program; a loan 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; the construction of a stadium; the sale of abandoned rail property; motor vehicle dealer license fees and examination costs for community currency exchange, collection agency and insurance premium finance company investigations or examinations conducted by the commissioner of banking, 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 employees 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 employees of the educational communications board; the state's share of television broadcast license fees; 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 the cost of education; also 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 telecommunications study; eliminating vocational, technical and adult education nonresident tuition for Wisconsin residents; providing education programs and other services for individuals who have been or may be sanctioned under the learnsare 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 employees for the Wisconsin job opportunity program; the regulation of acupuncturists; the regulation of nutritionists and regulating medical marijuana; funding grants and educations 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 nonresidential 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 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 bank and thrifts; banks and thrifts; provision of certain dental services; training requirements for emergency medical technicians, nurse practitioner services in the medical assistance program; medical assistance eligibility for certain beneficiaries of long-term care insurance policies; medical assistance coverage of certain persons with 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; temporary grants 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 newsletter under the food stamp program; vehicle insurance premium subsidies for certain persons with acquired immunodeficiency syndrome; mandatory health insurance coverage of adopted children and reimbursement of providers for coverage of certain preexisting conditions; modifying a pilot project under the state health insurance program; insurance for fraternal employees; 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 job officers; a lake level control program; authorizing levels of transition loan commitments under the clean water fund; the period within which workers on a farm on which pest control measures are conducted must be
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), (add), (ba), (bc), (bb), (bm), (cg), and (cr), 20.395 (1), (2) (c), (eq) to (ex) and (gg) 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. 13.101 (6) (a) of the statutes is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, 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), (add), (ba), (bc), (bb), (bm), (cg), and (cr), 20.395 (1), (2) (c), (eq) to (ex) and (gg) 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 3. 13.101 (6) (a) of the statutes is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, 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), (add), (ba), (bc), (bb), (bm), (cg), and (cr), 20.395 (1), (2) (c), (eq) to (ex) and (gg) 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 4. The board shall consist of the following 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.

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

**16.06 Human services activity.** Mean an activity which promotes the social well-being of children, the elderly, persons with physical or developmental disabilities or persons with low income.

SECTION 4d. 16.20 (2)(a) of the statutes is amended to read:

**16.20 Conservation.** Conserving, developing, collecting, or maintaining the natural resources of the 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 Human services.** Promoting the social well-being of children, the elderly, persons with physical or developmental disabilities, or persons with low income through the implementation of programs that include human services activities.

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

**16.20 (3) Public assistance account.** The board is the policy making body responsible for the Wisconsin conservation corps program and shall establish guidelines for this program. The board shall delegate responsibility for administration implementation of conservation projects, corps member 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.

**16.06 (4) 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 members, and to provide administrative hiring 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.

**16.06 (6) and (7) of the statutes are amended to read:**

**16.06 (6) Eligible project.** In order to qualify as an approved conservation project, the project is required to provide employment opportunities and to be a conservation activity. The project is required to serve a valid public purpose in order to qualify as an approved conservation project.

**16.06 (7) Sponsor application.** In order to qualify as an approved conservation project, the sponsor is required to submit the application.

**16.06 (8) 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.

**16.06 (9) of the statutes is amended to read:**

**16.06 (9) Public assistance account.** The board shall establish guidelines to be used in selecting conservation projects for approval. These guidelines shall include:

**16.06 (10) of the statutes is created to read:**
Vetoed in Part

Vetoed in Part

NY 2003/2004 Wisconsin Act 336

The content to which
the project will promulgate the social well-being of chil-
dren, the elderly, persons with physical or other ser-
disabilities, and persons with low incomes. The
guidelines shall give priority to projects providing ser-
dices to children and the elderly.

SECTION 4. (a) The statutes are amended to read:
16.20 (1) (d) Human services activities, appropriations. Money appropriated under
16.20 (1) (d) 1, may not be utilized for conservation projects except as authorized under those appropriations.

(b) Other conservation appropriations. A work
agency may utilize money from any appropriation for
such agency to sponsor a conservation project if the
implementation of the conservation project is consist-
ent with any purpose for which the money is appropri-
ated.

SECTION 4a. (a) The statutes are amended to read:
16.20 (1) (d) Human services activities, appropri-
pations. Money appropriated under
16.20 (1) (d) 1, may not be utilized for human services activities as authorized under those appropriations.

SECTION 4b. (b) If the statutes are to read:
16.20 (7) (a) Administrative action by the boar

5. Approval, conservation projects. Projects shall
be selected and approved by the board based on
guidelines established under s. 16.20 (1) (c).

6. Complex project cost estimate. Prior to
approval of a conservation project, the executive sec-
tary shall prepare and submit to the board a com-
plete project cost estimate. This estimate shall in-
clude a summary of all anticipated costs resulting from
the implementation of the project.

7. Detailed work plan. Prior to approval of a con-
servation 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 requirements,
administrative and other service requirements, supplies,
facilities, equipment, safety equipment, and other
materials, project cost estimate, project work plan,
and site location.

8. Submitting a proposal. A conservation
project is not authorized and may not be imple-
mented until the president and the board have

9. Implementation. Except as provided in a con-
servation project, the board is responsible for the
implementation of a conservation project.

10. Employee supervision. The board is re-
ponsible for the overall supervision and conduct of corps
corps. The board has the authority to determine
whether personnel recruitment, training, and supervision
and for administrative services to be provided or for a
conservation project in the implementation.

11. Program coordination. The board is responsi-
ble for the coordination of work activities related to
conservation projects in the area.

SECTION 4c. (b) The statutes are amended to read:
16.20 (7) (b) The board shall have the au-

10. Human services activities, appropri-
pations. Money appropriated under
16.20 (1) (d) 1, may not be utilized for human services activities as authorized under those appropriations.

SECTION 4d. (b) If the statutes are to read:
16.20 (1) (d) Administrative action by the boar

5. Approval, conservation projects. Projects shall
be selected and approved by the board based on
guidelines established under s. 16.20 (1) (c).

6. Complex project cost estimate. Prior to
approval of a conservation project, the executive sec-
tary shall prepare and submit to the board a com-
plete project cost estimate. This estimate shall in-
clude a summary of all anticipated costs resulting from
the implementation of the project.

7. Detailed work plan. Prior to approval of a con-
servation 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 requirements,
administrative and other service requirements, supplies,
facilities, equipment, safety equipment, and other
materials, project cost estimate, project work plan,
and site location.

8. Submitting a proposal. A conservation
project is not authorized and may not be imple-
mented until the president and the board have

9. Implementation. Except as provided in a con-
servation project, the board is responsible for the
implementation of a conservation project.

10. Employee supervision. The board is re-
ponsible for the overall supervision and conduct of corps
corps. The board has the authority to determine
whether personnel recruitment, training, and supervision
and for administrative services to be provided or for a
conservation project in the implementation.

11. Program coordination. The board is responsi-
ble for the coordination of work activities related to
conservation projects in the area.

SECTION 4e. (b) The statutes are amended to read:
16.20 (7) (b) The board shall have the au-

10. Human services activities, appropri-
pations. Money appropriated under
16.20 (1) (d) 1, may not be utilized for human services activities as authorized under those appropriations.

SECTION 4f. (b) If the statutes are to read:
16.20 (1) (d) Administrative action by the boar

5. Approval, conservation projects. Projects shall
be selected and approved by the board based on
guidelines established under s. 16.20 (1) (c).

6. Complex project cost estimate. Prior to
approval of a conservation project, the executive sec-
tary shall prepare and submit to the board a com-
plete project cost estimate. This estimate shall in-
clude a summary of all anticipated costs resulting from
the implementation of the project.

7. Detailed work plan. Prior to approval of a con-
servation 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 requirements,
administrative and other service requirements, supplies,
facilities, equipment, safety equipment, and other
materials, project cost estimate, project work plan,
and site location.

8. Submitting a proposal. A conservation
project is not authorized and may not be imple-
plemented until the president and the board have

9. Implementation. Except as provided in a con-
servation project, the board is responsible for the
implementation of a conservation project.

10. Employee supervision. The board is re-
ponsible for the overall supervision and conduct of corps
corps. The board has the authority to determine
whether personnel recruitment, training, and supervision
and for administrative services to be provided or for a
conservation project in the implementation.

11. Program coordination. The board is responsi-
ble for the coordination of work activities related to
conservation projects in the area.

SECTION 4g. (b) The statutes are amended to read:
16.20 (7) (b) The board shall have the au-

10. Human services activities, appropri-
pations. Money appropriated under
16.20 (1) (d) 1, may not be utilized for human services activities as authorized under those appropriations.

SECTION 4h. (b) If the statutes are to read:
16.20 (1) (d) Administrative action by the boar

5. Approval, conservation projects. Projects shall
be selected and approved by the board based on
guidelines established under s. 16.20 (1) (c).

