1991 Senate Bill 483

1991 Wisconsin Act 269
(Vetoed in Part)
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related programs and allocations and the allocation of moneys to alcohol and other drug abuse treatment
and prevention programs; protective grade crossings and railroad historical societies; regional educational
telecommunications networks; Federally supplemental revenues; a tax exemption for sales in schools
transferring certain trade and consumer protection responsibilities from the department of
agriculture, trade and consumer protection to the department of justice; changing the name of the department
secretary to secretary of state; trade and consumer protection; a nonstock, nonprofit corporation that raises funds for the
Wisconsin radio and television networks; regulating solicitations that promise the awarding of a prize;
employment for certain, communications tower; for the instructional television fixed service system; early
intervention services to handicapped children and their families; authorizing the department of health and
social services to expend more than a certain amount for sites to determine eligibility for programs among
the appropriation and allocation of federal child care and development block grant funds; the allocation of
federal job opportunities and basic skills child care funds; matching funds for the Robert Wood Johnson
Foundation grant for severely emotionally disturbed children; determination of income and assets for aid to
families with dependent children; review of inpatient psychiatric care under the medical assistance program;
medical assistance administration and eligibility determinations; creating a submerged cultural resources
resource fund; the amount that a county or tribal governing body may retain from a recovered food stamp overpay-
ment; membership of the state capitol and executive residence board; the method of using information
technology services provided by the department of administration; transferring the incumbent in a position
from the educational communications board to the department of administration; income tax extensions;
the discount given to retailers for collecting the sales tax and the use tax; corporate income taxes imposed by
cities, village, and towns; and other provisions for certain local income tax projects; the penalty for failing to file a sales tax
or use tax return; the penalty for underreporting the value of property that is required to be registered or
titled; creating an individual income tax deduction for certain medical care insurance costs paid by certain
persons; providing individual income tax credits with the option of receiving it in a refund form; changing eligibility for the earned income tax credit; increasing the late filing fee for individual and corporate tax returns; repealing an initial applicability provision that does not apply to any statutory section; certificates of title for boats and security interests in boats; changing the
definition of snowmobile; supplemental payments for maintenance of snowmobile trails; snowmobile law
enforcement and safety; increasing the state aid formula for mass transit operating expenses; increasing the aid rate per mile for local transportation aids; permitting petitions to the court to modify protective placement orders; a lapse of county sales tax administrative revenue; an engineering certification requirement for
new highway improvements; permitting certain county trunk highway or town road improvements to be performed by county highway departments; permitting a city, village or town to contract with a county for
certain highway improvements; authorizing a county executive to appoint alternate members of a county
planning and zoning commission; adopting internal revenue code provisions for income and franchise tax
purposes; the total amount of shared revenue distributions; extension of charges for VON emergency
service systems; caller identification services; corporate law revisions; motor vehicle dealer franchise
terminations; electronic filing of federal tax forms; secured transactions filing fees; investment authority;
collection agency trust accounts; reinstatement of certain foreign corporation's certificate of authority;
property tax relief credits; the act's sales, use, and gross receipts tax liability, revenues, credits, and refunds; lottery
credit distribution dates; shared revenue adjustment payments; shared revenue population estimates; creating an energy efficiency program; providing grants to the community recycling center; definitions for certain economic development and tourism programs; providing for the issuance of bonds by the community recycling center; underwater archaeology and submerged cultural resources; creating a submerged cultural resources
council; transferring moneys from the Wisconsin development reserve fund; creating a snowmobile
industry grant program; awarding grants or loans for expanding technology-based incubators; a contract for
dental education with Marquette dental school; inmate wages; products made by inmates; supplemental
aid for training, education, and research programs; regulating alcoholic beverage control; the definition
change, and correction of certain statute references; the date on which county assessment aid is paid; the
funding source for a position in the legislative audit bureau; emergency medical services; fees for tests con-
ducted by the state laboratory of hygiene; removing the right to carry forward moneys from one calendar
year to the next for relocation services for mentally ill persons; the early intervention program for high-risk
youths; recycling surcharge administration; an exemption from the recycling surcharge; imposition of fees
