in this chapter.~~

SECTION 332q. 968.01 (1) of the statutes is created to read:

968.01 (1) "Facsimile machine" means a machine that transmits copies of documents by means of a telecommunications facility, as defined in s. 76.38 (1) (bm).

SECTION 332r. 968.01 (3) of the statutes is created to read:

968.01 (3) A person may comply with sub. (2) if he or she makes the oath by telephone contact with the district attorney or judge, signs the statement and immediately thereafter transmits a copy of the signed statement to the district attorney or judge using a facsimile machine. The person shall also transmit the original signed statement, without using a facsimile machine, to the district attorney or judge. If the complaint is filed, both the original and the copy shall be filed under s. 968.02 (2).

**Vetoed in Part** SECTION 332nn. 978.045 of the statutes, as created by 1989 Wisconsin Act 117, is amended to read:

~~978.045 Acting district attorney, assistants in criminal cases.~~ (1) If there is no district attorney for the county, if the district attorney is absent from the county, has acted as attorney for a party accused in relation to the matter of which the accused stands charged and for which he or she is to be tried, is near of kin to the party to be tried on a criminal charge, is unable to attend to his or her duties or is serving in the armed forces of the United States, or if the district attorney stands charged with a crime and the governor has not acted under s. 17.11 or if the district attorney determines a conflict of interest exists regarding the district attorney or district attorney staff, any judge of a court of record, by an order entered in the record stating the cause therefor, may appoint some suitable attorney to perform, for the time being, or for the trial of the accused person, the duties of the district attorney, and the attorney so appointed shall have all the powers of the district attorney while so acting.

~~(2) The court shall fix the amount of compensation for any attorney appointed under this section sub. (1) or (1m), which shall be the amount customarily charged by attorneys of this state for comparable services, and shall provide for the repayment of disbursements in such sum as the court deems proper. The department of administration shall pay the compensation and disbursements ordered by the court for attorneys other than district attorneys, deputy district attorneys, assistant district attorneys and assistant district attorneys general from the appropriation under s. 20.475 (1) (e) (td). The court and the appointed attorney shall provide any information regarding this payment that the department requests. When appointing an attorney under this section sub. (1) or (1m), the court shall first consider the feasibility of appointing a district attorney, a deputy district attorney or an assistant district attorney from another prosecution unit or an assistant attorney general. A court may appoint an attorney who engages in the private practice of law to act under sub. (1) or (1m) only if, at any time, the department of administration approves the appointment, except the court may make an appointment not to exceed 8 hours per case without the department's approval. A court shall make appointments under sub. (1) or (1m) in accordance with policies and procedures established by the secretary of administration.~~

SECTION 332s. 978.045 (1m) of the statutes is created to read:

978.045 (1m) Any judge of a court of record may upon application of the district attorney, in the same manner provided under sub. (1), appoint an attorney to assist the district attorney, in the prosecution of persons charged with a crime and in grand jury and John Doe proceedings and in any other investigations.

SECTION 333. 978.05 (8) (b) of the statutes, as affected by 1989 Wisconsin Acts 31 and 117, is amended to read:

**Vetoed in Part**

978.05 (8) (b) Hire, employe and supervise his or her staff and make appropriate assignments of the staff throughout the prosecutorial unit. The district attorney may request the assistance of district attorneys, deputy district attorneys or assistant district attorneys from other prosecutorial units or assistant attorneys general who then may appear and assist in the investigation and prosecution of criminal matters in like manner as assistants in the prosecutorial unit and with the same authority as the district attorney in the unit in which the action is brought. Nothing in this paragraph limits the authority of counties to regulate the hiring, employment and supervision of county employes.

SECTION 333b. 978.12 (5) (b) and (c) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

978.12 (5) (b) *Employes generally.* District attorneys and state employes of the office of district attorney shall be included within the provisions of the Wisconsin retirement system under ch. 40 as a participating employe of that office, except that the district attorney and state employes of the office of ~~the Milwaukee county~~ district attorney in a county having a population of 500,000 or more have the option provided under par. (c).

(c) (title) *District attorney employes in counties having a population of 500,000 or more.* (intro.) ~~The Milwaukee county~~ district attorney and state employes of the office of the Milwaukee county district attorney in a county having a population of 500,000 or more shall have the option of continuing as participants in the retirement system established under chapter 201, laws of 1937, as follows:

**Vetoed in Part** SECTION 333c. 978.12 (5) (c) ~~3m and~~ 5 of the statutes are created to read:

**Vetoed in Part** 978.12 (5) (c) ~~3m.~~ An employe who elects the option under this paragraph may terminate that election no later than the last day of the 6th month beginning after the date on which the internal revenue service issues a ruling on the taxability of retirement benefits received under the retirement system established under chapter 201, laws of 1937, by an employe who elects the option under this paragraph on January 1, 1992, whichever is earlier, and shall then be included within the provisions of the Wisconsin retirement system under ch. 40 as a participating employe, except that the department of employe trust funds may require prior written notice, not exceeding one year's duration, of an employe's intent to be included within the provisions of the Wisconsin retirement system under ch. 40.

5. Notwithstanding any other provisions of the retirement system established under chapter 201, laws of 1937, if a district attorney or state employe of the office of district attorney in a county having a population of 500,000 or more who does not have vested benefit rights under the retirement system established under chapter 201, laws of 1937, becomes a participat-

ing employe under the Wisconsin retirement system under ch. 40 as provided in this subsection, the participating employe may, on a form developed by the department of employe trust funds in consultation with that county, elect to transfer from the retirement system established under chapter 201, laws of 1937, an amount equal to all employer contributions made on his or her behalf, not including any employer contributions for unfunded prior service liability made on the basis of his or her earnings, to the retirement system established under chapter 201, laws of 1937, together with all interest actually accrued on those contributions, to the employer required contribution account provided for by s. 40.05 (2). An election under this subdivision constitutes a full and complete waiver of any right to any benefit from the retirement system established under chapter 201, laws of 1937, for any benefit accrued or service rendered under that retirement system prior to the election. Any provision in the retirement system established under chapter 201, laws of 1937, for repurchasing benefits or service forfeited shall not apply to the benefits and service transferred under this subdivision.

SECTION 333d. 978.12 (6) of the statutes, as affected by 1989 Wisconsin Acts 31 and 117, is renumbered 978.12 (6) (a) and amended to read:

978.12 (6) (a) District attorneys and state employes ~~in~~ of the office of district attorney shall be included within all insurance ~~and deferred compensation benefits of benefit plans under~~ benefit plans under ch. 40, ~~as eligible employes of that office,~~ except as authorized in this ~~subsection paragraph.~~ Alternatively, the state shall provide insurance benefit plans for district attorneys and state employes in the office of district attorney in the manner provided in this paragraph. A district attorney or other employe of the office of district attorney who was employed in that office as a county employe on December 31, 1989, and who received any form of fringe benefits other than a retirement, ~~deferred compensation or employe-funded reimbursement account plan~~ as a county employe, as defined by that county pursuant to the county's personnel policies, or pursuant to a collective bargaining agreement in effect on January 1, 1990, or the most recent collective bargaining agreement covering represented employes who are not covered by such an agreement, may elect to continue to be covered under all such fringe benefit plans provided by the county after becoming a state employe. In a county having a population of 500,000 or more, the fringe benefit plans shall include health insurance benefits fully paid by the county for each retired employe who, on or after December 31, 1989, attains at least 15 years of service in the office of district attorney of that county, whether or not the service is as a county employe, for the duration of the employe's life. An employe may make an election under this ~~subsection paragraph~~ no later than January 31, 1990, except that an employe who serves as an assistant district attorney in a county having a popula-

tion of 500,000 or more may make an election under this subsection paragraph no later than March 1, 1990. An election under this subsection paragraph shall be for the duration of the employe's employment in the office of district attorney for the same county by which the employe was employed or until the employe terminates the election under this subsection paragraph, at the same cost to the county as the county incurs for a similarly situated county employe. If the employer's cost for such fringe benefits for any such employe is less than or equal to the cost for comparable coverage under ch. 40, if any, the state shall reimburse the county for that cost. If the employer's cost for such fringe benefits for any such employe is greater than the cost for comparable coverage under ch. 40, the state shall reimburse the county for the cost of comparable coverage under ch. 40 and the county shall pay the remainder of the cost. An employe who makes the election under this subsection paragraph may terminate that election, and shall then be included within all insurance and deferred compensation benefits of benefit plans under ch. 40, except that the department of employe trust funds may require prior written notice, not exceeding one year's duration, of an employe's intent to be included under any insurance benefit plan under ch. 40.

for a lake level control pilot project program to install check dams to control water levels on lakes with falling water levels. To determine the need for a check dam, the department shall conduct scientific studies and install monitoring equipment on properties where there is reason to believe that an activity that is not regulated by the department may be causing a substantial adverse impact on public rights and interests in the waters of the state.

(2) The department of natural resources shall, if possible, obtain consent from a property owner before conducting studies or installing equipment on property as part of the project under this subsection section. If the department is unable to obtain consent from the property owner, the department may proceed to conduct the studies or install the equipment only after showing that the investigation is necessary to protect public rights and interests and treating the matter as a contested case under chapter ch. 227 of the statutes.

SECTION 335. 1989 Wisconsin Act 31, section 3040 (4n) (c) is repealed.

SECTION 335g. 1989 Wisconsin Act 31, section 3047 (2x) (c) and (d) are amended to read:

[1989 Wisconsin Act 31] Section 3047 (2x) (c) ~~Submit~~ The department of regulation and licensing shall submit the proposed rules required under section 451.12 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 7th month beginning after the effective date of this paragraph.

(d) Notwithstanding section 451.04 (2) (d) and (e) of the statutes, as created by this act, the department of regulation and licensing shall issue an acupuncturist certificate under chapter 451 of the statutes, as created by this act, to any individual who, not later than the first day of the 4th month beginning after the effective date of this paragraph, submits an application for the certificate to the department of regulation and licensing, pays to the department of regulation and licensing an \$82 certification fee and submits evidence satisfactory to the department of regulation and licensing that he or she has established a residence, as described in section 6.10 (1) of the statutes, in this state at least 12 months before the effective date of this paragraph and has been actively engaged in the practice of acupuncture in this state at any time during the 12 months immediately preceding the effective date of this paragraph.

SECTION 335m. 1989 Wisconsin Act 31, section 3058 (1e) (c) is amended to read:

[1989 Wisconsin Act 31] Section 3058 (1e) (c) Any person who is employed as a deputy or assistant district attorney on the day prior to the effective date of this paragraph, who applies on or before that date to transfer to state employment and whose position is not authorized by the department of administration shall have the right to appointment to any vacant position as an assistant district attorney, and if the person was employed as a deputy district attorney on

Vetoed  
in Part

~~SECTION 333e. 978.12 (6) (b) of the statutes is created to read:  
978.12 (6) (b) Every district attorney or state employe of the office of district attorney is eligible for coverage under the deferred compensation plan and the employe-funded reimbursement account plan under ch. 40.~~

SECTION 333f. 978.13 (1) (intro.) and (a) of the statutes, as affected by 1989 Wisconsin Acts 31 and 122, are amended to read:

978.13 (1) (intro.) ~~Except for expenses under sub. (2),~~ The state shall assume financial responsibility for all of the following:

(a) ~~Necessary expenses relating to the operation of~~ Payment of salaries and fringe benefits for district attorney offices in the state attorneys, deputy district attorneys and assistant district attorneys and compensation and disbursements of acting district attorneys.