6. Complex project cost estimate. Prior to
approval of a conservation project, the executive sec-
tary shall prepare and submit to the board a com-
plete project cost estimate. This estimate shall in-
clude a summary of all anticipated costs resulting from
the implementation of the project.

7. Detailed work plan. Prior to approval of a con-
servation 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 requirements,
administrative and other service requirements, supplies,
facilities, equipment, safety equipment, and other
materials, project cost estimate, project work plan,
and site location.

8. Submitting a proposal. A conservation
project is not authorized and may not be imple-
plemented until the president and the board have

9. Implementation. Except as provided in a con-
servation project, the board is responsible for the
implementation of a conservation project.

10. Employee supervision. The board is re-
ponsible for the overall supervision and conduct of corps
corps. The board has the authority to determine
whether personnel recruitment, training, and supervision
and for administrative services to be provided or for a
conservation project in the implementation.

11. Program coordination. The board is responsi-
ble for the coordination of work activities related to
conservation projects in the area.

SECTION 4i. (b) The statutes are amended to read:
16.20 (7) (b) The board shall have the au-

10. Human services activities, appropri-
pations. Money appropriated under
16.20 (1) (d) 1, may not be utilized for human services activities as authorized under those appropriations.

SECTION 4j. (b) If the statutes are to read:
16.20 (1) (d) Administrative action by the boar

5. Approval, conservation projects. Projects shall
be selected and approved by the board based on
guidelines established under s. 16.20 (1) (c).

6. Complex project cost estimate. Prior to
approval of a conservation project, the executive sec-
tary shall prepare and submit to the board a com-
plete project cost estimate. This estimate shall in-
clude a summary of all anticipated costs resulting from
the implementation of the project.

7. Detailed work plan. Prior to approval of a con-
servation 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 requirements,
administrative and other service requirements, supplies,
facilities, equipment, safety equipment, and other
materials, project cost estimate, project work plan,
and site location.

8. Submitting a proposal. A conservation
project is not authorized and may not be imple-
mented until the president and the board have

9. Implementation. Except as provided in a con-
servation project, the board is responsible for the
implementation of a conservation project.

10. Employee supervision. The board is re-
ponsible for the overall supervision and conduct of corps
corps. The board has the authority to determine
whether personnel recruitment, training, and supervision
and for administrative services to be provided or for a
conservation project in the implementation.

11. Program coordination. The board is responsi-
ble for the coordination of work activities related to
conservation projects in the area.
SECTION 4g. 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 (q), 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 appropriation under s. 20.255 (2) (ac), (ad) and (q).

SECTION 5. 16.72 (6) of the statutes is amended 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 use to measure the statewide need for services funded under s. 20.835 (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 contractor does not schedule a meeting for the purpose of reviewing the proposal. If the contractor 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 spend more than the amount appropriated in s. 20.835 (1) (bf), (g), and (h) under this subsection.

SECTION 5m. 16.84 (3) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:
16.84 (3) Have responsibility subject to approval of the governor for all functions relating to the leasing, acquisition, allocation and disposition of all real property by the state, except where such responsibility is otherwise provided by the statutes. The department may lease or acquire office space for legislative committees or legislative service agencies at the direction of the joint committee on legislative organization. The department shall not lease or acquire any other real estate in the city of Madison after the effective date of this subsection unless the department first provides for that need or another facility that is leased, acquired or constructed after the effective date of this subsection. It may use the proceeds to construct or develop additional space for any day care centers 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 unless the department first provides for that need or another facility that is leased, acquired or constructed after the effective date of this subsection.

SECTION 5q. 16.995 of the statutes is amended 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 relay service has the meaning given in s. 106.01 (9n).

(2) Duties. The board shall do all of the following:
(a) Promulgate rules under sub. (1) specifying 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

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).

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

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>1989-90</th>
<th>1990-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.115</td>
<td>Agriculture, trade and consumer protection, department of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>AGRICULTURAL ASSISTANCE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(f)</td>
<td>Premium aids to county and district fairs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.143</td>
<td>Development, department of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1)</td>
<td>ECONOMIC AND COMMUNITY DEVELOPMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(be)</td>
<td>Supplemental state aid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(dg)</td>
<td>American Indian economic liaison program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(dh)</td>
<td>American Indian economic liaison program; grants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(dp)</td>
<td>Tribal and community relations committee grants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.235</td>
<td>Higher educational aids board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1)</td>
<td>STUDENT SUPPORT ACTIVITIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(em)</td>
<td>Health care providers loan forgiveness program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(fc)</td>
<td>Independent student grants program</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If you do not see text of the Act, SCROLL DOWN.
### Educational Leadership

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ec)</td>
<td>Wisconsin geography alliance</td>
<td>GPR A -0- 50,000</td>
</tr>
</tbody>
</table>

### AIDS for Local Educational Programming

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ba)</td>
<td>Special adjustment aids</td>
<td>GPR A -0- 1,435,000</td>
</tr>
<tr>
<td>(bc)</td>
<td>Aid for children-at-risk programs</td>
<td>GPR A -0- 3,500,000</td>
</tr>
<tr>
<td>(bh)</td>
<td>Aid to county handicapped children's education boards</td>
<td>GPR A -0- 1,040,000</td>
</tr>
</tbody>
</table>

### Wisconsin Geography Alliance

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>General fund</td>
<td>GPR A 14,915,000</td>
</tr>
</tbody>
</table>

### Home School Coordinators

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c)</td>
<td>Coordinators paid</td>
<td>GPR A 60,000</td>
</tr>
</tbody>
</table>

---

### Vocational, Technical and Adult Education, Board of

#### Supplemental Aid

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(f)</td>
<td>Vocational, technical and adult education</td>
<td>GPR A -0- 1,500,000</td>
</tr>
</tbody>
</table>

---

### Natural Resources, Department of

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ae)</td>
<td>Water resources management--lake level control program</td>
<td>GPR C 62,500</td>
</tr>
</tbody>
</table>

---

### Environmental Standards

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(gb)</td>
<td>Wildlife damage claims--general fund</td>
<td>GPR A 1,100,000</td>
</tr>
<tr>
<td>(hc)</td>
<td>Indian youth programs--state funds</td>
<td>GPR A 20,000</td>
</tr>
<tr>
<td>(hr)</td>
<td>Indian youth programs--conservation fund</td>
<td>SEG A 20,000</td>
</tr>
</tbody>
</table>

---

### Health and Social Services, Department of

#### Health Services Planning, Regulation and Delivery

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ak)</td>
<td>Continuation coverage premium subsidies</td>
<td>GPR B -0- 200,000</td>
</tr>
<tr>
<td>(ao)</td>
<td>Clinical trials program grant</td>
<td>GPR A -0- 150,000</td>
</tr>
<tr>
<td>(ch)</td>
<td>Public health aids</td>
<td>GPR A -0- 6,800,000</td>
</tr>
</tbody>
</table>

---

### Community Services; AIDS and Local Assistance

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(dg)</td>
<td>Services for learnfare pupils</td>
<td>GPR A -0- 500,000</td>
</tr>
</tbody>
</table>

---

### District Attorney

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c)</td>
<td>District attorney</td>
<td>GPR A 60,000</td>
</tr>
</tbody>
</table>

---

### Administration, Department of

<table>
<thead>
<tr>
<th>Code</th>
<th>Program Description</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c)</td>
<td>District attorney</td>
<td>GPR A 60,000</td>
</tr>
</tbody>
</table>
Vetoed in Part

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. 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 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 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), to be used for grants and loans under subch. IV V of ch. 560.
SECTION 15m. 20.192 (1) (g) 1 of the statutes is amended to read:

20.192 (1) (g) 1. 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 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 amended 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 subch. I 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:


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

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 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 float fund. From the float fund, 50% of the interest on moneys in that fund for the payment of educational aids provided in subch. II of ch. 124 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 28. 20.370 (1) (dh) of the statutes is created to read:

20.370 (1) (dh) Water resources – Fox river megadam, test. ‘The need for funds from the general fund for the development of the Fox River and Lake Winnebago projects for the purposes of supplying and protecting the water supply of the Fox River and Lake Winnebago. No money may be encumbered under this paragraph after June 30, 1989.'
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 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 34a. 20.370 (4) (j) of the statutes is amended to read:

20.370 (4) (j) Corps enrolling compensation and support. All moneys received under agreements entered into under s. 166.04 (1) (a) with local units of government and nonprofit organizations except moneys appropriated under s. 20.370 (1) (b) 1 for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrolling compensation as specified in these agreements. Corps enrolling compensation includes the cost of salaries, benefits, incentive payments and bonuses.

SECTION 34b. 20.370 (4) (k) of the statutes is amended to read:

20.370 (4) (k) Corps enrolling compensation and support, federal funds. All moneys received under agreements entered into under s. 166.04 (1) (a) with state agencies, except moneys appropriated under s. 20.370 (1) (b) 1 for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrolling compensation as specified in these agreements. Corps enrolling compensation includes the cost of salaries, benefits, incentive payments and bonuses.