by solid waste management boards; the Wisconsin job opportunity business subsidy program; interdistrict
special transfer bonus aid; providing special aid related to pollution control and the state's share of
financial hardship assistance to certain school districts; school district eligibility for preschool to grade 5
program grants; reimbursing pupil transportation costs in the department of transportation; contract with the
Milwaukee public school district; authorizing the Milwaukee school board to contract with other governmental
units; funding for alternative schools in the Durand and Blair school districts; state aid for handicapped
education transportation; the licensure of school business administrators by the state superintendent of public instruction; the Wisconsin educational opportunity program; the educational assessment program; educational program reviews; management restructuring programs; grants for collaborative service programs and projects; grants for mathematics and science programs; grants for staff development; state aid incentives for school district consolidation; a uniform pupil transcript; advanced placement examinations; head start supplements; the postsecondary enrollment options program; community service activities; the pupil minimum competency testing program; the school performance report; school district audits; creating a student readiness study committee and a committee on educational goals; coordinating and publicizing the exchange of teachers and school administrators; pupil participation in school activities; the annual meeting of the Milwaukee school board; the closure of college enrollment; adding a priority criterion for awarding grants and loans from the Wisconsin development fund; the institutional matching requirement under the academic excellence higher education scholarship program; eliminating the requirement that the board of regents of the university of Wisconsin system conduct research on supplemental bovine somatotropin; reserving Wisconsin development fund amounts for grants and loans to small businesses; lapsing an amount appropriated to the department of development for tourism; administration of the state health insurance pilot projects; controlled substances; child enticement; drug enforcement; law enforcement; notification to crime victims; disposal of firearms or ammunition; district attorneys; reports by private security personnel at airports; reimbursement to private counsel in cases assigned by the state public defender; grants for the costs of salaries and fringe benefits of drug enforcement officers; trust lands and investments; public transportation of all persons for medical or hospital care; department of employment relations publications; use of property acquired by the department of transportation; regulating by permit the use of rail corridors; payments to the medical college of Wisconsin, Inc., for health manpower training; allowing the state supplement to the women, infants, and children program to be used for the first three years; deleting youth identification training grants; reversion of certain program revenues to the general fund; insurance coverage of dental services; insurance coverage of chiropractic services; increase in marriage license fee; prohibiting the use of genetic tests for insurance coverage; requiring reports to the department of health and social services; the contents of operators' licenses and identification cards issued by the department of transportation; a lapse of program revenue in the office of the commissioner of banking; guideline matrices provided by the sentencing commission; composition of the Wisconsin health education loan repayment fund; seed labeler license fees; discrimination in milk pricing; creating an agricultural chemical cleanup council; licensing of commercial pesticide application businesses and of dealers and distributors of restricted use pesticides; reimbursement for clean up costs from the department of natural resources; assessing manufacturing property; discontinuing the property tax exemption for student loan collection agencies; reports on property that produces unrelated business income; property tax exemptions; the property tax exemption for mobile homes; the deadline for property tax exemption reports; a lapse to the general fund from the appropriation for gasoline vapor recovery grants; fees for stationary sources of air pollution; reimbursement for costs incurred because of discharges from petroleum storage tanks; contracting for the implementation of a certain long-range plan affecting the Fox river and the Winnebago pool; authorizing cities, villages and towns to create architectural conservancy districts; establishing municipal boundaries under a cooperative plan; the annual earnings period for judges under the Wisconsin retirement system; creating a historical markers program; a feasibility study of an exhibit on the Black Hawk War; a management and efficiency study of the department of natural resources; the training of secure detention facility superintendents; reports for final expenditures for the provision of one or more scientific instructional methods for disabled with elimination of the
authority to carry forward community aids moneys due to an audit adjustment; day care programs for
student parents; creating a mediator council; mediator certification of mediation agreements; increasing
certain court fees; specifying that computer programs except custom programs are subject to the sales tax
and use tax; instruction permits for commercial motor vehicle or school bus operation; requiring the submis-
sion of a gypsy moth eradication plan as a condition of the expenditure of appropriated moneys; pre-