SECTION 333g. 978.13 (2) (intro.) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

978.13 (2) (intro.) ~~Each~~ Except as provided in sub. (1), each county in a district attorney's prosecutorial unit ~~shall provide~~ has financial responsibility for the operation of the district attorney's office, including, but not limited to, all of the following:

SECTION 334. 1989 Wisconsin Act 31, section 3040 (4n) (title), (a) and (b) are renumbered 144.255 (title), (1) and (2) of the statutes and amended to read:

144.255 (title) Lake level control program. (1) ~~From~~ The department shall expend the funds in the appropriation under section s. 20.370 (2) ~~(ma), the department of natural resources shall expend \$12,500 (ae)~~

the day prior to the effective date of this paragraph, as a deputy district attorney, which is available to be filled by the department of ~~justice~~ administration after the effective date of this paragraph, within the prosecutorial unit under section 978.01 of the statutes, as created by this act, in which the person was employed on the day prior to the effective date of this paragraph for a period of 2 years from that date. If more than one such person is granted the right to an appointment to the same position under this subsection, the person having the greatest length of service as a deputy or assistant district attorney, or both, in the county in which he or she is employed on December 31, 1989, has the right to appointment.

Vetoed  
in Part

~~SECTION 335h. 1989 Wisconsin Act 31, section 3058 (1f) (d) is created to read:~~

~~[1989 Wisconsin Act 31] Section 3058 (1f) (d) Notwithstanding sections 978.12 (1) (b) and (c) of the statutes if, pursuant to a collective bargaining agreement or county ordinance in effect on December 31, 1989, a deputy or assistant district attorney who was transferred to state employment on January 1, 1990, would have received a salary in any part of calendar year 1990 which is greater than the salary established for his or her position under section 987.12 (1) (b) or (c) of the statutes, the salary of the deputy or assistant district attorney shall be set at the same amount during calendar year 1990 that the deputy or assistant district attorney would have received in county employment in that year.~~

~~SECTION 336. 1989 Wisconsin Act 31, section 3202 (44) (dd) is repealed.~~

~~SECTION 3001. Nonstatutory provisions; administration.~~

Vetoed  
in Part

~~(1) RELAY SERVICE BOARD.~~

~~(a) Position authorizations.~~

~~1. The authorized FTE positions for the department of administration are increased by 1.0 GPR position, to be funded from the appropriation under section 20.505 (4) (ds) of the statutes, as created by this act, to provide staff services to the relay service board.~~

Vetoed  
in Part

~~(b) Rules. The relay service board shall submit the proposed rules required under section 16.995 (3) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than March 1, 1991.~~

~~(c) Initial terms of board members. Notwithstanding section 15.105 (22) (b) 1 and 2 of the statutes, as created by this act, the initial nonlegislative members of the relay service board shall be appointed for terms expiring on the following dates:~~

~~1. Two members appointed under section 15.105 (22) (b) 1 of the statutes, as created by this act, and one member appointed under section 15.105 (22) (b) 2 of the statutes, as created by this act, May 1, 1991.~~

~~2. One member appointed under section 15.105 (22) (b) 1 of the statutes, as created by this act, and 2 mem-~~

~~bers appointed under section 15.105 (22) (b) 2 of the statutes, as created by this act, May 1, 1992.~~

Vetoed  
in Part

~~3. One member appointed under section 15.105 (22) (b) 1 of the statutes, as created by this act, and 2 members appointed under section 15.105 (22) (b) 2 of the statutes, as created by this act, May 1, 1993.~~

~~(1k) AMERICAN INDIAN ASSISTANCE. The department of administration shall assign 1.0 FTE GPR position, funded from the appropriation under section 20.505 (1) (a) of the statutes, to staff the American Indian assistance program under section 16.06 of the statutes, as created by this act.~~

Vetoed  
in Part

~~SECTION 3004. Nonstatutory provisions; agriculture, trade and consumer protection.~~

Vetoed  
in Part

~~(1p) DAIRY PLANT SECURITY PROGRAM. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 0.25 PR position, to be funded from the appropriation under section 20.115 (1) (jz) of the statutes, as created by this act, for the purpose of administering the dairy plant security program.~~

~~SECTION 3006. Nonstatutory provisions; banking.~~

~~(1) RECORDS. Persons licensed as community currency exchanges on the effective date of this subsection and who maintain books, accounts and records required by this act outside of this state, shall have until the first day of the 7th month beginning after publication to comply with section 218.05 (14) (b) 2 of the statutes, as created by this act.~~

~~SECTION 3010. Nonstatutory provisions; circuit courts.~~

~~(1) CIRCUIT COURT BRANCHES, 1991. The initial election for circuit judges for the following branches shall be at the spring election of 1991 for terms commencing August 1, 1991, and ending July 31, 1997:~~

~~(a) Branch 42 of the circuit court for Milwaukee county.~~

~~(b) Branch 9 of the circuit court for Racine county.~~

~~(c) Branch 6 of the circuit court for Winnebago county.~~

~~(d) Branch 3 of the circuit court for Columbia county.~~

~~(e) Branch 8 of the circuit court for Brown county.~~

~~(f) Branch 2 of the circuit court for Polk county.~~

~~(2) CIRCUIT COURT BRANCHES, 1992. The initial election for the circuit judges for branches 43 and 44 of the circuit court for Milwaukee county shall be at the spring election of 1992 for terms commencing August 1, 1992, and ending July 31, 1998.~~

~~(3) CIRCUIT JUDGE POSITIONS. The authorized FTE positions for the circuit courts are increased by 6.0 GPR circuit judge positions on August 1, 1991, and by 2.0 GPR circuit judge positions on August 1, 1992, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide additional circuit court judges for the circuit court branches created by this act.~~

(4) COURT REPORTER POSITIONS. The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on August 1, 1990, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional court reporter for the circuit court branch created in 1989 Wisconsin Act 65, section 2.

~~SECTION 301N. Nonstatutory provisions; conservation corps board.~~

Vetoed in Part

~~(1P) HUMAN SERVICES ACTIVITIES.~~

~~(a) In this subsection, "human services activity" has the meaning given in section 16.20 (1) (cm) of the statutes, as created by this act.~~

~~(b) In the 1989-91 biennium, the Wisconsin conservation corps board may authorize no more than 8 projects which include human services activities. In the 1989-91 biennium, the board may only approve projects which include human services activities if those projects also include conservation activities, as defined in section 16.20 (1) (b) of the statutes, and provide participating Wisconsin conservation corps enrollees with significant experience in both kinds of activities. In the 1989-91 biennium, the board may not approve a project that includes tutoring or a project in which Wisconsin conservation corps enrollees provide child day care services.~~

~~(c) The executive secretary and the staff of the Wisconsin conservation corps board shall encourage sponsors to submit applications for projects which qualify under paragraph (b) and shall assist in planning those projects.~~

~~(d) On or before September 1, 1990, the executive secretary of the Wisconsin conservation corps board shall submit a report on the delivery of human services by the Wisconsin conservation corps to the governor and the members of the joint committee on finance.~~

~~SECTION 3015. Nonstatutory provisions; development.~~

~~(1) AMERICAN INDIAN ECONOMIC LIAISON PROGRAM. The authorized FTE positions for the department of development are increased by 1.0 GPR position on July 1, 1990, to be funded from the appropriation under section 20.145 (1) (dg) of the statutes, as created by this act, for the purpose of complying with section 560.075 (2) (e) of the statutes, as created by this act.~~

Vetoed in Part

~~(1gp) HERITAGE TOURISM POSITION AUTHORIZATION.~~

~~The authorized FTE positions for the department of development are increased by 1.0 GPR project position to be funded from the appropriation under section 20.143 (2) (bm) of the statutes, as created by this act, for the period ending on June 30, 1994, for the purpose of administering the state's participation in the heritage tourism pilot program, as defined in section 560.31 (1) (b) of the statutes, as created by this act.~~

Vetoed in Part

~~(1hpb) ETHNIC GROUP TRAVEL GRANTS.~~

~~(a) From the appropriation under section 20.143 (2) (br) of the statutes, as created by this act, the department of development may make grants to~~

~~groups whose members share an ethnic heritage and an interest in the customs, culture and history associated with that heritage, if the department determines that all of the following apply:~~

Vetoed in Part

~~1. The proceeds of the grant will be used as partial funding for travel expenses associated with cultural exchange trips for the members of the group.~~

~~2. The group provides matching funds, in cash, at least equal to the amount of the grant.~~

~~(b) This subsection does not apply after June 30, 1991.~~

~~(1m) MANUFACTURING FIRM LOAN.~~

Vetoed in Part

~~(a) In this subsection:~~

~~1. "Department" means the department of development.~~

~~2. "Secretary" means the secretary of development.~~

~~(b) The department may make a loan from the appropriation under section 20.143 (1) (d) of the statutes, as affected by this act, to a manufacturing firm, if all of the following apply:~~

Vetoed in Part

~~1. The manufacturing firm owns a manufacturing facility located within the exterior boundaries of the Lac du Flambeau reservation in this state, and that manufacturing facility employed at least 150 persons as of January 1, 1990.~~

Vetoed in Part

~~2. The manufacturing firm submits to the department a plan detailing the proposed use of the loan proceeds, and the secretary approves the plan under paragraph (c).~~

~~3. The manufacturing firm agrees to submit to the secretary the report required under paragraph (d).~~

Vetoed in Part

~~4. The manufacturing firm enters into a written agreement with the department specifying the terms of the loan, including reporting and auditing requirements.~~

Vetoed in Part

~~5. The amount of the loan does not exceed \$1,200,000.~~

~~(c) The secretary may approve a plan submitted under paragraph (b) 2 if all of the following are satisfied:~~

~~1. The manufacturing firm proposes to use the loan proceeds to cover expenses necessary to maintain the sound business and financial operations of the manufacturing facility.~~

Vetoed in Part

Vetoed in Part

~~2. The secretary determines that the proposed use of the loan proceeds is likely to lead to the retention of jobs in an area of the state with high unemployment and a low average income.~~

Vetoed in Part

~~(d) A manufacturing firm that receives a loan under this subsection shall submit to the secretary a report describing how the loan proceeds were actually used. The report shall be submitted within 2 years after receiving the loan.~~

Vetoed in Part

~~(e) The department shall deposit moneys received in repayment of a loan under this subsection in the appropriation under section 20.143 (1) (ie) of the statutes.~~

(f) The department may not make a loan under this subsection after June 30, 1991.

(2m) BANK HOLDING COMPANY LOAN.

(a) In this subsection:

1. "Department" means the department of development.

2. "Minority group member" has the meaning given in section 560.036 (1) (f) of the statutes.

3. "Secretary" means the secretary of development.

(b) The department shall loan up to \$1,000,000 from the appropriation under section 20.143 (1) (d) of the statutes, as affected by this act, to a bank holding company if all of the following apply:

1. The bank holding company is located in a 1st class city.

2. The bank holding company is at least 51% owned and controlled by minority group members.

3. The bank holding company submits to the department documentation that its charter and recapitalization plan, if applicable, has been approved by appropriate regulatory authorities.

4. The bank holding company and any minority-owned subsidiary of the bank holding company serves a significant number of residents, small businesses and community-based organizations, including low-income and minority residents and minority-owned or minority-operated businesses and organizations, in an area that has high unemployment and low average income.