SECTION 34c. 20.370 (4) (lm) of the statutes is amended to read:

20.370 (4) (lm) Corps enrolling compensation and support, federal funds. All moneys received from the federal government as authorized under s. 166.04 from federal assistance for conservation projects including the payment of any corps enrolling compensation as specified in that assistance and all moneys received under agreements entered into under s. 166.04 (1) (a) with the federal government except moneys received from these agreements which are appropriated under s. 20.370 (1) (b) 1 for the payment of the federal government's share of costs for conservation projects including the payment of any corps enrolling compensation as specified in these agreements. Corps enrolling comp.
Vetoed in Part

SECTION 34. 20.439 (1) (r) of the statutes is amended to read:

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

SECTION 35. 20.435 (1) (ak) of the statutes is amended 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 amended 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 ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services 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 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. If you do not see text of the Act, SCROLL DOWN.
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. 46.266 and 49.45 (6g) and not spent or encumbered by January 1 next following fiscal year shall lapse to the general fund on or before June 30 of each year for expenditure under 46.00 (2) (c) in the following fiscal year. For the purposes of this paragraph, funds are encumbered on December 31 if allocated for services rendered on or before December 31.

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.
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.

SECTION 48p. 20.475 (1) (r) of the statutes is amended to read:

20.475 (1) (r) Statewide telecommunications relay service and for general program operations of the relay service board under s. 165.998.

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 employees of the office of district attorneys, and for purposes of s. 978.14 (2), less the amounts appropriated as applied receipts under par. (g).

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 development loan fund under s. 234.92.

SECTION 51. 20.505 (1) (bc) of the statutes is amended to read:

20.505 (1) (bc) Human services needs assessment contract. As a continuing appropriation, the amounts in the schedule for purposes of funding a proposal for assessing the needs for services funded under s. 20.475 (1) (d). No moneys may be encumbered under this paragraph after June 30, 1993.

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

20.505 (1) (fc) Mount Senario college contract. The amounts in the schedule for the 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 . The amounts in the schedule for a statewide telecommunications relay service and for general program operations of the relay service board under s. 165.998.

Vetoed in Part

20.505 (4) (ds) (sic) Relay service . The amounts in the schedule for a statewide telecommunications relay service and for general program operations of the relay service board under s. 165.998.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

All moneys received from the assessments authorized under s. 196.858 shall be credited to this appropriation.

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

20.550 (1) (d) Private bar and investigator reimbursement. 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 employees and by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employees in the classified service and comparable adjustments for those nonrepresented employees in the unclassified service, except those included under nonrepresented employees 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 employees 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 employees and by the joint committee on employment relations under s. 230.12 and the legislature, when required for nonrepresented employees in the classified service and comparable adjustments for nonrepresented employees in the unclassified service, except those included under nonrepresented employees 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 employees 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 employees and by the joint committee on employment relations under s. 230.12 and the legislature, when required for nonrepresented employees in the classified service and comparable adjustments for nonrepresented employees in the unclassified service, except those included under nonrepresented employees 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 employees included 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 57j. 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 employee labor organizations under subch. V of ch. 111 shall be as provided under s. 111.84 (1) (f).

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

SECTION 57l. 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 vice chancellor for health sciences of the university of Wisconsin system shall set the salaries of the chancellors of the university of Wisconsin-center system, the vice chancellor of the university of Wisconsin-system and the university of Wisconsin-extension, 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 vice chancellor who is serving as a deputy at each university of Wisconsin campus and the university of Wisconsin-center system, the vice chancellor of the university of Wisconsin-system and the university of Wisconsin-extension, the vice chancellor who is serving as a deputy at each university of Wisconsin campus and the university of Wisconsin-center system.

SECTION 57m. 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.
shall be assigned to the University of Wisconsin-system administration center system, the University of Wisconsin-extension campus, the University of Wisconsin-Madison or chancellor of
the university of Wisconsin-Milwaukee may not
exceed the maximum dollar value of the salary range to which the position is
assigned. Any position 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 (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 57m. 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) (i) 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 exceed 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. 22.15 (1) of the statutes is amended to read:
22.15 (1) Notwithstanding sub. (2), the Natural Resources Board may not set limits for the purposes of allowing hunting as defined in ss. 144.981 (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) (e) 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 relief credit.

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

SECTION 61. 20.08 (1) of the statutes is amended to read:
20.08 (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 coverage in favor of the state and the state’s assignee from these leases shall be paid into the state treasury in the credit of the property fund. Leases under the provisions of this section for the purpose of water resource management activities shall be treated as unclassified deputies under this subsection.
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 62. 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) (gg) after first deducting from s. 20.370 (4) (gg) 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) (gg) 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 31 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), (gb) and (gm) by July 31 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), (gb) and (gm), the department may
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.

SECTION 65b. 30.275 (2) (b) 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.

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 biennium budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of employees 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) (i) 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) (e) 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 45a. 34.09 (4m) of the statutes is amended to read:

34.09 (4m) The following activities are granted powers that:

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

2. The river from the point it flows into the city of Jefferson to the point that it flows out of the city of Fort Atkinson.
The academic staff member of each institution 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 aided 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 65p. 38.28 (2) (d) of the statutes is repealed.

SECTION 65pg. 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:
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 employees appointed in the unclassified service whose principal responsibility is fund raising, whereby the employees may qualify for an annual bonus for meritorious performance. No bonus awarded by the board to any individual employee for any fiscal year may exceed a total of 25% of the annual salary of the employee at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall 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 employees 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 have been recipients of 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.

(4) Vetoed

Vetoed in Part

(4) In determining the amount of any grant to a resident student, the cost of tuition and fees shall be included in the amount of the grant. However, the board may determine that the cost of room or board shall be included in the amount of the grant. 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
(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 employee 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 employee 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 and who has participated under the retirement system established under chapter 201, laws of 1937, and under the Wisconsin retirement system for a combined and consecutive period of at least 6 months prior to attainment of age 70, not including any period of leave of absence without pay.

SECTION 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 employee and insured retired employee shall contribute the balance of the required premium amounts after applying required employer contributions, if any.

2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 1, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee becomes insured. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee becomes insured. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 1, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee becomes insured.

3. The employer shall continue to pay required employer contributions toward the health insurance premium of an insured employee while the insured employee is on a leave of absence, except as provided in subd. 3. b.

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 employee is receiving temporary disability compensation under s. 102.43.
SECTION 67. 40.51 (14) Every health care plan offered by the state under sub. (6) shall comply with s. 632.89h.

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 employee may not be covered under the plan if the employee elects coverage under fringe benefits 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. On January 31, 1989, the department of veterans affairs shall be responsible for maintaining the Wisconsin state memorial, as defined in s. 45.215, for Wisconsin veterans. A Wisconsin veteran group may request a memorial to be included in the Wisconsin state memorial. 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 biannually.

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), according to s. 49.52, or from the appropriation under s. 20.435 (7) (b).

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), according to s. 49.52, or from the appropriation under s. 20.435 (7) (b).
Vetoed in Part

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

46.26 (7) ALLOCAIONS OF FUNDS. Within the limits of the availability of federal and state funds and of the appropriations under s. 20.435 (1) (o) and (7) (b) and (bd), the department shall allocate funds under s. 46.27 (3) (b) to the department shall allocate funds for community youth and family aids for the period beginning July 1, 1990, 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, $2,443,800 $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) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

46.27 (3) (e) 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 76a. 46.27 (3) (b) of the statutes is amended to read:

46.27 (3) (b) (1) (a) County board of supervisors by resolution so requests the department.

SECTION 76b. 46.27 (3) (b) of the statutes is amended to read:

46.27 (3) (b) (1) (b) The department shall increase the per person reimbursement rate under par. (b) and sub. (1) (a) (b) by a percentage equal to the average percentage rate increase permitted under this paragraph may result in rates that exceed those permitted under s. 20.435 (1) (o) and (7) (b) and (bd).

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

46.27 (3) (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 76d. 46.27 (3) (c) 5 of the statutes is amended to read:

46.27 (3) (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 76e. 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
Vetoed in Part

46.277 (c) (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) (a) 6., 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 76. 46.278 (c) (e) of the statutes is created to read:

46.278 (e) Beginning July 1, 1991, and annually thereafter on the first day of each succeeding water year as defined in 42 USC 1396n (e), 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) (a) 6., 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 OR 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:

(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 incidence 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

Community aids funds.

(1) All funds derived from community aids under s. 46.063 (2) (b) 1. (d), and the amounts appropriated under s. 46.21, 46.22, 46.23, 46.24, 46.40 and 46.49. The department shall allocate to counties under s. 46.063 (2) (b) 1. (d) and (e) and (f) the amounts appropriated under s. 46.21, 46.22, 46.23 and 46.40 to provide

Vetoed in Part

Underscored, stricken, and vetoed text may not be searchable.