paring payments to bulk producers for milk purchased from the bulk producer; milk procurement fees; creating
a multifamily dwelling code council in the department of industry, labor and human relations; adopting a
statewide multifamily dwelling code; directing the department of industry, labor and human relations to
assign not less than one additional full-time equivalent position to provide alternative dispute resolution
of complaints filed under the fair employment law; provisional alcohol beverage operators' licenses; the
presence of underage persons on premises for which a temporary Class "B" license is issued; certain floodplain
and shoreland zoning ordinances for Pierce county regulating improvements to nonconforming buildings or
buildings with nonconforming uses; the control of aquatic nuisance species in the waters of this state; creating
an aquatic nuisance control council; recreational boating aids; the estimated motorboat gas tax payment;
lake management planning grants; lake management grants; rewarding parking and the payment of
certain costs of an improvement project on Appleton creek in Door county; creating an urban rivers
grant program; a sea lamprey barrier at the Rapid Croche lock on the Fox river; the reopening of the
Portage canal; the reconstruction of Fort Winnebago; funding for a bridge in Adams county; plan for the
prevention of the spread of Eurasian water milfoil; commercial deer farms; venison retailer permits; de-
detection and control of bovine tuberculosis; certain types of deer; the inspection of the meat of certain types of
deer; small municipality shared revenue payments; medical assistance coverage of care coordination for
pregnant women; valuation of the accumulated unused sick leave of a state constitutional officer, member
or officer of the legislature, head of a state agency who is appointed by the governor or head of a legislative
agency for the payment of his or her postretirement health insurance premiums under the state group
health insurance program; creating a Wisconsin state and county cooperative state and county
aquatic nuisance management program; creating a gypsy moth eradication commission; a law to
supplement or decreasing payments to certain nursing homes for care provided to medical assistance recipients;
a statewide lien system report; grain dealer bond and security requirements; certification for the use and
use in the state of Wisconsin for the collection and reporting requirements for milk processed in
Wisconsin; milk produced from cows that have been administering vaccines to be slaughtered
specific information highway signs on U.S. highway 53 and the tri-county expressway; a grant to a central Wisconsin
entrepreneurial development center to promote trade and joint ventures with businesses in Russia;
reimbursing of certain utility-related costs associated with the Lake Arterial project in Milwaukee county;
community-based economic development grants to the city of Beloit for riverfront development; an urban
industrial park grant; provision of health insurance data collection and analysis services to the group
insurance board by the office of health care information; enforcement of gaming laws by the department of
justice; creating a division of criminal investigation in the department of justice; law library; establishing
assuring financial responsibility for the operation of certain motor vehicles; the revocation of motor vehicle
operating privileges and vehicle registrations for failure to deposit security; requiring the office of health
and human services to develop a program to provide assistance to low-income individuals for
health care providers who accept federal or state health insurance; requiring the health services board to
implement and enforce the consumer protection law for health care services; amending the consumer
protection law for health care services; postponing implementation of automatic reinstatement assessments for the sus-
pension of motor vehicle operating privileges; providing information and education to small businesses
regarding hazardous waste management; providing assistance for small businesses from the hazardous
waste management fund; grants for small point source projects; the requirement that local operators use the certain material in
daily cover; recycling loans and minority business recycling development grants and loans; a grant to the
General Mitchell international airport; disposing of yard waste; medical assistance reimbursement for home
health services; increasing the amount of public debt that the building commission may contract for related
to veterans mortgage refunding bonds; the date on which certain unencumbered moneys appropriated for
racing special programs will lapse to the general fund; the additional oil inspection fee; state aid for driver
education programs; authorizing the use of office of justice assistance funds for a law enforcement grant to a
city having a population of more than 150,000 and less than 500,000; appointment of a municipal judge;
increasing the number of circuit court branches; eligibility requirements for reserve judges; reserve judge
compensation; a grant to a town from the investment and local impact fund; child support receiving and
disbursing fee; grants to retired senior volunteer programs that provide services to homebound veterans;
health care treatment of Vietnam veterans; grants for housing for homeless veterans; requiring a loan from
the veterans trust fund to the general fund; actions finding solid waste facilities to be nuisances; eligibility for
dump closure cost-sharing grants; private security permit fees; recovery of medical assistance benefits;
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 9.10 (5) (a) of the statutes is amended to read:

9.10 (5) (a) The recall primary or election of more than one official may be held on the same day. If more than one official of the same designation elected at large or for the same term from the same district or territory is the subject of a recall petition, the names of all candidates for the office shall appear jointly with instructions to electors to vote for the number of positions contested. There shall be a separate election contest for the position held by each official. Candidates shall designate which position they are seeking on their nomination papers. Instructions shall appear on the ballot to electors to vote for each position separately.
SECTION 1p. 13.48 (14) (e) of the statutes is created to read:

13.48 (14) (e) If the state office building located at 3319 West Beltline highway in Dane county is sold by the state, the building commission shall ensure that the transferee pays $476,228 from the proceeds of the sale to the Wisconsin Public Broadcasting Foundation, if the foundation exists at the time of the transfer.

Vetoed in Part

SECTION 1pA. 13.625 (4) of the statutes is created to read:

13.625 (4) Subsections (1) (b) and (3) do not apply to the compensation or furnishing of employe benefits...
by a principal to an employe who is a candidate for an elective state office but who does not hold such an office if the employe is neither an agency official nor legislative employe, and if the principal or employe can demonstrate by clear and convincing evidence that the principal's employment of the employe and the compensation and employe benefits paid to the employe are unrelated to the candidacy. If the employe was employed by the principal prior to the first day of the 12th month commencing before the deadline for the filing of nomination papers for the office sought and the employment continues uninterrupted, without augmentation of compensation or employe benefits, except as provided by preexisting employment agreement, it is rebuttably presumed that the employment and compensation and benefits paid are unrelated to the candidacy.

Vetoed in Part

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

13.94 (1) (dp) In the 1987-89 and 1991-93 biennial audits of the natural resources programs of the department of agriculture, trade and consumer protection, and the department of environmental conservation, the performance audit of the water resources and management program in the department of agriculture, trade and consumer protection and the performance audit of the water pollution abatement program under the department of natural resources. The audit of the nonpoint source water pollution abatement program shall include a review of the priorities established and the priority watershed and priority lakes projects and program and project evaluation methods.

SECTION 1pc. 13.94 (1) (em) of the statutes is amended to read:

13.94 (1) (em) Annually, conduct a financial audit of the gaming commission that includes a financial audit of the state lottery, and, to the extent of the lottery board's gaming commission's participation, of any multistate lottery in which the state participates, and biennially conduct a performance audit of the gaming commission that includes a performance audit of the state lottery and, to the extent of the lottery board's gaming commission's participation, of those multistate lottery, as provided in s. 565.37 (1). The legislative audit bureau shall file a copy of each audit report under this paragraph with the department of justice and with the distributees specified in par. (b).

SECTION 1pc. 13.94 (1) (n) of the statutes is created to read:

13.94 (1) (n) Provide periodic performance audits of any division of the department of industry, labor and human relations that is responsible for inspections of multifamily housing under s. 101.973 (11).

SECTION 1pg. 13.94 (1s) (b) of the statutes is amended to read:

13.94 (1s) (b) The legislative audit bureau may charge the lottery board gaming commission for the reasonable costs of the audits required to be performed under sub. (1) (em) and for verification of the odds of winning a lottery game under s. 565.37 (5).

SECTION 1r. 14.015 (title) of the statutes is amended to read:

14.015 (title) Same; attached boards and commissions.

SECTION 1rm. 14.015 (2) of the statutes is created to read:

14.015 (2) WISCONSIN SESQUICENTENNIAL COMMISSION. There is created a Wisconsin sesquicentennial commission which is attached to the office of the governor under s. 15.03. The commission shall consist of the following members appointed by the governor:

(a) One citizen residing in each congressional district in this state.
(b) A representative of the university of Wisconsin system.
(c) A representative of the historical society.
(d) Two senators and 2 representatives to the assembly, one of each of whom shall be a member of the majority party and one of each of whom shall be a member of the minority party.
(e) One representative of each of the following communities:
1. Agriculture.
2. Arts.
5. Labor.
6. Recreation.

SECTION 1rs. 14.26 of the statutes is created to read:

14.26 Wisconsin sesquicentennial commission. (1) The Wisconsin sesquicentennial commission shall make appropriate plans and preparations for the commemoration of the 150th anniversary of Wisconsin statehood.

(2) The commission shall report to the governor regarding its activities upon the governor's request.

(3) Upon request of the commission, all state agencies, as defined in s. 20.001 (1), shall cooperate with the commission in the performance of its functions.