5. The bank holding company submits to the department a plan detailing the proposed use of the loan proceeds, and the secretary approves the plan under paragraph (c).

6. The bank holding company enters into a written agreement with the department specifying the term of the loan, which shall be at least 12 years and may be extended by agreement of the secretary and the bank holding company, and establishing the other terms of the loan, including reporting and auditing requirements.

(c) The secretary shall approve a plan submitted under paragraph (b) 5 if all of the following are satisfied:

1. The bank holding company proposes to use the loan proceeds to capitalize a bank subsidiary that is at least 51% owned and controlled by minority group members and to capitalize a subsidiary that is a local development corporation, as defined in section 560.80 (7) (b) 2 of the statutes, and the bank holding company specifies that none of the loan proceeds will be used for salaries or administrative costs.

2. The secretary determines that the proposed use of the loan proceeds is likely to stimulate and retain business investment and jobs in an area that has high unemployment and low average income.

3. The secretary believes that it is reasonably likely that the bank holding company will be able to repay the loan in full.

(d) The secretary shall make a loan under this subsection within 45 days after the effective date of this paragraph if paragraph (b) 1 to 6 is satisfied within 44 days after the effective date of this paragraph. Failure to satisfy paragraph (b) 1 to 6 within 44 days after the effective date of this paragraph does not affect the department's obligation to make a loan under this subsection if paragraph (b) 1 to 6 is satisfied at a later date that is before July 1, 1991.

(e) 1. A bank holding company that receives a loan under this subsection shall submit an annual report to the department until the loan is repaid in full, consisting of all of the following information:

a. The ability of the bank holding company's banking subsidiary that is at least 51% owned and controlled by minority group members to satisfy its capital reserve requirements.

b. The activities of the bank holding company's subsidiary that is a local development corporation, as defined in section 560.80 (7) (b) 2 of the statutes.

c. Any other information that, in negotiations on the loan, the department and bank holding company agree will be reported.

2. The first report under subdivision 1 is due within 12 months after the loan is issued.

(f) The department shall deposit moneys received in repayment of a loan under this subsection in the appropriation under section 20.143 (1) (ie) of the statutes.

(g) The department may not make a loan under this subsection after June 30, 1991.

(3gx) SPOONER REDEVELOPMENT AUTHORITY LOAN.

(a) In this subsection, "Spoooner redevelopment authority" means the redevelopment authority of the city of Spooner created under section 66.431 of the statutes.

(b) The department of development shall make a loan from the appropriation under section 20.143 (1) (d) of the statutes, as affected by this act, to the Spooner redevelopment authority, if all of the following apply:

1. The Spooner redevelopment authority submits to the department of development a plan detailing the proposed use of the loan proceeds, and the secretary of development approves the plan under paragraph (c).

2. The Spooner redevelopment authority enters into a written agreement with the department of development specifying the terms of the loan, including reporting and auditing requirements.

3. The amount of the loan does not exceed \$750,000.

~~(c) The secretary of development shall approve a plan submitted under paragraph (b) 1 if the Spooner redevelopment authority proposes in the plan to use the loan proceeds to pay operating expenses and debts relating to redevelopment projects of the Spooner redevelopment authority.~~

Vetoed  
in Part

Vetoed  
in Part



(d) The department of development shall deposit moneys received in repayment of a loan under this subsection in the appropriation under section 20.143 (1) (ie) of the statutes.

(e) The department of development may not make a loan under this subsection after June 30, 1991.

(3m) TOURISM PROMOTION APPROPRIATION INCREASE. Notwithstanding section 16.42 (1) (e) of the statutes, the department of development may not include any information relating to the amount by which the appropriation under section 20.143 (2) (b) of the statutes is increased for fiscal year 1990-91 by SECTION 3115 (1g) of this act in the information it submits under section 16.42 of the statutes for purposes of the 1991-93 biennial budget bill.

(4p) TRIBAL AND COMMUNITY RELATIONS COMMITTEES; RULES DEADLINE. The department of development shall submit the proposed rules required under section 560.12 (6) of the statutes, as created by this act, to the legislative council staff 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.

(5m) REGIONAL PLANNING COMMISSION GRANT.

(a) From the appropriation under section 20.143 (1) (dm) of the statutes, as affected by this act, the department of development shall make a grant in the amount of \$100,000 to a regional planning commission organized under section 66.945 of the statutes, if all of the following apply:

1. The chairperson of the regional planning commission, or the chairperson's designee, certifies to the department that the regional planning commission has previously received a grant of at least \$300,000 from the federal economic development administration for purposes of replenishing its revolving loan fund.

2. The regional planning commission received a grant from the department under 1987 Wisconsin Act 27, section 3016 (4g), for use as matching funds to obtain the grant described in subdivision 1 from the federal economic development administration.

3. The regional planning commission agrees to use the proceeds of the grant under this subsection only for purposes of replenishing its revolving loan fund.

(b) The department may not make a grant under this subsection after June 30, 1991.

**SECTION 3023. Nonstatutory provisions; health and social services.**

**Vetoed in Part** (N) PUBLIC ASSISTANCE APPLICATION FORM. The department of health and social services shall design a simplified application form for aid to families with dependent children under section 49.19 of the statutes, medical assistance under sections 49.45 to 49.47 of the statutes and food stamp program benefits under section 7 USC 2011 to 2029. In designing the simplified application form, the department shall consult with groups that advocate for persons who receive or are eligible for these programs. The simplified applica-

tion form shall comply with section 49.13 (6) of the statutes, as created by this act, and the department shall begin the use of the form by July 1, 1992, or the date on which the department implements a pilot program for the redesign of its computer reporting network for public assistance programs, whichever is earlier.

**Vetoed in Part**

**(2) FOOD STAMP OUTREACH; FEDERAL POSITIONS.**

(a) The authorized FTE positions for the department of health and social services are increased by 0.5 FED position on July 1, 1990, to be funded from the appropriation under section 20.435 (6) (n) of the statutes, to administer the food stamp outreach program.

**Vetoed in Part**

(b) The authorized FTE positions for the department of health and social services are increased by 0.25 FED position on July 1, 1990, to be funded from the appropriation under section 20.435 (8) (n) of the statutes to evaluate the food stamp outreach program.

**(2r) INITIAL DISTRIBUTIONS OF COMMUNITY AIDS FUNDS.**

**Vetoed in Part**

(a) *Distributions to allocations.* The amounts authorized to be allocated for community aids under section 46.40 (1) of the statutes, as affected by this act, for the first 6 months of 1991 shall be distributed among the allocations under section 46.40 (1) of the statutes, as affected by this act, in the proportion in which all counties expended funds on clients in each of these categories, as reported by all counties to the department of health and social services in the most recent calendar year for which data is available.

(b) *Distributions to counties.* From the appropriations under section 20.435 (3) (oo) and (7) (b), (c) and (d) of the statutes, the department of health and social services shall allocate to a county for services under section 46.40 (1) of the statutes, as affected by this act, for the first 6 months of 1991, the amount determined under section 46.26 of the statutes, as affected by this act, for the first 6 months of 1991 and the amounts that it would have allocated to the county for the first 6 months of 1991 under section 46.40 (1) (d) and (e), (2) to (7), (10) and (13) of the statutes, as affected by 1989 Wisconsin Acts 31 and 122 and Sections 79 and 80 of this act but not by Section 78 of this act. The department of health and social services shall distribute the amounts allocated to a county for community aids for the first 6 months of 1991 among the allocations to a county under section 46.40 (1) of the statutes, as affected by this act, in the proportion in which a county expended funds on clients in each of these categories in the most recent calendar year for which data is available, as reported by the county to the department of health and social services.

(2rn) STUDY OF ADMINISTRATIVE COSTS. The department of health and social services shall conduct a time study of each county department under sections 46.215, 46.22, 46.23, 51.42 and 51.437 of the statutes in the state to determine the time spent by these departments in administering programs for the client groups enumerated under section 46.40 (1) of the stat-

Vetoed  
in Part

ities, as affected by this act. The department shall use the results of the study to designate a portion of funds within each allocation under section 46.40 (1) of the statutes, as affected by this act, that may be expended on administrative costs in the rules required to be promulgated by the department in section 46.40 (3) of the statutes, as affected by this act.

(2x0) ALLOCATION FOR ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT. From the appropriation under section 20.435 (7) (dh) of the statutes, as affected by this act, the department of health and social services shall allocate not more than \$920,000 for the first 6 months of 1991 for services to persons with Alzheimer's disease and their caregivers under section 46.87 of the statutes, as affected by this act.

(2x0) REPORT OF LEGISLATIVE COUNCIL SPECIAL COMMITTEE ON COMMUNITY AIDS. The legislative council special committee on community aids shall transmit a copy of its recommendations regarding human services needs assessment to the department of administration no later than June 30, 1991.

(3) FEDERAL POSITIONS FOR OUTREACH. The authorized FTE positions for the department of health and social services are increased by 1.25 FED positions on July 1, 1990, to be funded from the appropriation under section 20.435 (1) (n) of the statutes, to perform outreach for the program of early and periodic screening and diagnosis for children under medical assistance.

(3b) FEDERAL POSITIONS FOR NURSING HOME SURVEYS. The authorized FTE positions for the department of health and social services are increased by 10.38 FED positions on July 1, 1990, to be funded from the appropriation under section 20.435 (1) (n) of the statutes, to perform medical assistance and medicare nursing home surveys and certifications.

(3d) FEDERAL POSITION REDUCTIONS FOR NURSING HOME SURVEY ACTIVITY. The authorized FTE positions for the department of health and social services are decreased by 13.66 FED positions on July 1, 1990, and by 0.17 FED position on July 1, 1991, funded from the appropriation under section 20.435 (1) (n) of the statutes, to reflect a reduction in the federal share of funding for medical assistance nursing home surveys and certifications.

Vetoed  
in Part

(3f) MEDICAL ASSISTANCE WAIVER. The department of health and social services shall request a waiver from the secretary of the federal department of health and human services permitting medical assistance to pay expenses for medical care under the adoption assistance program under section 48.975 of the statutes in certain circumstances in which the expenses are covered by a health insurance policy. The department of health and social services shall seek a waiver that is limited to allowing medical assistance to pay expenses that are covered by a health insurance policy only in the circumstance in which the insurer would be eligible under section 632.896 (5) of the statutes, as created by this act, for reimbursement of those expenses if the

expenses were covered by the policy rather than under the adoption assistance program. On or before January 1, 1991, the department of health and social services shall submit a report 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, describing its efforts to obtain a federal waiver in accordance with this subsection.

Vetoed  
in Part

(3fc) MEDICAL ASSISTANCE FACILITY REIMBURSEMENT BASED ON RESIDENT CLASSIFICATION.

(a) In this subsection:

1. "Facility" means a nursing home as defined under section 50.01 (3) of the statutes or a community-based residential facility that is licensed under section 50.03 of the statutes and that is certified by the department of health and social services as a provider of medical assistance, except that "facility" does not include a place in which services are primarily provided to individuals with developmental disability.

2. "Resident" means an individual who resides in a facility.

(b) The secretary of health and social services shall appoint an advisory committee under section 15.04 (1) (c) of the statutes to advise the department of health and social services under paragraph (c). The membership of the committee shall include representatives of facilities, organized labor and advocacy organizations for residents.