If you do not see text of the Act, SCROLL DOWN.
Vetoed in Part

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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (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 94 (this act) section 3023 (24x) (a). From the allocation under this paragraph, the department shall allocate for child day care services not less than $6,905,000 for the first 6 months of 1991.

[Despite the presence of Vetoes in Part sections, the text likely contains provisions that are not searchable due to the markings and shading.]

1432.605. For purposes of the department may allocate not more than $280,000 for the first 6 months of 1991. The emergency funds may be expended for emergency 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 that are directed to provide pre-adjudicated costs, as a result of a court order to provide such services, including institutional services.

(b) Department recommendation. Within 1 year 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 of health, 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 achieved 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 of the program requirements shall be retained in the program's state-wide model and shall include a salary scale 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 of funds under sub. (1) to which the program shall be incorporated.

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

1. Supported employment. For grants to county departments under s. 46.23, 51.43, or 51.57 for programs to provide supported employment opportunities for severely disabled persons, the department shall allocate not more than $336,000 for the first 6 months of 1991.

2. Services for persons with epilepsy. For grants for services to persons with epilepsy under s. 46.28 (1) (b)
department shall allocate not more than $72,000 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 $3,963,500 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 $3,963,500 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 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 sub. 1, an amount that will distribute $3,268,200 for 50% of the counties that received 104.1% of the amount received under par. (c) or 15% of the amount of money that a county expended in calendar year 1980 for services funded under this section over the amount that the county was required to expend in calendar year 1980 for those services under ss. 49.52 (1) (d) and 31.422 (2).

SECTION 81. 46.41 (1) of the statutes is created to read:

46.41 Transfers of community aide 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 multi-county department.

(2) General revenue and federal funds allocated to the department by county under ss. 46.40 (1) and required county matching funds under ss. 46.52 (1) (b) and 49.52 (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 amounts 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.

(b) During a calendar year beginning January 1, 1992, a county board may transfer funds between allocations in amounts 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.

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 sub. (b), at the request of a county, tribal governing body or 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) (d) for services to dependent 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 (1) (d) and 46.41 (1) (d) and funds allocated under s. 46.40 (1) (d) for services to dependent 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 (1) (d) and 46.41 (1) (d) and funds allocated under s. 46.40 (1) (d) for services to dependent children, for use by the county, tribal governing body or nonprofit organization in the following calendar year.

The department may carry forward funds allocated under s. 46.40 (1) (d) for services to dependent children, for use by the county, tribal governing body or nonprofit organization in the following calendar year.
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.

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 allocate the amounts of the allocations under par. (a) to counties having a population of 500,000 or more.

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

46.48 (2) Child abuse and neglect services.

(a) 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.

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

(1) 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 25. 46.48 (7) of the statutes as created by 1989 WisAcT 336, is amended to read:

46.48 (7) (b) 2. This subsection paragraph does not apply after June 30, 1991.

Vetoed in Part

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 allocate the amounts of the allocations under par. (a) to counties 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 below the level in the year before the year for which the funds are allocated.
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.

(4) A county department that provides services under this section 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:

- 1. If in a rural area, serve more than one county.
- 2. Hire recipients of aid to families with dependent children under s. 49.10 but 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 service 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. 46.22 or 46.23 to coordinate food stamp program outreach efforts.
- 9. Evaluate the projects.

(2) 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 (tr), the department shall allocate not more than $40,000 in fiscal year 1990-91 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 legislatures of each state by the legislature for distribution under s. 13.15 (2) (c) before January 1, 1992.

(5) This section does not apply after June 30, 1992.

SECTION 88. 46.78 of the statutes is amended to read:

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 appropriation under s. 20.435 (7) (dm) and (tr), the department shall allocate not more than $500,000 each fiscal year to nonprofit organizations for projects that qualify for reimbursement.
Vetoed in Part

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.

SECTION 90. 46.95 (1) JS of the statutes is amended to read:

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

Vetoed in Part

SECTION 90. 46.95 (1) JS of the statutes is amended to read:

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

Vetoed in Part

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

46.98 (2) (intro.) The department shall, for the purposes specified in sub. (2f), distribute the funds received under s. 40.52 (4m) ch. 46.40 (1) (h), to either of the following.

SECTION 91. 46.98 (3) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

46.98 (3) (b) The county department specified under part (a) shall pay the school board from its child day care allocation under s. 46.40 (4m) (1), (2) 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) After ordering a penalty under sub. (2) (b) or (c) or (2b) (b) or (e) or (2d) (b) or (e), 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 (e) or (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.
(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.

(2) "Psychotropic medication" means a chemical compound, the use of which affects the mental state and includes an antipsychotic, antidepressant or anti-anxiety, 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.

2. On the date of the death reported under par. (a), the department shall investigate the death.

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. A foster home license shall be issued for a term not to exceed 2 years from date of issuance, shall 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 1999-2000 and $75,000 from that appropriation in fiscal year 2000-2001 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.

SECTION 94. 49.124 of the statutes is amended to read:

49.124 (title). Food stamp program administration.

Vetoed in Part

SECTION 95. 49.134 (3) (c) of the statutes is amended to read:

49.134 (3) (c) On the date 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:

49.13 (title) Public assistance applications.

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 (4) (a) 9 of the statutes is amended to read:

49.45 (4) (a) 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 sub. 1.
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 Acts 31 and 107, is 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 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.

Vetoed in Part

49.45 (6w) of the statutes is amended 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 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),
2. An institutionalized individual who, 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 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:

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 106B. 49.45 (25) (a) of the statutes is amended to read:

49.45 (25) (a) Except as provided under sub. (2), "severely emotionally disturbed child" includes severe mental illness as defined under s. 30.40 (4) (a) or Alzheimer's disease as defined under s. 49.47 (1) (a) or any other disease, illness or condition as defined under s. 31.01 (1) (c) 1, 2, 3, or 5, as determined and declared in the department's severely emotionally disturbed child program, or is physically disabled as defined by the department. The department is severely emotionally disturbed child or is 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.

SECTION 106C. 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, 5 or 6 of 49.47 (2) (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, 5 or 6 of 49.47 (2) (a) 1.

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

SECTION 106D. 49.45 (34) of the statutes is created to read:

49.45 (34) In this section "subsection" includes subsections, paragraphs, sub-paragraphs, clauses and phrases.

Vetoed in Part

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 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.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part
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 1395z 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 as determined under 42 USC 1381 to 1385 and income that is equal to or less than 100% 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.
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 paras. (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 children-at-risk program under s. 118.153 and 118.154, a children-at-risk or a modified children-at-risk program that is appropriate for the individual is not available.

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

49.50 (7) (g) 5. If an individual subject to the monthly attendance requirement under s. 118.153 (1) (b) 1. is on a waiting list for a children-at-risk or a modified children-at-risk program that is appropriate for the individual is not available for the child at the school or the school provides an instruction program for the caretaker at home.
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. There is reasonable cause to believe that the death was a suicide.

3. There is reasonable cause to believe that the death was caused by a facility staff member of a resident by use of physical force.

The county may, at its discretion, determine that an investigation is not justified and, in such case, the death is determined to have been caused by the facility staff member.

If the department determines that the death is caused by a facility staff member, the death is determined to have been caused by a facility staff member and the county is required to 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. There is reasonable cause to believe that the death was a suicide.

3. There is reasonable cause to believe that the death was caused by a facility staff member.
Vetoed in Part

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 130z. 433.46 (4) (a) 17 of the statutes is amended to read:

433.46 (4) (a) 17. If the department or, if the death occurred in a long-term care facility, the health care provider of the facility, determines that the death was a suicide.

Vetoed in Part

Vetoed in Part

Vetoed in Part

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 130z. 433.46 (4) (a) 17 of the statutes is amended to read:

433.46 (4) (a) 17. If the department or, if the death occurred in a long-term care facility, the health care provider of the facility, determines that the death was a suicide.
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 substance, drug or substance which affects the mental state, and includes an antipsychotic, antidepressant or anxiolytic, 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. There is reasonable cause to believe that the death was a suicide.

(b) Upon the passage of such an ordinance under par. (b), the board shall 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.

(b) Upon the passage of such an ordinance under par. (b) the board shall 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.

(b) Upon the passage of such an ordinance under par. (b) the board shall 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.

(b) Upon the passage of such an ordinance under par. (b) the board shall 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.
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 amended 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 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 the city, 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.

SECTION 133c. 66.46 (3) (a) of the statutes is amended to read:

66.46 (3) (a) The general assembly, in any existing or future corporate district, 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 133d. 66.46 (4) (gm) 4. c of the statutes is amended to read:

66.46 (4) (gm) 4. c. The aggregate value of taxable property of the district plus all existing districts does not exceed 5% of the total equalized value of 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.