(c) The department of health and social services, with the advice of the advisory committee under paragraph (b), shall design a system for assessing residents whose costs of care are reimbursed from medical assistance according to their functional levels, health conditions and service needs and for collecting data based on the assessments and shall, by January 1, 1991, submit a plan of implementation to the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes. The plan shall include details of how the system will operate, a timetable for implementation of the system, an estimate of the costs to the state and to facilities of implementing the system and a draft of any statutory language that would be needed for implementation of the system. The plan shall identify further study that is needed in order to use the system to determine the quality of care provided by facilities and the medical assistance reimbursement of facilities.

(3g) RULES. The department of health and social services shall submit the proposed rules required under section 632.896 (5) (e) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 7th month beginning after the effective date of this subsection.

Vetoed  
in Part

(3h) NURSE PRACTITIONER RULES.

(a) The department of health and social services shall submit in final draft form any proposed rules defining the term "nurse practitioner" for the purpose

of section 49.46 (2) (b) 6. g 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 September 1, 1990.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules defining the term "nurse practitioner" for the purpose of section 49.46 (2) (b) 6. g of the statutes, as affected by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. 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 (2) (a) of the statutes, the total period for all extensions granted by the joint committee for review of administrative rules of the effective period of a rule promulgated under this paragraph may not exceed 180 days.

(3j) RULES.

(a) The department of health and social services shall submit the proposed rules required under section 146.88 (6) of the statutes, as created by this act, to the legislative council staff 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 paragraph.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate the rules required under section 146.88 (6) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

(c) Notwithstanding section 227.24 (1) and (3) of the statutes, the department of health and social services may use the procedure under section 227.24 to promulgate the rules permitted under section 146.88 (5) of the statutes, as created by this act, without making a finding of emergency. Any rule promulgated under this paragraph remains in effect for the period authorized under section 227.24 (1) (c) and (2) of the statutes or until a corresponding rule is promulgated using the procedure under sections 227.15 to 227.22 of the statutes, whichever is earlier.

(3k) REPORT. The department of health and social services shall evaluate the program established under section 146.88 of the statutes, as created by this act, and shall submit its findings and recommendations, by July 1, 1992, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes. The department shall examine, among other issues relating to the effectiveness of the program, whether the payment of premium subsidies for continuation coverage under group health plans has an impact on the following:

(a) The accessibility of health care to individuals with HIV infection.

(b) The amount expended under the state's medical assistance program for individuals with HIV infection.

(3x) BREAST CANCER SCREENING PROGRAM.

(a) *Definitions.* In this subsection:

1. "Hospital" has the meaning given in section 50.33 (2) of the statutes.

~~2. "Local public health agency" means an agency or official specified in section 140.09, 141.01, 141.015, 141.02 or 141.04 of the statutes.~~

Vetoed  
in Part

3. "Mammography" means the making of a record of a breast by passing X-rays through a body to act on specially sensitized film.

4. "Nonprofit corporation" means a nonstock, nonprofit corporation organized under chapter 181 of the statutes or a nonprofit corporation organized under chapter 180 of the statutes prior to July 1, 1953.

5. "Organization" means a nonprofit corporation or a public agency.

6. "Poverty line" means the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 9902 (2).

7. "Public agency" means a county, city, village or town or an agency of a county, city, village or town.

(b) *Breast cancer screening program.* From the appropriation under section 20.435 (1) (cc) of the statutes, the department of health and social services shall, in state fiscal year 1990-91, administer a breast cancer screening program and allocate funds in the following amounts to implement, as follows, the program:

Vetoed  
in Part

1. Up to \$422,600 as grants for provision of mammography services to women who are aged 40 years or older and who reside in the county of Adams, Clark, Dunn, Iron, Kewaunee, Langlade, Marquette, Oconto, Price, Taylor, Trempealeau or Wood in this state. Grants shall be awarded to an applying hospital or organization that has a mobile or portable mammography unit available for use in an area of service under this subdivision and that is selected by the department of health and social services under procedures established by the department. Payment for services provided under a grant shall be as follows:

a. For a woman for whom 3rd-party payment is obtainable, payment by the source of 3rd-party payment at full reasonable charge.

b. For a woman for whom 3rd-party payment is not obtainable and whose income is above 150% of the poverty line, payment by the woman based on a sliding scale according to her income, as developed by the department of health and social services.

c. For a woman for whom 3rd-party payment is not obtainable and whose income is at or below 150% of the poverty line, no payment.

~~2. Up to \$140,700 as grants for the provision of services associated with the mammography services.~~

Vetoed  
in Part

provided under subdivision 1. Grants shall be awarded to applying local public health agencies in the counties of Adams, Clark, Dunn, Iron, Kewaunee, Langlade, Marquette, Oconto, Price, Taylor, Trempealeau and Wood that are selected by the department of health and social services under procedures established by the department. Services that shall be provided under grants under this subdivision shall be all of the following:

**Vetoed in Part**

a. Outreach services, including promotion of the availability of mammography services, education concerning the necessity for regular and frequent receipt of mammographies and transportation for clients to mammography provider sites.

b. Nursing services related to assessing each client's risk of breast cancer, providing counseling, explaining breast cancer screening procedures, referring clients to medical providers, and following a client's progress to determine if the client received mammography results and whether the results, if any, indicated abnormality.

3. Up to \$20,000 for the development and provision by the department of health and social services, of media announcements and of educational materials concerning the need for and availability of breast cancer screening program services for women in areas served under grants under subdivisions 1 and 2.

4. Up to \$45,400 as a one-time grant to the city of Milwaukee to supplement, for state fiscal year 1990-91 only, funding for the breast cancer screening program of the city that provides services of a mobile mammography unit.

(4dq) LINCOLN HILLS STUDY.

(a) The department of health and social services shall contract with a public or private entity or a person outside of the department of health and social services to study the feasibility of relocating girls from Lincoln Hills to an alternative site. Applications and selection for the contract shall be in accordance with the request-for-proposal procedures established by the department of health and social services. The study shall assess program needs, construction and renovation costs and operating costs for delivering secure corrections programs to delinquent girls who have attained the age of 12 but have not attained the age of 18. The study shall be completed by the first day of the 6th month beginning after the effective date of this paragraph.

**Vetoed in Part**

(b) The department of health and social services shall report the results of the study to the chief clerk of each house of the legislature for distribution to the appropriate standing committees on juvenile justice, in the manner provided in section 13.172 (3) of the statutes, by the first day of the 6th month beginning after the effective date of this paragraph.

**Vetoed in Part**

(4ep) ETHAN ALLEN YOUTH WHO MUST BE SEPARATED. The department of health and social services shall report to the joint committee on finance by May 25, 1990, on the need for additional security beds at

Ethan Allen school for juveniles who must be separated from the general population because they have exhibited dangerous or violent behavior. If additional beds are needed, the report shall include a plan for providing those beds and contain the costs of implementing the plan. The committee may consider the report for action at its June 1990 meeting under section 13.10 of the statutes. From the moneys available under section 20.435 (3) (hm) of the statutes, \$180,400 in fiscal year 1990-91 may be released for expenditure for purposes specified in section 31.23 (1sv) of this act only with the approval of the committee.

**Vetoed in Part**

(5j) RULES: UTILIZATION REVIEW AND PEER REVIEW.

(a) The department of health and social services shall submit in final draft form any proposed rules defining the terms "utilization review" and "peer review" for the purpose of section 49.45 (3) (b) 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 September 1, 1990.

**Vetoed in Part**

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules defining the terms "utilization review" and "peer review" for the purpose of section 49.45 (3) (b) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. 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 (2) (a) of the statutes, the total period for all extensions granted by the joint committee for review of administrative rules of the effective period of a rule promulgated under this paragraph may not exceed 180 days.

(5p) REPORT ON BARRIERS TO PROVIDING PERSONAL CARE. By February 1, 1991, the department of health and social services shall submit a report to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes and to the joint committee on finance, on the findings of the department under section 49.45 (2) (a) 22 of the statutes, as created by this act, the action that the department has taken to remove any barriers found and actions that the department proposes to take with respect to other or potential barriers.

(6p) ACTIVE TREATMENT PLAN AMENDMENT. The department of health and social services shall, by April 1, 1990, develop and submit to the federal health care financing administration an amendment to the medical assistance state plan concerning the criteria and payment methodology related to provision of, and payment for, active treatment for mentally ill persons residing in facilities, as defined in section 49.45 (6m) (a) 3 of the statutes, and in institutions for mental diseases, beginning April, 1990.

Vetoed  
in Part

~~SECTION 3033. Nonstatutory provisions; higher educational aids board.~~

~~(1g) INDEPENDENT STUDENT GRANTS PROGRAM. The authorized FTE positions for the higher educational aids board are increased by 1.0 GPR position, to be funded from the appropriation under section 20.145 (1) (c) of the statutes, as created by this act, to administer the independent student grants program.~~

~~SECTION 3034. Nonstatutory provisions; justice.~~

~~(1g) ATTORNEY GENERAL PARTICIPATION IN ACTION. The attorney general is requested under section 165.09 of the statutes to participate, by providing assistance to plaintiffs such as legal research, in a federal action that was filed on January 17, 1990, in Rochester, Minnesota, and that challenged federal milk marketing orders as illegal trade barriers to milk sale and movement.~~

~~SECTION 3035. Nonstatutory provisions; legislature.~~

~~(1) LEGISLATIVE COUNCIL STUDY.~~

~~(a) The legislative council is requested to study the methods and procedures by which a town may be incorporated as a city or village and the procedures by which unincorporated territory may be annexed by a city or village.~~

~~(b) The study shall identify any problems with current methods of incorporation of a town as a city or village and discuss possible solutions to these problems.~~

~~(c) The study shall identify any problems with current methods of annexation of unincorporated territory by a city or village and discuss possible solutions to these problems.~~

~~(d) The legislative council is requested to report its findings to the legislature by January 1, 1991, in the manner provided under section 13.172 (2) of the statutes.~~

~~SECTION 3040. Nonstatutory provisions; natural resources.~~

~~(1g) PARK IN THE CITY OF LA CROSSE. Of the amounts appropriated under section 20.866 (2) (tz) of the statutes for local park aids under section 23.09 (20) (d) of the statutes, the department of natural resources shall expend not more than \$20,000 in fiscal year 1990-91 in aid to the city of La Crosse for a park located on the Mississippi river in that city. The amount expended in aid under this subsection shall equal the amount contributed by the city of La Crosse for the park or \$20,000, whichever is less. The requirements under section 23.09 (20) (a) of the statutes do not apply to this project.~~

~~(1p) LAKE MANAGEMENT GRANT; HILLSBORO LAKE. From the appropriation under section 20.370 (4) (cu) of the statutes, the department of natural resources shall allocate \$50,000 in fiscal year 1990-91 for a lake management planning grant under section 144.253 of the statutes for Hillsboro lake in Vernon county.~~

~~(1t) LAKE MANAGEMENT GRANT; LAKE NESHONOC. From the appropriation under section 20.370 (4) (cu)~~

Vetoed  
in Part

of the statutes, the department of natural resources shall allocate \$50,000 in fiscal year 1990-91 for a lake management planning grant under section 144.253 of the statutes for Lake Neshonoc in La Crosse county. **Vetoed in Part**

~~(2b) SAMPLING AND TESTING OF SEDIMENTS. From the appropriation under section 20.370 (1) (db) of the statutes, as created by this act, the department of natural resources may contract for the sampling and testing of sediments from the Fox river and Lake Winnebago, if the testing of sediments is conducted by a laboratory certified under section 144.95 of the statutes. The department shall submit a report of the test results to the Fox river management commission under section 15.345 (5) of the statutes by September 1, 1989.~~ **Vetoed in Part**

~~SECTION 3043. Nonstatutory provisions; public defender board.~~

~~(1g) PROJECT POSITION. The authorized FTE positions for the office of the state public defender are increased by 1.0 GPR project position to provide data programming and auditing services for a period beginning on June 1, 1990, and ending on November 30, 1991, to be funded from the appropriation under section 20.550 (1) (a) of the statutes.~~

~~(2) ANNUAL CASELOAD STANDARDS. Notwithstanding section 977.08 (5) (b) of the statutes, the annual caseload standard that applies prior to July 1, 1991, to an assistant state public defender whose position is authorized under SECTION 3143 (1g) of this act in the subunit responsible for trials is any of the following:~~

- ~~(a) Felony cases: 150.~~
- ~~(b) Misdemeanor cases: 300.~~
- ~~(c) Cases not covered under paragraph (a) or (b): 200.~~

~~SECTION 3047. Nonstatutory provisions; regulation and licensing.~~

~~(1a) AUCTIONEERS EXAMINING BOARD.~~

~~(an) Initial appointments. Notwithstanding section 15.405 (3) of the statutes, as created by this act, the initial auctioneer members of the auctioneers examining board need not be licensed under chapter 457 of the statutes, as created by this act, to be appointed to and serve as members of the examining board. Notwithstanding section 15.405 (3) of the statutes, as created by this act, the initial members of the auctioneers examining board shall be appointed by the first day of the 4th month beginning after the effective date of this paragraph for the following terms:~~

- ~~1. One auctioneer and one public member, for terms expiring on July 1, 1991.~~
- ~~2. One auctioneer, for a term expiring on July 1, 1992.~~
- ~~3. One auctioneer and one public member, for terms expiring on July 1, 1993.~~
- ~~4. One auctioneer, for a term expiring on July 1, 1994.~~

~~(bn) Examination not required. Notwithstanding section 457.04 (2) (d) of the statutes, as created by this act, the auctioneers examining board shall grant an~~

Vetoed  
in Part



**Vetoed  
in Part**

~~an auctioneer license under section 457.04 (2) of the statutes, as created by this act, to any individual who, not later than December 31, 1991, submits an application for licensure to the department of regulation and licensing, satisfies the requirements under section 457.04 (2) (intro.) and (a) to (c) of the statutes, as created by this act, and submits evidence satisfactory to the examining board that he or she:~~

~~1. Has been practicing as an auctioneer in this state for at least one year immediately preceding the effective date of this subdivision; and~~

~~2. Has conducted at least 5 auctions or has had primary responsibility for the proceeds of at least 5 auctions during the period specified in subdivision 1.~~

**SECTION 3048. Nonstatutory provisions; revenue.**

(1) **ADOPTION OF FEDERAL INCOME TAX CHANGES.** Changes to the federal internal revenue code made by P.L. 101-140 and P.L. 101-239 apply to definitions of "internal revenue code" in chapter 71 of the statutes for taxable year 1986 and previous taxable years at the time that those changes apply for federal income tax purposes.

(2p) **DISPARITY PAYMENTS RULES.** For the purposes of the payment under section 79.05 of the statutes, as created by this act, the department of revenue shall promulgate rules to define the general fund budgets of municipalities, to direct the use of accounting methods for various expenses and to require the reporting of information about municipal budgets to the department.

**SECTION 3056. Nonstatutory provisions; veterans affairs.**

**Vetoed  
in Part**

(1g) **CATALOGING MEMORIALS.** The department of veterans affairs shall submit a report by January 31, 1991, to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes, describing the condition of the memorials located under section 45.059 of the statutes, as created by this act, and recommending the amount of state money that should be expended to repair and maintain those memorials.

**Vetoed  
in Part**

**SECTION 3057. Nonstatutory provisions; vocational, technical and adult education.**

(1g) **INTERDISTRICT TUITION.** Prior to July 1, 1991, vocational, technical and adult education district boards are responsible for any costs associated with the elimination of interdistrict tuition for inmates within the state correctional system.

**SECTION 3104. Appropriation changes; agriculture, trade and consumer protection.**

(1) **AGRICULTURAL RESEARCH AND DEVELOPMENT GRANTS.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (4) (c) of the statutes, as affected by the acts of 1989, are increased by \$100,000 for fiscal year 1990-91 to make agricultural research and development grants.

(2p) **DAIRY PLANT SECURITY PROGRAM.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$22,900 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 0.75 GPR dairy plant security program administrator.

**SECTION 3109. Appropriation changes; child abuse and neglect prevention board.**

(1x) **EARLY CHILDHOOD FAMILY EDUCATION CENTER GRANTS.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the child abuse and neglect prevention board under section 20.433 (1) (b) of the statutes, as affected by the acts of 1989, are increased by \$75,000 for fiscal year 1989-90 and by \$75,000 for fiscal year 1990-91 to make early childhood family education center grants to organizations located in counties with a population of 500,000 or more.

**SECTION 3110. Appropriation changes; conservation corps board.**

(1p) **HUMAN SERVICES ACTIVITIES.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (2) (a) of the statutes, as affected by the acts of 1989, are increased by \$16,800 for fiscal year 1989-90 and by \$24,000 for fiscal year 1990-91 to increase the authorized FTE positions for the Wisconsin conservation corps board by 0.5 GPR project position for the period ending on June 30, 1991, for planning and implementing human services activities and to provide related supplies and services.

**Vetoed  
in Part**

**SECTION 3115. Appropriation changes; development.**

(1) **AMERICAN INDIAN ECONOMIC LIAISON PROGRAM.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (a) of the statutes, as affected by the acts of 1989, is decreased by \$33,200 for fiscal year 1990-91 to eliminate from the appropriation under section 20.143 (1) (a) of the statutes funding for the American Indian economic liaison program under section 560.075 of the statutes.

(1c) **REGIONAL PLANNING COMMISSION GRANT.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (dm) of the statutes, as affected by the acts of 1989, is increased by \$100,000 for fiscal year 1989-90 to make grants under SECTION 3015 (5m) of this act.

(1g) **TOURISM PROMOTION.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (2) (b) of the statutes, as affected



by the acts of 1989, is increased by \$600,000 for fiscal year 1990-91 to advertise and promote tourism activities in the state.

**Vetoed  
in Part**

(1m) ~~MANUFACTURING FIRM LOAN.~~ The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (d) of the statutes, as affected by the acts of 1989, is increased by \$1,200,000 for fiscal year 1989-90 to make loans under SECTION 3015 (1m) of this act.

(2m) BANK HOLDING COMPANY LOAN. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (d) of the statutes, as affected by the acts of 1989, is increased by \$1,000,000 for fiscal year 1989-90 to make loans under SECTION 3015 (2m) of this act.

(3gx) SPOONER REDEVELOPMENT AUTHORITY LOAN. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (d) of the statutes, as affected by the acts of 1989, are increased by \$750,000 for fiscal year 1989-90 to make loans under SECTION 3015 (3gx) of this act.

~~SECTION 3116. Appropriation changes; educational communications board.~~

**Vetoed  
in Part**

~~(1) INSTRUCTIONAL TELEVISION FIXED SERVICE SYSTEM. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$185,000 for fiscal year 1990-91 to provide general program operations for the instructional television fixed service system.~~

~~(2) INSTRUCTIONAL TELECOMMUNICATIONS PROJECTS. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (e) of the statutes, as affected by the acts of 1989, is increased by \$552,100 for fiscal year 1990-91 to fund instructional telecommunications projects under section 39.145 of the statutes and by \$58,000 for fiscal year 1990-91 to provide an instructional television fixed service grant to the Lakeshore vocational, technical and adult education district board.~~

**SECTION 3123. Appropriation changes; health and social services.**

(1) JUVENILE CORRECTIONAL SERVICES. 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 (3) (hm) of the statutes, as affected by the acts of 1989, are increased by \$446,500 for fiscal year 1989-90 and by \$1,396,900 for fiscal year 1990-91 to increase the authorized FTE positions of the department on the effective date of this subsection by 41.0 PR project positions and on July 1, 1990, by an additional 4.5 PR permanent social work positions and 1.5 PR permanent support positions to reduce crowding in juvenile

correctional institutions, including provision of all of the following:

- (a) Short-term intensive treatment for juveniles.
- (b) Treatment for emotionally disturbed juveniles.
- (c) Clothing and supplies for juveniles.
- (d) Renovations of a house for girls released on aftercare.
- (e) Six permanent positions to provide intensive aftercare supervision related to increased correctional school releases.
- (f) Staff to provide programs and security.

~~(1sy) ETHAN ALLEN YOUTH WHO MUST BE SEPARATED. 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 (3) (hm) of the statutes, as affected by the acts of 1989, are increased by \$180,400 for fiscal year 1990-91 to increase the authorized FTE positions of the department by 6.5 PR project positions and to provide additional security beds at Ethan Allen school for juveniles who must be separated from the general population because they have exhibited dangerous or violent behavior.~~

**Vetoed  
in Part**

(1sz) LINCOLN HILLS STAFFING. 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 (3) (hm) of the statutes, as affected by the acts of 1989, are increased by \$47,700 for fiscal year 1990-91 to increase the authorized FTE positions of the department by 2.0 PR project positions to provide additional educational and clerical support at Lincoln Hills school.

(2) STATE-OWNED HOUSING MAINTENANCE. The dollar amount 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 (3) (j) of the statutes, as affected by the acts of 1989, is increased by \$25,900 for fiscal year 1989-90 to allow for the expenditure of previously carried-over funding to repair state-owned housing.

(3) INSTITUTIONAL OPERATIONS AND CHARGES. 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 (3) (jr) of the statutes, as affected by the acts of 1989, are increased by \$19,500 for fiscal year 1989-90 and by \$19,000 for fiscal year 1990-91 to allow the juvenile correctional institutions to continue 3 activity therapy projects.

(3p) LINCOLN HILLS STUDY. 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 (3) (a) of the statutes, as affected by the acts of 1989, are increased by \$15,000 for fiscal year 1989-90 to study the feasibility of relocating girls from Lincoln Hills to an alternative site.

(4) COMPUTER REPORTING NETWORK. The dollar amount 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 (6) (a) of the statutes, as affected by the acts of 1989, is increased by \$1,575,000 for fiscal year 1990-91 to fund the redesign of the computer reporting network for income maintenance programs.

**Vetoed  
in Part**

~~(5) BREAST CANCER SCREENING PROGRAM. 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 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$63,400 for fiscal year 1990-91 to increase the authorized FTE positions of the department by 1.5 FTE positions on July 1, 1990, to administer the breast cancer screening program under section 20.23 (3) of this act.~~

**Vetoed  
in Part**

~~(6) GRANTS FOR COMMUNITY PROGRAMS. 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 (7) (bc) of the statutes, as affected by the acts of 1989, are decreased by \$105,000 for fiscal year 1990-91 to remove funding for supported employment services and services to persons with epilepsy from that appropriation, effective January 1, 1991.~~

~~(7) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT. 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 (7) (db) of the statutes, as affected by the acts of 1989, are increased by \$920,000 for fiscal year 1990-91 to fund Alzheimer's family and caregiver support, effective January 1, 1991.~~

(8) EARLY AND PERIODIC SCREENING AND DIAGNOSIS; ADMINISTRATION. The dollar amount 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 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$52,900 for fiscal year 1990-91 to fund administrative costs related to outreach for the program of early and periodic screening and diagnosis for children under medical assistance.