SECTION 133e. 66.46 (i) and (k) of the statutes are created to read:

66.46 (i) The local legislative body shall provide the joint review board with the following information and projections:

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.
As part of its deliberations the board may hold additional hearings on the proposal.

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 with the advice and consent of the department.

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 sub. 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 133j. 66.46 (4m) (b) 1. of the statutes is amended to read:

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 opinion issued by the department of development.

SECTION 133k. 66.46 (5) (b) of the statutes is amended to read:

66.46 (5) (b) The department of development shall act on and review the items in sub. 2. within 30 days of the time the board acts on and reviews the items in sub. 2.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part
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) of subsection (5). vetoed

SECTION 133Lc. 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 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, 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 is located within 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 25% of the total number of real property taxpaying persons residing in the district.
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 133Lo. 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, other than the town, village or city, in which general property taxes are levied and collected.

SECTION 133Lp. 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 133Lq. 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
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.

(c) "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) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:


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 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:


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, 1988, 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, 1988, 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, 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.
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 begin after December 31, 1987, 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 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, 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 apply for Wisconsin purposes at the same time as for federal purposes.
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 made 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, 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. 99-514, 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 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 apply for Wisconsin purposes at the same time as for federal purposes.

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 made 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 31, 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, 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 made 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 made 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, 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)
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. (Idj), 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), 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), 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 years 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, except that changes to the provisions applicable to this subchapter made by P.L. 99-514, P.L. 100-203 and P.L. 100-647 excluding sections 803 (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, 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), 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, 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. 101-140 and P.L. 101-239 apply for Wisconsin purposes at the same time as for federal purposes.

Underscored, stricken, and vetoed text may not be searchable. If you do not see text of the Act, SCROLL DOWN.
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, 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, 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, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989.

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 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, except that changes to the internal revenue code made after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988.

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 federal 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.
amended to December 31, 1986, and as amended by 1989 Wisconsin Act 31, is amended to read:

SECTION 165. 71.42 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:


SECTION 166. 71.42 (2) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:


SECTION 167. 71.42 (2) (c) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:


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, except that “qualified research expenses” does not include compensation used in computing the credit under sub. (ldj), 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" do not include compensation used in computing the credit under this paragraph.

SECTION 172. 71.54 (1) (c) 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 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 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 exceed $8,000.

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. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this subdivision. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

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 employee 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. Amendments to the internal revenue code enacted after December 31, 1988, 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. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this subdivision. 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-
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 employee's distributee or estate amounts that qualify as an employee 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.

(10) DELINQUENT ANNUAL PAYMENT. (a) If all special assessments, special charges and personal property taxes due under sub. (3) or (4) are not paid in full on or before January 31, 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. 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) (e), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (e), 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 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 the tax credit under s. 79.10 (1a) (e), 1979 stats., for the previous calendar year or 80% 40% of the tax assessed before applying the tax credit under s. 79.10 (1a) (e), 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. 76.41, 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 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 under 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 and the 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 portion appropriated under this subsection shall be increased by a amount equal to 15% of the current year’s share of the equalized value of real estate assessed for state tax purposes, that was not included in the previous year’s assessment.

SECTION 187n. 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. “Full valuation” means the full value of all real estate assessed for state tax purposes. 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. “Full valuation” means the full value of all real estate assessed 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-
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 1989 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%.

(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). If the result under par. (c) is less than 120%, the balance is a special charge against the municipality. Any underpayment 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 reducing 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 overpayment, the net overpayment 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 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 received to be purchased by him or her at the same extent as if it were a dairy plant located in this
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 distribution from a financial statement submitted by the department to a milk producer under sub. (m). 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.

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.

(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.

100.06 (2) In all cases where it appears that the financial condition of the applicant or of the licensee is not adequate 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:

(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 is not adequate, despite having been required under sub. (a), 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:

(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 of the default of the licensee in the payment for such milk, cream or dairy products and that is an amount equal to 100% of the highest amount due and accrued at any one time for each milk.

(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.
(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, or 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:

100.06 (2m) 100.06 (2m) (a) Except as provided under pars. (b) and (c), a dairy plant operator shall pay each milk producer according to the estimated price requirements under part (b) of the following schedule:

1. For milk received by the dairy plant during the last 10 days of the month, on or before the 20th day of that month.
2. For milk received by the dairy plant after the 20th day of the month, on or before the 5th 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.

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 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 (4) of the statutes is 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 during 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
from the surety or sureties of either of them, the amount determined to be necessary to satisfy such claims, plus interest. 4

(d) The department may commence an action for 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 license 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 therefore 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 (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 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.

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 paras. (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:
Vetoed in Part

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. (10) (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.

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:

Vetoed in Part

SECTION 203. 101.35 (6) (a) of the statutes is amended to read:

Vetoed in Part

SECTION 204. 101.35 (7)(a) (intro.) of the statutes is amended to read:

Vetoed in Part

SECTION 205. 101.35 (7) (c) of the statutes is amended to read:

101.35 (7) (c) (1) The business employer submits to the local service agency a plan containing all of the following:

1. A description of the duties and wages paid for each position that the business employer intends to fill with an eligible job applicant.

2. 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.

Vetoed in Part

SECTION 206. 101.35 (7) (a) 3 and 4 of the statutes are created to read:

Vetoed in Part

SECTION 207. 101.35 (7) (b) 1 and 2 of the statutes are amended to read:

Vetoed in Part

SECTION 208. 101.35 (7) (c) of the statutes is amended to read:

Vetoed in Part

SECTION 209. 101.35 (7) (d) and (e) of the statutes are created to read:

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.

SECTION 210. 101.35 (8) of the statutes is renumbered 101.35 (8) (a) and 101.35 (8) (b) (emphasis added) and 101.35 (8) (c) is amended to read:

101.35 (8) (d) 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. (1) 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 position that existed immediately before the acquisition, merger or consolidation.

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) (c).

SECTION 212. 101.35 (9) (b) 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.

SECTION 213. 101.35 (10) (a) of the statutes, as affected by 1989 Wisconsin Act 21, 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 or employer if the local service agency determines any of the following:
1. The business employer is an existing business employing with few employees.
2. The business employer is a business with a high potential for growth.
3. The positions for which the business employer is seeking a subsidy are likely to be long-term.

4. That the business employer is a business that is at least 1% owned, controlled and actively managed by a woman or women.
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 40 per hour and provide fringe benefits.
7. That the business employer is certified that it has met all the requirements or processes that reduce or eliminate the use of chlorofluorocarbons, halons or other compounds or substances with ozone depletion potential as set out in 40 CFR part 82, appendix A, of 8.1 liters 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.1) and (b) of the statutes are amended to read:

101.35 (11) (a) (intro.1) 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. (3), the business employer shall repay the following percentage of the funds:
(b) A business an employer need not report 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 ends 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 repay under this subsection for additional wage subsidies except that amounts repay after June 30, 1994, shall be deposited in the general fund.

SECTION 218. 101.35 (12) (b) of the statutes is amended to read:
89 WisAct 336

Vetoed in Part 101.35 (12) (b) The number of qualified businesses and eligible job applicants participating in each eligible county unit of government.

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 participating in each eligible county unit of government.

SECTION 221. 101.35 (14) of the statutes is amended to read:

101.35 (14) SUNSET. Subsections (1) to (10) and (12) in Part do not apply after June 30, 1995.

SECTION 222. 114.41 (3) of the statutes is amended to read:

114.41 (3) The 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 223. 114.41 (7) (a) of the statutes is amended to read:

114.41 (7) (a) Unclassified academic staff of the university of Wisconsin system, excluding superintendents, management employees and individuals who are prior to confidential matters affecting the employer/employee relationship.

SECTION 224. 114.41 (10) of the statutes is repealed and reenacted to read:

114.41 (10) "Institution" means any university of the university of Wisconsin system, the center system, or any organizational equivalent designated by the board of regents of the university of Wisconsin system.

SECTION 225. 114.815 (4) of the statutes is amended to read:

114.815 (4) With regard to collective bargaining activities involving employees 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 226. 114.825 (2) (a) and (2m) of the statutes are amended to read:

114.825 (2) (a) The academic staff of the university of Wisconsin-Madison
114.825 (2) (m) The academic staff of the university of Wisconsin-Milwaukee.

12th (a) notwithstanding sub. (2), more collective bargaining units specified in sub. (1) to (12) 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 20% of the employees in each unit, hold an election to determine whether a majority of those employees voting in each unit desires to combine into a single unit. A combined collective bargaining unit shall be formed including all employees from each of those units in which a majority of the employees voting in the election expressed a combined unit. The combined collective bargaining unit shall be formed immediately if there is a collective bargaining agreement in force in any of the units to be combined. If there is no 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.