(9) EARLY AND PERIODIC SCREENING AND DIAGNOSIS; POSITIONS. The dollar amount 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 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$31,200 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 0.75 position to perform outreach for the program of early and periodic screening and diagnosis for children under medical assistance.

(10) NURSING HOME SURVEY ACTIVITIES. 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 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$696,800 for fiscal year 1989-90 and by

\$714,400 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 13.66 positions on July 1, 1990, and by 0.17 position on July 1, 1991, to compensate for a reduced federal share of funding for medical assistance nursing home survey and certification activities.

(11) NURSING HOME SURVEY POSITIONS. The dollar amount 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 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$386,900 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 8.87 positions to perform medical assistance and medicare nursing home surveys and certifications.

~~(12) MEDICAL ASSISTANCE FOR CHILDREN AND PREGNANT WOMEN.~~

**Vetoed  
in Part**

~~(a) The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is decreased by \$2,188,100 for fiscal year 1989-90 to reflect increased federal funding for medical assistance coverage of certain children and pregnant women.~~

~~(b) The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$9,488,500 for fiscal year 1990-91 to fund expanded medical assistance coverage of certain children and pregnant women.~~

(13) REIMBURSEMENT FOR OBSTETRIC CARE. The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$4,338,600 for fiscal year 1990-91 to increase the rate of medical assistance reimbursement for obstetric care.

(14) REIMBURSEMENT FOR PEDIATRIC SERVICES. The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$256,800 for fiscal year 1990-91 to increase the rates of medical assistance reimbursement for pediatric services provided by physicians.

(15) REIMBURSEMENT FOR SCREENING AND DENTAL SERVICES FOR CHILDREN. The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$1,682,300 for fiscal year 1990-91 to increase the rates of medical assistance reimbursement for screening performed by physicians under the early and periodic

screening and diagnosis program for children and for certain pediatric dental procedures.

(16) **FEDERALLY QUALIFIED HEALTH CENTERS.** The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$242,800 for fiscal year 1990-91 to fund costs of federally qualified health centers under medical assistance.

(17) **INPATIENT HOSPITAL REIMBURSEMENT.** 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 (1) (b) of the statutes, as affected by the acts of 1989, are increased by \$347,000 for fiscal year 1989-90 and by \$347,000 for fiscal year 1990-91 to fund a 0.5% increase in the rate of medical assistance reimbursement for inpatient hospital services.

(18) **BASE ADJUSTMENT.** 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 (1) (b) of the statutes, as affected by the acts of 1989, are increased by \$4,274,800 for fiscal year 1989-90 and by \$11,288,100 for fiscal year 1990-91 to reflect a base reestimate of funding needs under the medical assistance program.

(19) **REIMBURSEMENT FOR CHIROPRACTIC SERVICES.** The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$175,700 for fiscal year 1990-91 to increase the rate of medical assistance reimbursement for chiropractic services.

Vetoed  
in Part

~~(19g) **SUPPORT SERVICES FOR PREGNANT WOMEN.** The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$1,491,400 for fiscal year 1990-91 to fund medical assistance coverage of support services for pregnant women.~~

~~(19h) **MEDICAL ASSISTANCE MEDICALLY NEEDY BENEFITS.** The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$119,800 for fiscal year 1990-91 to fund the provision of additional medical assistance benefits for the medically needy.~~

(20) **CLAIMS PROCESSING; CHILDREN AND PREGNANT WOMEN.** The dollar amount 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 (1) (bm) of the statutes, as affected by the acts of 1989, is increased by \$230,100 for fiscal year 1990-91 to fund increased claims processing and recip-

ient enrollment charges due to expanded medical assistance coverage of children and pregnant women.

(21) **CLAIMS PROCESSING; EARLY SCREENING AND DIAGNOSIS.** The dollar amount 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 (1) (bm) of the statutes, as affected by the acts of 1989, is increased by \$53,100 for fiscal year 1990-91 to fund increased claims processing charges for early and periodic screening and diagnosis for children under medical assistance.

(22) **EXPANDED COVERAGE EVALUATION.** The dollar amount 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 (1) (bm) of the statutes, as affected by the acts of 1989, is increased by \$100,900 for fiscal year 1990-91 to fund an evaluation of expanded medical assistance coverage of children and pregnant women.

(23) **DENTAL SERVICES GRANT.** 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 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$125,000 for fiscal year 1989-90 and by \$500,000 for fiscal year 1990-91 for clinical dental services that are provided by the Marquette university school of dentistry.

~~(24) **FOOD STAMP OUTREACH.**  
(a) The dollar amount 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 (6) (a) of the statutes, as affected by the acts of 1989, is increased by \$20,100 for fiscal year 1990-91 to increase the authorized FTE positions of the department by 0.50 GPR position to administer the food stamp outreach program.~~

Vetoed  
in Part

~~(b) The dollar amount 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 (8) (a) of the statutes, as affected by the acts of 1989, is increased by \$9,900 for fiscal year 1990-91 to increase the authorized FTE positions of the department by 0.25 GPR position to evaluate the food stamp outreach program.~~

(25) **CHILD ABUSE AND NEGLECT SERVICES.** 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 (7) (bc) of the statutes, as affected by the acts of 1989, are increased by \$425,000 for fiscal year 1989-90 and by \$1,425,000 for fiscal year 1990-91 to provide funds to counties for services related to child abuse and neglect.

(26k) **COMMUNITY OPTIONS PROGRAM; SUPPORTIVE HOME CARE.** 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 (7) (bd) of the statutes, as affected by the acts of 1989, are increased by \$447,000 for fiscal

**Vetoed in Part** year 1989-90 and by \$894,000 for fiscal year 1990-91 to fund supportive home care services under section 46.27 (7) of the statutes.

(26p) COMMUNITY OPTIONS PROGRAM; SERVICE EXPANSION. The dollar amount 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 (7) (bd) of the statutes, as affected by the acts of 1989, is increased by \$611,100 for fiscal year 1990-91 to fund expansion of community options program services under section 46.27 (7) of the statutes.

**Vetoed in Part** (26q) COMMUNITY OPTIONS PROGRAM; FISCAL AGENT SERVICES. The dollar amount 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 (7) (bd) of the statutes, as affected by the acts of 1989, is increased by \$250,000 for fiscal year 1990-91 to provide funding to counties for costs associated with providing fiscal agent services under section 46.27 (5) (i) of the statutes.

**Vetoed in Part** (27p) MEDICAL ASSISTANCE PEDIATRICS SERVICES. 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 (1) (b) of the statutes, as affected by the acts of 1989, are increased by \$770,400 for fiscal year 1990-91 to increase the provider rates of reimbursement for pediatrics services under the medical assistance program to 75% of charges.

**Vetoed in Part** (27q) CAREER YOUTH DEVELOPMENT CENTER. 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 (7) (be) of the statutes, as affected by the acts of 1989, are increased by \$95,000 for fiscal year 1990-91 to provide funding of a one-time allocation to the career youth development center in the city of Milwaukee, as specified in section 46.48 (18) (b) of the statutes, as created by this act.

(28c) MEDICAL ASSISTANCE PERSONAL CARE. The dollar amount 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 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$649,100 for fiscal year 1990-91 to increase rates to \$10.73 per hour for the provision of personal care services to medical assistance recipients under sections 49.46 (2) (b) 6. j and 49.47 (6) (a) 1 of the statutes.

(28p) CONVERSION OF HOSPITAL TO NURSING HOME. 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 (1) (b) of the statutes, as affected by the acts of 1989, are increased by \$184,600 for fiscal year 1990-91 to permit an increase of up to 25 beds to the statewide nursing home bed limit under section 150.31 (2m) of the statutes, as created by this act.

(28t) DOMESTIC ABUSE SERVICES; WINNEBAGO COUNTY. The dollar amount 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 (7) (cb) of the statutes, as affected by the acts of 1989, is increased by \$12,500 for fiscal year 1990-91 to provide funding, beginning January 1, 1991, to regional domestic abuse services, inc., in Winnebago county for a program that provides counseling services to persons who commit domestic abuse.

~~(29g) TOLL-FREE TELEPHONE ANSWERING SERVICE. 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 (5) (a) of the statutes, as affected by the acts of 1989, are increased by \$25,000 for fiscal year 1990-91 to provide a toll-free telephone answering service for use by hospitals during nonbusiness hours to obtain the emergency services of an interpreter for the hearing impaired who meets the qualifications under section 47.03 (10) (d) of the statutes.~~

**Vetoed in Part**

(29h) INTERPRETERS FOR HEARING IMPAIRED PERSONS; POSITION AUTHORIZATIONS. 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 (5) (a) of the statutes, as affected by the acts of 1989, are increased by \$133,000 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 7.0 GPR positions, beginning on July 1, 1991, for the purpose of providing interpreters who meet the qualifications of section 47.03 (10) (d) of the statutes, for hearing-impaired persons on a regional basis, in hospitals and medical clinics in the regions of the hospitals, in communities and on an on-call basis for medical emergencies, under the priorities specified in section 47.03 (10) (b) 1 to 4 of the statutes.

**Vetoed in Part**

**Vetoed in Part**

**Vetoed in Part**

**SECTION 3125. Appropriation changes; higher educational aids board.**

(1) ACADEMIC EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fy) of the statutes, as affected by the acts of 1989, is increased by \$200,000 for fiscal year 1990-91 to provide payments to institutions of higher education under section 39.41 of the statutes for academic excellence higher education scholarships.

**SECTION 3126. Appropriation changes; historical society.**

(1g) AMERICAN INDIAN HISTORY AND CULTURE PROGRAMS. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (5) (a) of the statutes, as affected by the acts of 1989, is increased by \$60,000 for fiscal year 1990-91 to fund at 3 museums in 3 counties in the northern part of the state programs that focus on American Indian history and culture.

(1h) NARROW GAUGE TRAIN MUSEUM. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (5) (a) of the statutes, as affected by the acts of 1989, is increased by \$50,000 for fiscal year 1990-91 to match private funds raised for a narrow gauge train museum in the southwestern part of the state.

**SECTION 3127. Appropriation changes; housing and economic development authority.**

(1) BUSINESS IMPROVEMENT LOAN PROGRAM. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin housing and economic development authority under section 20.490 (5) (a) of the statutes, as affected by the acts of 1989, are increased by \$1,000,000 for fiscal year 1989-90 to fund guaranteed loan programs.

**SECTION 3134. Appropriation changes; justice.**

(2h) DRUG LAW ENFORCEMENT. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (bd) of the statutes, as affected by the acts of 1989, are increased by \$55,200 for fiscal year 1989-90 and by \$165,200 for fiscal year 1990-91 to provide grants for drug law enforcement.

(4g) FEDERAL MILK MARKETING ORDER ACTION. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$50,000 for fiscal year 1990-91 to participate in an action challenging federal milk marketing orders that was filed in federal court in Rochester, Minnesota on January 17, 1990. This increase shall not be included in the appropriation's base.

**SECTION 3135. Appropriation changes; legislature.**

(1) SPEARFISHING COSTS AND ENFORCEMENT AIDS. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the joint committee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of 1989, are increased by \$1,000,000 for fiscal year 1989-90 and by \$1,000,000 for fiscal year 1990-91 for payment of state agency costs and municipal and county law enforcement aid relating to spearfishing.

**SECTION 3140. Appropriation changes; natural resources.**

(1) LAKE LEVEL CONTROL PROGRAM. There is transferred from the appropriation under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1989, to the appropriation under section 20.370 (2) (ae) of the statutes, as created by this act, \$12,500 in fiscal year 1989-90.

(1m) NONPOINT SOURCE POLLUTION. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (cc) of the statutes, as affected by the acts of 1989, are increased

by \$100,000 to fund ~~priority watershed projects concerning barnyard runoff in one of 22 basins in the state designated by the department of natural resources.~~

(2) SPEARFISHING ENFORCEMENT AIDS. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (ga) of the statutes, as affected by the acts of 1989, are increased by \$1,100,000 for fiscal year 1989-90 and by \$900,000 for fiscal year 1990-91 to provide increased spearfishing law enforcement aid.

(3g) WILDLIFE MANAGEMENT PROJECTS. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (ma) of the statutes, as affected by the acts of 1989, are increased by \$50,000 for fiscal year 1990-91 for cooperative wildlife management projects that are agreed to by the department of natural resources and the Great Lakes Indian fish and wildlife commission.

(3h) LAW ENFORCEMENT TRAINING. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (3) (ma) of the statutes, as affected by the acts of 1989, are increased by \$20,000 for fiscal year 1990-91 for cooperative law enforcement training for department conservation wardens and Great Lakes Indian fish and wildlife commission conservation wardens.

(3i) PURCHASE OF FISH. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (ma) of the statutes, as affected by the acts of 1989, are increased by \$30,000 for fiscal year 1990-91 to purchase forage fish and walleye at or near market rates from fish hatcheries owned and operated by Wisconsin Indian tribes or bands.

**SECTION 3143. Appropriation changes; public defender board.**

(1) PRIVATE ATTORNEY REIMBURSEMENT. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (d) of the statutes, as affected by the acts of 1989, are increased by \$4,788,500 for fiscal year 1989-90 and by \$4,788,500 for fiscal year 1990-91 for the office of the state public defender to provide reimbursement to private attorneys acting as counsel for indigents.

(1g) TRIAL DIVISION POSITIONS. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (c) of the statutes, as affected by the acts of 1989, is increased by \$2,657,900 for fiscal year 1990-91 to increase the authorized FTE positions for the office of the state public defender by 61.3 GPR positions to provide staff attorneys and support staff for trial representation.

Vetoed  
in Part

(2) **APPELLATE DIVISION.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$136,000 for fiscal year 1990-91 to increase the authorized FTE positions for the office of the state public defender by 2.0 GPR positions to provide staff attorneys for appellate representation and to purchase 10 computers for the appellate division.

(3) **ADMINISTRATIVE POSITIONS.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$4,600 for fiscal year 1989-90 and \$164,000 for fiscal year 1990-91 to increase the authorized FTE positions for the office of the state public defender by 1.5 GPR positions beginning June 1, 1990, and by an additional 2.7 GPR positions beginning July 1, 1990, to provide administrative support staff for the state public defender program.

(4) **DATA PROGRAMMING AND AUDITING SERVICES.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$3,500 for fiscal year 1989-90 and by \$42,000 for fiscal year 1990-91 to fund 1.0 FTE GPR project position authorized under SECTION 3043 (1g) of this act.

(5) **REGRADE INCREASES; TRIAL STAFF ATTORNEYS.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (c) of the statutes, as affected by the acts of 1989, is increased by \$291,900 for fiscal year 1990-91 to provide funds to the office of the state public defender for payment of salary regrades, and social security and retirement contributions on the regrades, for trial staff attorneys.

(6) **REGRADE INCREASES; APPELLATE STAFF ATTORNEYS.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$8,100 for fiscal year 1990-91 to provide funds to the office of the state public defender for payment of salary regrades, and social security and retirement contributions on the regrades, for appellate staff attorneys.

(7) **COMPUTER SYSTEM FOR MILWAUKEE CLIENT CARD SYSTEM.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (c) of the statutes, as affected by the acts of 1989, is increased by \$118,800 for fiscal year 1990-91 to provide funding for the office of the state public defender to purchase and implement a computer sys-

tem for the manual client card system in its Milwaukee criminal office.

**SECTION 3144. Appropriation changes; public instruction.**

(2) **AID TO ALTERNATIVE SCHOOLS.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (cw) of the statutes, as affected by the acts of 1989, is increased by \$47,300 for fiscal year 1990-91 to provide additional state aid for alternative schools.

(2g) **SCIENCE, MATHEMATICS AND TECHNOLOGY EDUCATION GRANTS.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (be) of the statutes, as affected by the acts of 1989, is increased by \$100,000 for fiscal year 1990-91 to provide additional funds for science, mathematics and technology education grants.

(3) **SCHOOL AID.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ac) of the statutes, as affected by the acts of 1989, is increased by \$16,340,000 for fiscal year 1990-91 to provide additional state aid to school districts.

(4Lp) **LOTTERY PROCEEDS.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ac) of the statutes, as affected by the acts of 1989, are increased by \$74,386,600 for fiscal year 1990-91 to reflect elimination of the use of lottery proceeds for school aids.

**SECTION 3155. Appropriation changes; university of Wisconsin system.**

(1c) **TELECOMMUNICATIONS STUDY.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$50,000 for fiscal year 1990-91 to provide funds for the university of Wisconsin-Superior to study the use of telecommunications to transmit educational and business data throughout northwestern Wisconsin and to develop funding proposals to establish such a telecommunications system.

**SECTION 3158. Appropriation changes; other.**

(1) **KENOSHA CORRECTIONAL CENTER.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$65,000 for fiscal year 1989-90 and by \$31,300 for fiscal year 1990-91 to allow the Kenosha correctional center to open in May 1990 and to provide that 15.0 FTE GPR positions, previously authorized under 1989 Wisconsin Act 31 to be effective August 1, 1990, are authorized effective May 1, 1990.



(2) THOMPSON CORRECTIONAL CENTER. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$330,100 for fiscal year 1990-91 to allow the Thompson correctional center to open in January 1991 and to increase the authorized FTE positions for the department by 10.0 GPR positions, effective January 1, 1991.

(3) OVERTIME PAYMENTS. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$963,000 for fiscal year 1989-90 and by \$1,105,500 for fiscal year 1990-91 to make overtime payments for correctional officers at correctional institutions.

(4) FOOD AND OTHER COSTS FOR PRISONERS. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, is increased by \$863,200 for fiscal year 1990-91 for food and other costs for prisoners related to an increase in the average daily prisoner population.

(5) CORRECTIONAL HEALTH SERVICES. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$224,900 for fiscal year 1989-90 and by \$569,200 for fiscal year 1990-91 to provide correctional health services.

(6) TAYCHEEDAH CORRECTIONAL INSTITUTION; HEALTH CARE SERVICES. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, are increased by \$9,500 for fiscal year 1989-90 and by \$26,100 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 0.8 GPR position to provide health care services at Taycheedah correctional institution.

(7) THOMPSON CORRECTIONAL CENTER; REPAIR AND MAINTENANCE. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aa) of the statutes, as affected by the acts of 1989, is increased by \$6,000 for fiscal year 1990-91 for repair and maintenance expenses at Thompson correctional center.

(8) KENOSHA CORRECTIONAL CENTER; REPAIR AND MAINTENANCE. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aa) of the statutes, as affected by the acts of 1989, are increased by \$1,000 for fiscal year 1989-90 and by \$3,000 for fiscal year 1990-91 for

repair and maintenance expenses at Kenosha correctional center.

(9) JUVENILE CORRECTIONAL HEALTH SERVICES. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (af) of the statutes, as affected by the acts of 1989, are increased by \$28,100 for fiscal year 1989-90 and by \$53,000 for fiscal year 1990-91 to provide juvenile correctional health services.

(10) PROBATION AND PAROLE. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$966,200 for fiscal year 1990-91 to increase the authorized FTE positions for the department by 45.0 GPR positions to supervise probationers and parolees.

(11) ALCOHOL OR OTHER DRUG ABUSE ASSESSMENTS. There is transferred from the appropriation to the department of corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 1989, to the appropriation to the department under section 20.410 (1) (a) of the statutes, as affected by the acts of 1989, \$24,000 in fiscal year 1990-91 for alcohol or other drug abuse assessments.

(12) THOMPSON CORRECTIONAL CENTER; FUEL AND UTILITIES. The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (f) of the statutes, as affected by the acts of 1989, is increased by \$40,000 for fiscal year 1990-91 for fuel and utility expenses at Thompson correctional center.

(13) KENOSHA CORRECTIONAL CENTER; FUEL AND UTILITIES. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (f) of the statutes, as affected by the acts of 1989, are increased by \$3,500 for fiscal year 1989-90 and by \$3,000 for fiscal year 1990-91 for fuel and utility expenses at Kenosha correctional center.

~~(14) PAYMENTS IN LIEU OF TAXES, MUNICIPAL SERVICES. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation for payments in lieu of taxes under section 20.835 (5) (a) of the statutes, as affected by the acts of 1989, are increased by \$1,250,000 for fiscal year 1990-91 to fund 100% of estimated formula entitlements.~~

(15m) LAKE REHABILITATION. There is appropriated from the general fund \$35,000 to the village of Cazenovia to rehabilitate a lake, providing an equal sum of dollars is matched. Funds to be released when match is raised.

(16k) TOURISM PROMOTION. There is appropriated from the general fund \$150,000 for fiscal year 1990-91 to increase northern tourism promotion.

(16m) MUNICIPAL POOL GRANT. There is appropriated from the general fund \$35,000 to the village of La Valle to rehabilitate the municipal pool, providing an

**Vetoed  
in Part**

equal sum of dollars is matched. The funds may not be released until the match is raised.

(16p) COMMUNITY ECONOMIC DEVELOPMENT. There is appropriated from the general fund \$300,000 in fiscal year 1990-91 to provide development grants, economic diversification planning grants and technical assistance to 50 or more northern Wisconsin communities located in 18 counties, of which \$1,300,000 is for grants to communities for economic transition and \$121,500 is for 2.0 FTE positions in the department of development.

Vetoed  
in Part

Vetoed  
in Part

SECTION 3202. Initial applicability.

(4) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(p) Milk producer security. The treatment of section 100.06 (1m), and (2) (intro.) (as it relates to compliance with section 100.06 (1m) of the statutes), and (a) (as it relates to the amount of the bond or other security filed) of the statutes first applies to persons applying for a dairy plant license under section 97.20 of the statutes for the license year beginning on May 1, 1991.

Vetoed  
in Part

(6) BANKING.

(a) Motor vehicle dealer license fees. The treatment of section 218.01 (2) (d) 1 and 8 and (i) of the statutes first applies to licenses that are effective for periods beginning on January 1, 1991.

(15) DEVELOPMENT.

(a) Wisconsin jobs. The treatment of section 101.35 (1) (b), (2) (title) and (d), (3) (a) (intro.) and 2 and (b), (4) (title), (a) and (c), (10) (d), (12) (b) and (13) (b) of the statutes first applies to payments for 1990-91.