(2) If 2 or more collective bargaining units have combined under par. (a), the commission shall, upon petition of at least 25% of the employees in any of the original units, hold an election of the employees in the original unit to determine whether the employees in that unit desire to withdraw from the combined collective bargaining unit. If a majority of the employees voting desire to withdraw from the combined collective bargaining unit, separate units consisting of the employees in the unit in which the election was held and a unit comprised 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. 39.33 (4) may be held in the petitioning collective bargaining unit and any others, with an election under the paragraph. The ballots for the election under s. 39.33 (4) shall only be counted if at least 30% of the employees voting in the election vote in favor of the combined collective bargaining unit.

SECTION 227. 114.83 (3) of the statutes is amended to read:

114.83 (3) Whenever a question arises concerning the representation of employees in a collective bargaining unit, the commission shall determine the representation thereof by taking a secret ballot of the employees.
the statutes are amended to read:

111.83 (5) Vetoed in Part

(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 employer 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 employer in the collective bargaining unit specified in s. 111.825 (2) (c) Vetoed in Part, all elections held pursuant to the petitions shall be announced by the commission at the same time. 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 employer in the collective bargaining unit specified in s. 111.825 (2) (c) Vetoed in Part, all elections held pursuant to the petitions shall be announced by the commission at the same time. The labor organization named in any such petition shall be included on the ballot.
Vetoed in Part

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, if a petition is filed under sub. (6) for the disestablishment of existing representation indicating a showing of interest by 50% 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 at all such institutions. If the collective bargaining unit specified in s. 111.84 (2) (e), if a petition is filed under sub. (6) for the disestablishment of existing representation indicating a showing of interest by 50% 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 at all such institutions. In such an election, the only question appearing on the ballot shall be whether the employees desire to participate in collective bargaining.

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 to 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 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 renegotiation.

SECTION 222. 115.28 (27) of the statutes is amended 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 $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
“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 225i. 118.15 (1) (e) of the statutes is amended to read:

118.15 (1) (e) If the appropriation under s. 20.255 (2) (ac) 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 caring institution welfare agency under s. 48.60 (1).

SECTION 226. 118.22 of the statutes is created to read:

118.22 Educational programs foroincidence pupils. (1) The board may contract with private, nonsectarian, nonmunicipal agencies located in the school district to provide the programs under sub. (1) for up to 10% of the individuals described under sub. (1). The board shall pay each contracting agency, for each eligible equivalent pupil served by the agency, an amount equal to at least 50% 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) (e), the state superintendent shall pay $2,000 to the board for each pupil enrolled in a program under sub. (1).

3. By September 1, 1991, the board and each county department receiving aid under s. 10.62 shall provide the state superintendent with the data necessary to evaluate whether programs provided under sub. (1) and services provided under sub. (2) have been effective in reducing the number of pupil referrals under s. 48.20 (1) (b) and improving attendance rates.

4. The state superintendent shall compile the data listed in sub. (3) and report to the chief clerk of the house of the legislature for distribution to the appropriate standing committees under s. 13.12 (2) (a) 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.

SECTION 229. 120.15 (2) (dm) of the statutes is created to read:
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 (cc) 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 employees 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 $100 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. 121.153 (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 s. 121.08, 121.10, 121.105, 121.135, 121.85 (6) (a) and (g) and 121.86 (q) and the amounts in the appropriations under s. 20.255 (2) (ad) and (q) and the amounts in the state aid fund under s. 20.255 (2) (ae) (bm) for payments under s. 121.08, 121.10, 121.105, 121.135, 121.85 (6) (a) and (q) and 121.86 (q) shall be paid 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:
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 "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 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 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 in the county handicapped children’s education board program and who is a resident 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.
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) (m), (m) 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.

SECTION 246. 121.85 (6) (a) 1 of the statutes are 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.

SECTION 247. 121.86 (2) (a) 1 of the statutes, as affected by 1989 Wisconsin Act 31, are 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.

SECTION 248. 121.86 (3) (a) of the statute, as affected by 1989 Wisconsin Act 31, is renumbered 121.86 (3).
134.72 (2) (title) Prohibitions.

SECTION 250u. 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) Intra-state. 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 or she deems necessary. The expenses incurred in making any such examination 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 or she 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 s. 42.05, 204 (4).

(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 grants. From the appropriation under s. 20.435 (1) (ch), the department shall allocate up to $1,000,000 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. Public health services delivered beginning in 1990. Distribution of the funds under this subsection shall be made at $1 for each person for whom a grant is awarded.

(3) Primary health care services grants. From the appropriation under s. 20.435 (1) (ch), the department shall allocate up to $4,000,000 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.
(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 $250,000 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 to the department 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 costs 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 253t. 144.94 of the statutes is created to read:

144.94 (1) Department. In this section:
(a) "Waste" means anything that is not a solid waste, mineral, or such other thing as the department may designate.
(b) "Mineral" means nonmetallic and nonfuel mineral deposits, including mineral commodities, gas and oil, but does not include coal, natural gas, or peat.
(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 mining, excavation, grading, construction of roads, screening, reclaiming, processing and blending.

SECTION 253u. 144.96 (1) Any person who violates sub. (2) shall forfeit not less than $10 nor more than $5,000 for each violation.

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, 144.93, 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.
Each day of continued violation is a separate offense. While the order is suspended, stayed or enjoined, this penalty shall 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 established 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 257. 146.40 (1) (hp) of the statutes is created to read:

146.40 (1) (hp) “Personal care worker” means an individual employed by, or under contract with, an entity that provides personal care under s. 146.40 (2) (am) or (b). Personal care worker does not include an individual who is a licensed practical nurse employed under s. 441.54, 441.545 or 441.56.

SECTION 258. 146.40 (2) (a) of the statutes, as affected by 1989 Wisconsin Acts 31 and 84, 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 assistance, 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 whether or not certified providers of medical assistance, the individual has been employed or under contract as a nurse’s assistant or home health aide for at least 12 months on or prior to October 1, 1990, and if par. (b) or (c) does not apply, 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 whether or not 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, as affected by 1989 Wisconsin Act 31, is amended to read:

146.40 (2) (bm) For hospitals, nursing homes or home health agencies whether or not certified providers of medical assistance, the individual has been 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.

SECTION 261. 146.40 (2) (c) and (d) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

146.40 (2) (c) The For hospitals, nursing homes or home health agencies whether or not 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 home health aides that is certified in another state that is certified by the department under rule, or the individual is certified as a nurse’s assistant or as a home health aide in another state that is speci-
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).
(a) An agency certified to provide personal care under s. 48.40 (1) (b) 6. (b) has not employed an individual to provide personal care under s. 48.40 (1) (b) 6. unless one of the following is true:

(1) 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). Every person of the time required for such instruction may be completed on site in a recipient's home.

(2) The individual has practiced as a personal care worker for at least 12 months on or prior to October 1, 1991.

(3) 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. 48.10 (17) (b) 1. (b) has determined that the individual is capable of providing such services, orders the individual to the care needs and preferences of each recipient, and instructs the individual in the specific tasks required by each recipient where the individual will serve.

(4) The individual has successfully completed instruction in 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 50.035 (5) (b) or 50.04 (2) (b) or 51.64 (2).

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.
(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 ZZ and the individual is covered as a result of the individual becoming eligible for medicare.

(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 satisfies 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) 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-
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 paras. (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 paras. (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 appropriations under s. 20.455 (2) (e) and (m) for information under sub. (2) (a) leading to the arrest and conviction of a person for a violation of ch. 161.

SECTION 266o. 165.75 (3m) (f) of the statutes is created to read:

165.75 (3m) (f) "Fiscal year" has the meaning which it has under s. 20.95 (1) (b).
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 abandoned 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 259. 196.81 (10) of the statutes, as affected by 1989 Wisconsin Act 336, is amended to read:

196.81 (10) Telecommunications utility means any person, corporation, company, cooperative, partnership, association and lessor, 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. 196.816 of the statutes is created to read:

196.816 Telecommunications relay service exemption. The commission may not regulate the provision of telecommunications relay service as defined in s. 166.992 (1) (b) 1. If the service is provided under a contract entered into by the relay service board under s. 166.992 (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
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 telecommunications 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. (dr), except for the first $10,000 of gross volume, $30, 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 commission 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 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, employees 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 licenses 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 licensee shall annually, on or before February 15, file a report with the commissioner (which 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 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 business. 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 and shall comply with all unreasonable and discriminatory rules and regulations promulgated by the commissioner.

(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 the licensee. The commissioner may examine any person under oath or affirmation whose testimony the commissioner requires relative to the licensee. The commissioner 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 280p. Section 280p of chapter 181 of the statutes, as affected by 1999 Wisconsin Act 1, is repealed.