(23) HEALTH AND SOCIAL SERVICES.

(a) Medical assistance divestment. The treatment of section 49.45 (17) (b) 1 and 2 of the statutes first applies to disposals of resources made after the effective date of this paragraph.

(40) NATURAL RESOURCES.

(an) Clam buyer licenses. The treatment of section 29.092 (7) (i) (title), (j) and (m) and 29.093 (7) (g) of the statutes, the renumbering of section 29.38 (3) (c) of the statutes and the creation of section 29.38 (3) (c) of the statutes first apply to applications for clam buyer licenses and assistant clam buyer licenses submitted to the department of natural resources on the effective date of this paragraph.

(44) PUBLIC INSTRUCTION.

(a) American Indian language and culture education program. The treatment of section 115.75 (1) (a) of the statutes first applies to the payment of state aid to alternative schools under section 115.75 of the statutes, as affected by this act, in the 1990-91 fiscal year.

Vetoed  
in Part

(b) State aid distribution schedule. The treatment of section 121.15 (1) (a), (b) and (c) of the statutes first applies to the distribution of state aid in the fiscal year commencing after the effective date of this paragraph.

(c) Debt service cost ceiling. The treatment of section 121.07 (6) (a) (intro.) and (b) of the statutes first

applies to the payment of state aid in the 1990-91 school year.

(dc) Aid to county handicapped children's education boards. The treatment of section 121.135 (1) and (2) (a) 1 (by SECTION 244) to 3, (b) and (c) of the statutes, as it relates to the calculation of aid to county handicapped children's education boards, first applies to the payment of such aid in the 1992-93 school year.

(48) REVENUE.

(a) Depreciation update. The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1m) and 71.45 (2) (a) 13 of the statutes first applies to taxable years beginning on January 1, 1990.

(b) Gift tax update. The treatment of section 72.76 (4) of the statutes first applies to gifts made on the effective date of this paragraph.

(c) Inheritance tax update. 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, 1990.

(d) Research credit. The treatment of sections 71.28 (4) (a) and (am) and 71.47 (3) (a) and (am) of the statutes first applies to taxable years beginning on January 1, 1990.

(e) Municipalities in more than one county. The treatment of sections 79.005 (1) and 79.03 (3) (d) of the statutes first applies to shared revenue distributions in 1991.

(em) Definition of local general purpose taxes. The treatment of section 79.03 (3) (b) 4. a of the statutes first applies to the calculation of local general purpose taxes for 1992.

(f) Relay service board. The treatment of section 76.38 (3), (4) (intro.), (5) (intro.), (5m) (intro.), (5r) and (6) of the statutes first applies to May 1, 1992, license fee assessments.

Vetoed  
in Part

(g) Utility tax. The treatment of section 76.13 (2a) of the statutes first applies to taxes levied for 1991.

(hp) Shared revenue. The amendment of section 79.03 (3) (b) 3 of the statutes first applies to 1990 shared revenue payments.

(53) TRANSPORTATION.

(am) Abandoned rail property. The treatment of section 192.73 of the statutes first applies to abandoned rail property for which the department of transportation issues a release of its first right of acquisition under section 85.09 (2) of the statutes on the effective date of this paragraph.

(57) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(an) Nonresident tuition. The treatment of sections 38.04 (16), 38.22 (1) (a) and (b), (2) and (5), 38.24 (3), 38.28 (1), (1m) (a) 1, (2) (dm) and (6) of the statutes first applies to the admission of students in and payment of fees for the 1990 fall semester.

(58) OTHER.

(dg) Garnishment actions. The treatment of section 812.23 (2) (c) of the statutes first applies to garnish-

Vetoed  
in Part

**Vetoed in Part** ~~ments commenced on the effective date of this paragraph.~~

**SECTION 3203. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) ADMINISTRATION.

(a) *American Indian assistance.* The treatment of

**Vetoed in Part** section 16.06 of the statutes and ~~SECTION 3001 (1) (a) of this act~~ take effect on July 1, 1990.

**Vetoed in Part** (b) *Relay service* ~~and~~. The repeal of section 20.505 (4) (ds) of the statutes takes effect on January 1, 1992.

(15) DEVELOPMENT.

**Vetoed in Part** (a) *Bank holding company, redevelopment authority and* ~~and~~ *industrial firm loans.*

1. The amendment of section 20.143 (1) (d) of the statutes (by SECTION 11) takes effect on July 1, 1990.

2. The repeal and recreation of section 20.143 (1) (d) of the statutes takes effect on July 1, 1991.

(bm) *Regional planning commission grant.* The repeal of section 20.143 (1) (dm) of the statutes takes effect on July 1, 1991.

**Vetoed in Part** ~~(br) *Ethnic group development grants.* The repeal of section 20.143 (2) (br) of the statutes takes effect on July 1, 1991.~~

(23) HEALTH AND SOCIAL SERVICES.

**Vetoed in Part** (a) *Mandatory coverage of adopted children.* The treatment of sections ~~20.435 (1) (a), (b),~~ 40.51 (14), 48.833, 66.183, 120.13 (2) (dm), 185.981 (9), 185.983

**Vetoed in Part** (1) (intro.), 601.41 (1), 609.75, 631.07 (3) (a) 3m and 632.896 (2) to (4), (5) (a) to (c) and (6) of the statutes takes effect on the first day of the 10th month beginning after publication.

**Vetoed in Part** (b) *Medical assistance for children and pregnant women.* The treatment of sections 49.46 (1) (a) 9 and 10, (i) and (k) and 49.47 (4) (am) 1 and 2, (4) (e) and (9) of the statutes takes effect on July 1, 1990.

(c) *Medical assistance divestment.* The treatment of section 49.45 (17) (b) 1 and 2 of the statutes takes effect on the first day of the 2nd month beginning after publication.

**Vetoed in Part** (d) *Medical assistance medically needy benefits.* The treatment of sections 49.45 (25) (am) and 49.47 (6) (a) 1 to 5 and 8 of the statutes takes effect on July 1, 1990.

(e) *Medical assistance care coordination.* The treatment of sections 49.46 (2) (b) 11 and (be) and 49.47 (6) (a) 7 of the statutes takes effect on January 1, 1991.

**Vetoed in Part** (f) *Community aids.* The treatment of sections ~~16.72 (6), 20.435 (3) (cd), (7) (b) and (d), 20.505 (1) (b), 46.215 (2) (e), 46.22 (1) (e) 3, 46.26 (3) (c) and (e), 4) (a), (6) (a) and (7) (intro.), 46.39, 46.41, 46.45 (3) (a) and (c), 46.48 (4) and (6), 46.57 (2) (a), 46.87 (2), 46.98 (2) (a) (intro.), 46.99 (5) (b), 48.985 (2) (c) and (3), 49.45 (6m) (br) 1, 49.52 (1) (d) and (f) and 51.423 (2) of the statutes, the repeal and recreation of 46.40 of the statutes and SECTION 3023 (2)(a), (2)(b) and (2)(c) of this act~~ take effect on January 1, 1991.

~~(pi) *Home health care rules.* The treatment of section 49.45 (33) (h) of the statutes takes effect on July 1, 1990.~~

~~(34) JUSTICE.~~

~~(ap) *Recertification training.* The treatment of section 165.85 (2) (bc) and (4) (a) (intro.) and (br) of the statutes takes effect on July 1, 1990.~~

(40) NATURAL RESOURCES.

(ag) *Deer hunting licenses.* The treatment of section 29.093 (2) (i) (title) and 3 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(43) PUBLIC DEFENDER BOARD.

(a) The treatment of section 343.44 (2) (b) 2, (c) 2, (d) 2 and (e) 2 of the statutes takes effect retroactively to May 11, 1989.

(44) PUBLIC INSTRUCTION.

(a) *Separate aid appropriations and tax incremental financing TIF changes.* The treatment of sections 13.101 (6) (a), 20.255 (2) (ac), (ad), (an), (ba), (bc), (bh), (bm), (q) and (t), 118.153 (4) (b) and (e), 121.007, 121.07 (7) (a), 121.085 (title), (1) and (1m), 121.10 (1) (b), (2) (intro.), (4) and (5), 121.105 (1), (2) (a), (3) and (5), 121.135 (1), (2) (a) 1 (by SECTION 244m) and (3), 121.85 (6) (a) 1 and 121.86 (2) (a) 1 of the statutes takes effect on July 1, 1990.

(47) REGULATION AND LICENSING.

(am) *Acupuncture.* The treatment of sections 440.05 (3) (am) (title) and 1, 451.01 (1) (intro.), 451.02 (1) and (3), 451.04 (1) (intro.) and (a) to (e), (2) (intro.), (3) and (4), 451.06 (1) and (3), 451.08, 451.10 (1), 451.12 and 451.14 (1), (2) (intro.) and (3) of the statutes and 1989 Wisconsin Act 31, section 3047 (2x) (d) take effect on September 1, 1990.

~~(bm) *Auctioneers.* The treatment of section 60.24 (3) (u), chapter 130, subchapter VIII of chapter 218, section 440.05 (3) (bm) and chapter 457 of the statutes and SECTION 3047 (1r) (br) of this act take effect on the first day of the 7th month beginning after publication.~~

(48) REVENUE.

(a) *Telecommunications.* The treatment of section 76.38 (3), (4) (intro.), (5) (intro.), (5m) (intro.), (5r) and (6) of the statutes takes effect on January 1, 1992.

(b) *Nexus.* The treatment of section 77.51 (13h) of the statutes takes effect on January 1, 1990.

(bp) *Aids in lieu of taxes.* The treatment of sections 20.370 (4) (ea), 70.045, 70.113 (4) and 121.06 (1) of the statutes and the repeal and recreation of section 79.03 (3) (b) 3 of the statutes take effect on January 1, 1992.

(51) SECURITIES.

(a) *Exemptions.* The treatment of section 551.22 (7) and (18) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(57) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(an) *Nonresident tuition.* The treatment of section 38.28 (1m) (a) 1 of the statutes takes effect on July 1, 1990.

(58) OTHER.

**Vetoed  
in Part**

~~(am) *Deputy and assistant district attorney salaries.* The creation of 1989 Wisconsin Act 31, section 3058 (1) (d) takes effect retroactively to January 1, 1990.~~

(ap) *Tax incremental financing changes.*

1. The treatment of section 66.46 (4) (gm) 4.c and (6) (am) 1 of the statutes takes effect retroactively on January 1, 1990.

**Vetoed  
in Part**

2. The treatment of sections 66.46 (2) (a) and (j), (4) (i), (j) and (k), (4m) (a), (b) and (c) 1. c and d, (4s), (5)

(b) and (bm), (5m), (6) (a), (7) (am) and (9) (b) 3 and 560.18 of the statutes takes effect on July 1, 1990. **Vetoed  
in Part**

~~(at) *Garnishment actions.* The treatment of section 812.23 (2) (c) of the statutes and SECTION 3202 (58) (dg) of this act take effect on the first day of the 3rd month beginning after publication.~~

**Vetoed  
in Part**

(bmp) *Use of lottery proceeds.* The treatment of sections 16.50 (1) (b), 16.52 (10), 25.75 (3) (c), and 121.008 of the statutes and the creation of section 25.75 (3) (c) 2 of the statutes take effect on July 1, 1990.