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) (gg) of the statutes is created to read:

230.08 (2) (gg) 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 281h. 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 employees of the university of Wisconsin system which

Vetoed in Part

Vetoed in Part

Vetoed in Part
are not identified under s. 20.923 (4), or (4m) or (4), 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) (i) for a position specified in s. 20.923 (4) (j) or (4m), no appointing authority shall award an employee cumulative performance award increases or other types of cumulative within range pay adjustments exceeding a total of 10% of the employee'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, issue a certificate of involuntary dissolution for the corporation if the corporation fails to submit to the secretary of state by June 30, 1990, 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. 234.04 (18m) or in which the authority has invested funds under s. 234.04 (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.
(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.
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).

SECTION 298a. 304.02 (3) (q) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

304.02 (3) (q) The prisoner population equals or exceeds 120% of the prisoner population limit under s. 301.055 (1).

SECTION 298b. 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 298c. 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 298d. 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 $1,000 nor more than $2,000. 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 302nf. 440.05 (3) (am) 1. of the statutes, as created by 1989 Wisconsin Act 31, is renumbered 440.05 (3) (L) 2.

SECTION 302m. 440.05 (3) (km) of the statutes is created to read:

440.05 (3) km. Acupunctures examining board.

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.

451.04 (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).
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 302n. Chapter 457 of the statutes is amended to read:

CHAP. 457
AUCTORES EXAMINANDI EXAMINANDI

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 on one or more articles of merchandise; one or more members of the audience makes an offer and the auctioneer accepts the highest or next highest 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 or increases the above

Underscored, stricken, and vetoed text may not be searchable. If you do not see text of the Act, SCROLL DOWN.
Vetoed in Part

89 WisACt 336

(5) The application for renewal of any license shall contain proof of attendance 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 subsection (5) if it determines that prolonged illness, disability or other exceptional circumstances have prevented a licensed person from completing the requirement. (6) Temporary license. (a) Upon application, the examining board shall grant a temporary license to an applicant if the applicant satisfies the requirements under sub. (2) (intro.), (a) to (c) and has submitted an application to take the most 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 90 days 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 license 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 knowledge, 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 performance of an applicant for licensure as an auctioneer. 457.09 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 shall license 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: 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 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 s. 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 s. 111.321, 111.322 and 111.335, practiced as an auctioneer while the individual's ability to practice was impaired by alcohol or other drugs. (g) Violated the 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 penalties 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, 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.

Vetoed in Part

(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 2 of the following:

1. The governing body of a surrounding municipality or the governing body of a county located at least partially within a 25-mile radius of a reservation of the Indian tribe or an Indian band participating in forming the committee.

Vetoed in Part

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 25-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 25-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.

9. Businesses, industries, labor groups, or general organizations in one or more surrounding municipalities.

10. Federal, state or local government agencies.

11. Organizations or individuals other than those listed in paragraphs (a) 2 and (b) 2.

(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.

Vetoed in Part

(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. Projects that may be funded by a grant under this section include, but are not limited to, any of the following:

2. Intercultural exchanges to improve community awareness about tribal rituals, cultural heritage and tribal history.

3. Town meetings to educate Indians and non-Indians about tribal history and resource management.

4. Communications and promotions about activities of the tribal and community relations committee.

(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).

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. Projects that may be funded by a grant under this section include, but are not limited to, any of the following:

2. Intercultural exchanges to improve community awareness about tribal rituals, cultural heritage and tribal history.

3. Town meetings to educate Indians and non-Indians about tribal history and resource management.

4. Communications and promotions about activities of the tribal and community relations committee.

(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 proposals 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.

(f) 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. 13.17 (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 311 d. 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 311 e. 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 intergovernmental 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) Enter, in the rate classified staff for the state's participation in the heritage tourism pilot program.

(c) With the assistance of the committee created by the secretary under sub. (1) 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 of 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 of 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
89 WisAct 336

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 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 development zone that is 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 of $18,155,000.

SECTION 315. 562.06 (3m) of the statutes is amended to read:

562.06 (3m) "Business day" means a business day as defined in s. 441.031 (6), that is not a legal holiday under s. 441.03 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. 562.06 (1) (b) shall deposit with the board, no later than 24 hours after the close of the race day, the following amounts:

(a) 10% of the total amount deducted under par. (a) on each race day.

(b) 1% of the total amount deducted under par. (a) on each race day.

(c) 0.5% of the total amount deducted under par. (a) on each race day.

(d) 0.25% of the total amount deducted under par. (a) on each race day.

(e) 0.25% of the total amount deducted under par. (a) on each race day.

(f) 0.125% of the total amount deducted under par. (a) on each race day.

(g) 0.125% of the total amount deducted under par. (a) on each race day.

(h) 0.125% of the total amount deducted under par. (a) on each race day.

(i) 0.125% of the total amount deducted under par. (a) on each race day.

(j) 0.125% of the total amount deducted under par. (a) on each race day.

(k) 0.125% of the total amount deducted under par. (a) on each race day.

(l) 0.125% of the total amount deducted under par. (a) on each race day.

SECTION 317. 562.065 (3) (c) 1 (intro.) and 2 (intro.) of the statutes are amended to read:

562.065 (3) (c) 1. For horse races, from the total amount deducted under par. (a) on each race day, a licensee under s. 562.06 (1) (b) shall deposit with the board, no later than 24 hours after the close of that race day, the following amounts:

(a) 10% of the total amount deducted under par. (a) on each race day.

(b) 1% of the total amount deducted under par. (a) on each race day.

(c) 0.5% of the total amount deducted under par. (a) on each race day.

(d) 0.25% of the total amount deducted under par. (a) on each race day.

(e) 0.25% of the total amount deducted under par. (a) on each race day.

(f) 0.125% of the total amount deducted under par. (a) on each race day.

(g) 0.125% of the total amount deducted under par. (a) on each race day.

(h) 0.125% of the total amount deducted under par. (a) on each race day.

(i) 0.125% of the total amount deducted under par. (a) on each race day.

(j) 0.125% of the total amount deducted under par. (a) on each race day.

(k) 0.125% of the total amount deducted under par. (a) on each race day.

(l) 0.125% of the total amount deducted under par. (a) on each race day.

SECTION 318. 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:

601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to 655 in Part , ss. 59.07 (2) (c), 66.183, 66.184 and 120.1 _ (2) (b) to (g) and shall act as promptly as possible under the circumstances on all matters placed before the commissioner.

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 may do any of the following:

(b) Children. Fraternal may provide insurance benefits to its members and, on the application of members, to others.

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 employees 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) (3m of the statutes is created to read:

631.07 (3) (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 (h) 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) 1, 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-
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).

(3) No coverage under a disability insurance policy is subject to sub. (4) and the department shall reimburse the insurer from the appropriation under s. 20.435 (1) (f) 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 the 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 certificate 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 by the department as a preexisting condition under sub. 1.

b. Was certified to the child within 6 months after the effective date of coverage.

6. Within 6 months after the effective date of coverage, the insurer provides the department a written certificate 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.

7. If an insurer fails to satisfy par. (a) or (b), 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. 632.30 (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.

(4) The coverage under a self-insured health plan of a county, city, village or special district is subject to sub. (5). The self-insured health plan is eligible for reimbursement under par. (a) to the same extent as an insurer if par. (b) 1) and 2) are satisfied and the minimum rate of the self-insured health plan attains par. (4) 1) and 2).

(5) The department shall promulgate rules specifying all of the following:

1. The information that an insurer 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 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 FRATERNALS. 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 332h. 812.23 (2) (c) of the statutes is amended to read:

812.23 (2) (c) A garnishment is entitled to $30 as a garnishment fee and need not prove the fee is first paid. The amount in addition to the fee the garnisher is entitled to receive includes the garnishment fee and the balance of the amount necessary to discharge the obligation of the person from whom money is to be garnished. The money ordered to be garnished shall be added to the amount necessary to discharge the garnishment. That additional fee shall be deducted from the money delivered to the garnisher. These fees become part of the funds of the state or the department of administration or the garnishee funds of the county or the circuits. The garnishee funds of the county or 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, funds of the city if the city 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 judgment fee to the treasurer of the state, county, municipality, school district or other subdivision of government as applicable.

SECTION 332i. 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...
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 Absecding 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. 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).

SECTION 333. 978.05 (8) (b) of the statutes, as affected by 1989 Wisconsin Acts 31 and 117, is amended to read:
978.05 (8) (b) Hire, employ 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 employees.

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) (b)雇雇 and 5 of the statutes are created to read:

978.12 (5) (c) (b) An employe who elects and if the option under the paragraph is not effective at the end of the 45th week beginning after the date on which the internal revenue service has given notice of the possibility of retirement benefits required under the retirement system established under chapter 201, laws of 1937, as an employe the place the option under this paragraph on January 1, 1989, or the later of the option under this paragraph or January 1, 1989, 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 employee 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 participating 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 employee 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) (a) 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 of the office of district attorney shall be included within all insurance and deferred compensation 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 employer-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 1, 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 employee’s employment in the office of district attorney for the same county by which the employee 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 employee. If the employee’s cost for such fringe benefits for any such employee is greater than the cost for comparable coverage under ch. 40, the state shall reimburse the county for that cost. If the employer’s cost for such fringe benefits for any such employee 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 employee who makes the election under this subsection paragraph may terminate that election, and shall then be included within all insurance and deferred compensation 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 employee’s intent to be included under any insurance benefit plan under ch. 40.

SECTION 333f. 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 employee-funded reimbursement account plan under ch. 40.

SECTION 333g. 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 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 20,370 (2) (ma), the department of natural resources shall expend $12,500 (ae) 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
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.

SECTION 336. 1989 Wisconsin Act 31, section 3202 (44) (dd) is repealed.

SECTION 3001. Nonstatutory provisions; administration.

(1) RELAY SERVICE.

(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.

(b) Board. The relay service board shall submit the proposed rules required under section 16.99 (13) of the statutes, as created by this act, to the legislative council for approval 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) 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 members appointed under section 15.105 (22) (b) (2) of the statutes, as created by this act, May 1, 1992.
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 3011. Nonstatutory provisions; conservation corps board.
(1p) Human Services activities.
(a) In this subsection, "human services activity" has the meaning given in section 16.20 (1) (a) of the statutes, as created by this act.
(b) In the 1989-90 biennium, the conservation corps board may authorize no more than 8 projects which include human services activities. In the 1991-93 biennium, the board may only approve projects which include human services activities. In these projects, the corps board may approve a project that includes forestry or a project which Wisconsin conservation corps employees 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.

The department of development is hereby authorized to:

(a) Enter into a written agreement with the firm to receive a loan from the appropriation under section 20.143 (1) (d) of the statutes.

(b) Accept the loan proceeds and use them to cover expenses necessary to maintain the sound business and financial operations of the firm.

(c) The secretary may approve a plan submitted under paragraph (b) if all of the following are satisfied:

1. The project will be used to create jobs in an area of the state with high unemployment and a low average income.

2. The firm agrees to submit to the department a plan detailing the proposed use of the loan proceeds.

3. The firm agrees to submit to the secretary the report required under paragraph (d).

4. The firm enters into a written agreement with the department specifying the terms of the loan, including reporting and auditing requirements.

5. The amount of the loan does not exceed $1,200,000.

(d) If the firm receiving a loan under this subsection shall submit to the secretary a report showing how the loan proceeds were actually used.

(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, including reporting and auditing requirements.

(c) The secretary shall approve a plan submitted under paragraph (b) 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.

2. The activities of the bank holding company's subsidiary that is at least 51% owned and controlled by minority group members to satisfy its capital reserve requirements.

3. 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) (ic) 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, "Spooner 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 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.
(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) (ei) 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 Commit-
tees; Rules Deadline. The department of develop-
ment 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
derpartment of development shall make a grant in the
amount of $100,000 to a regional planning commis-
sion organized under section 66.945 of the statutes, if
all of the following apply:

1. The chairperson of the regional planning com-
misson, 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 3 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.
(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.

(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. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

(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. “Organizer” means a nonprofit corporation organized under chapter 181 of the statutes.

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 nonprofit corporation organized under chapter 181 of the statutes.

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 the program:

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 not 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. $40,000 as grants for the provision of mammography services associated with the mammography program.
(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.

(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, in the manner provided in section 13.172 (3) of the statutes and to the joint committee on finance, on the findings of the department under section 49.45 (6m) (a) 3 of the statutes, and in institutions for mental diseases, beginning April, 1990.

(5) **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.
SECTION 3032. Nonstatutory provisions: higher educational aids board.

The legislature extended the aids 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 20.866 (2) (tz) of the statutes, as created by this act, to administer the independent student grant program.


(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 $20,000 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) of the statutes, the department of natural resources shall allocate $20,000 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.
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 3115. Appropriation changes; development.

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.

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.

1x) 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.
by the acts of 1989, is increased by $600,000 for fiscal year 1990-91 to advertise and promote tourism activities in the state.

(1m) **SPOONER REDEVELOPMENT AUTHORITY 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 $600,000 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 $1,200,000 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 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.

(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) (a) 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 and 1.0 PR permanent support 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**

14 (REIMBURSEMENT FOR MEDICAL SERVICES TO PREGNANT WOMEN). The dollar amount in the schedule under section 20.435 (6) (a) 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 $386,900 for fiscal year 1990-91 to fund expanded medical assistance for pregnant women.

15 (REIMBURSEMENT FOR PHARMACEUTICAL SERVICES). The dollar amount in the schedule under section 20.435 (6) (a) 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 $1,682,300 for fiscal year 1990-91 to increase the rates of medical assistance reimbursement for pharmaceutical services provided by physicians.

16 (REIMBURSEMENT FOR SCREENING AND DENTAL SERVICES FOR CHILDREN). The dollar amount in the schedule under section 20.435 (6) (a) 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 expanded medical assistance for pediatric services provided by physicians.
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 reflect 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, is increased by $175,700 for fiscal year 1990-91 to increase the rate of medical assistance reimbursement for chiropractic services.

(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.

(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 recipient 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) **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.

(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) (be) 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.

(26) **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 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.

(26t) 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.

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 amounts 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, is 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 to pay for 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 nonpoint source pollution projects concerning barnyard runoff in one or more towns 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.

(3l) 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) (e) 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.
(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) Grade increase; 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) Grade 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 system 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) (e) 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.

(4) 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 $863,200 for fiscal year 1990-91 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 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 $33,000 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) (aa) 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.

(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) 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.

(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
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 200 to 250 northern Wisconsin communities located in 18 counties in which 112,290 people now reside.

Vetoed in Part

980 Shared revenue payments. The amendment of section 76.38 (3) (b) 3 of the statutes first applies to taxable years beginning after December 31, 1990.

SECTION 3202. Initial applicability.
(4) Agriculture, trade and consumer protection.

(p) Milk producer security. The treatment of sections 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 school year.

(d) 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) Relays service school. 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.

(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.

(120) Other.

(tg) Government actions. The treatment of section 122.23 (1) (c) of the statutes first applies to certain
- 1651 -

Vetoed texts are indicated by 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 section 16.06 of the statutes takes effect on July 1, 1990.

(b) Relay service. The repeal of section 20.050 (4) (ds) of the statutes takes effect on January 1, 1992.

(15) Development.

(a) Bank holding company, redevelopment authority and development 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.

(23) Health and social services.

(a) Mandatory coverage of adopted children. The treatment of sections 40.51 (14), 48.833, 66.183, 120.13 (2) (dm), 185.981 (9), 185.983 (1) (intro.), 601.41 (1), 609.75, 631.07 (3) (a) 3m and 632.896 of the statutes takes effect on the first day of the 10th month beginning after publication.

(b) Medical assistance for children and pregnant women. The treatment of sections 49.45 (17) (b) 1 and 2 of the statutes takes effect on January 1, 1990.

(c) Medical assistance diversion. 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.

(d) Medical assistance Medicaid home health. The treatment of sections 49.45 (25) (am) and 49.45 (26) (am) 1 to 5 of the statutes takes effect on July 1, 1990.

(e) Medical assistance care coordination. The treatment of sections 49.46 (1) (b), (11) and (11b) and 49.47 (10) of the statutes takes effect on January 1, 1991.

(f) Community aids. The treatment of sections 66.78, 66.785 (1), (1b) and (1c), 70.03, 70.03 (1), 70.13, 70.13 (2), 70.20, 70.20 (1), 70.221, 70.221 (1), 70.26, 70.26 (1) and 70.26 (1m) of the statutes takes effect on January 1, 1991.

(g) Incentive grants. The treatment of sections 70.27, 70.27 (2), 70.271, 70.271 (1), 70.272, 70.272 (2), 70.273 (2), 70.274 and 70.275 (1) of the statutes takes effect on January 1, 1991.

(h) Special aide. The treatment of sections 49.45 (22), (23), 49.47 (10) and 49.47 (10m) of the statutes takes effect on January 1, 1991.

(i) Home health care. The treatment of section 49.45 (31) (b) of the statutes takes effect on July 1, 1990.

(j) Development.

(b) Environmental planning. The treatment of section 10.09 (2) (b) and (b) (title) and 1 of the statutes takes effect on July 1, 1990.

(40) Natural resources.

(a) 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) 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.

(a) 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.

(48) Revenue.

(a) Telecommunications. The treatment of section 76.38 (3), (4) (intro.), 76.39 (5) (intro.), 76.39 (5m) (intro.), 76.40 (5) 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, 1992.

(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 takes 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.

(b) **Deputy and assistant district attorney salaries.** The creation of 1989 Wisconsin Act 31, section 3058 (1) (d) takes effect retroactively on January 1, 1990.

(c) **Tax incremental financing changes.** The treatment of sections 66.46 (2), (4), (4m), (6), (am) 1 of the statutes takes effect on July 1, 1990.

(d) **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 takes effect on July 1, 1990.