(4) The commission shall ensure full participation by the university of Wisconsin system in the sesquicentennial and shall make appropriate arrangements to coordinate commemorative activities with activities conducted to commemorate the sesquicentennial of the university of Wisconsin system.

(5) In making appointments to the commission, the governor shall designate a chairperson. The commission shall elect a vice chairperson and secretary from its membership.

(6) The commission shall report to the governor upon completion of its activities and, upon acceptance of the report by the governor, the commission shall cease to exist.
SECTION 1e. 15.06 (1)(f) of the statutes is amended to read:

15.06 (1) (f) Members of the gaming commission shall be nominated by the governor, and with the advice and consent of the senate, appointed for 4-year terms expiring on July 1.

Vetoed in Part

SECTION 6f. 15.07 (1)(b) 7 of the statutes is amended to read:

15.07 (1) (b) 7 of the statutes is repealed.

Vetoed in Part

SECTION 7g. 15.07 (4) of the statutes is amended to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the ethics board; or the school district boundary appeal board, the letter c62, the council of the state or the council of the city.

Vetoed in Part

SECTION 1z. 15.01 (4) of the statutes is amended to read:

15.01 (4) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the Milwaukee river revitalization council has the powers and duties specified in s. 23.18 and the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2) and the privacy council has the powers specified in s. 19.625.

SECTION 3f. 15.06 (1) (f) Members of the gaming commission shall be nominated by the governor, and with the advice and consent of the senate, appointed for 4-year terms expiring on July 1.

Vetoed in Part

SECTION 6f. 15.07 (1)(b) 7 of the statutes is amended to read:

15.07 (1) (b) 7 of the statutes is repealed.

Vetoed in Part

SECTION 7g. 15.07 (4) of the statutes is amended to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, if a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the ethics board; or the school district boundary appeal board; the letter c62; and the council of the state or the council of the city.

Vetoed in Part

SECTION 7i. 15.07 (5) (m) of the statutes is amended to read:

15.07 (5) (m) of the statutes is repealed.

Vetoed in Part

SECTION 7j. 15.07 (5) (u) of the statutes is repealed.

SECTION 7k. 15.07 (5) (v) of the statutes is repealed.

SECTION 8. 15.105 (5) of the statutes is amended to read:

15.105 (5) STATE CAPITOL AND EXECUTIVE RESIDENCE BOARD. There is created a state capitol and executive residence board, attached to the department of administration under s. 15.03, consisting of the secretary of administration or the secretary's designee, the director
of the historical society or the director's designee, an
architect or engineer employed by the department of
administration appointed by the secretary of adminis-
tration, 3 senators and 3 representatives to the assembly appointed as are the members of standing
committees in their respective houses, and 7 citizen
members appointed for staggered 6-year terms of
whom at least 2 shall be architects licensed in this
state, one shall be a landscape architect and 3 shall be
interior designers.

**SECTION 9.** 15.105 (13) of the statutes is repealed.

**Vetoed in Part**

**SECTION 10.** 15.105 (16) (b) 1. of the statutes is
amended to read:

15.105 (16) (b) 1. The secretary of administration,
the secretary of agriculture, and trade and consumer
protection, the secretary of natural resources, and the
secretary of transportation or their designees.

**SECTION 11.** 15.105 (16) (c) of the statutes is
amended to read:

15.105 (16) (c) *Laws:*

15.105 (16) (c) 1. The secretary of agriculture, and trade and consumer
protection, the secretary of health and social services, the
secretary of industry, labor and human relations, the
secretary of natural resources and the chancellor of the
university of Wisconsin system, or a designee of such
secretary or the chancellor, shall serve as liaison
representatives to the Wisconsin conservation corps
board and provide information to and assist the
board. The liaison representatives are not board
members and may not vote on any board decision or
action.

**SECTION 12.** 15.107 (13) of the statutes, as
created by 1991 Wisconsin Act 39, is renumbered 15.107
(intro.) and amended to read:

15.107 (13) PRIVACY COUNCIL. (intro.) There is created
a privacy council attached to the department of
administration under s. 15.03 consisting of 7 the fol-
lowing 9 public members appointed to staggered 3-
year terms;

**SECTION 13.** 15.107 (13) (a) and (b) of the statutes
are created to read:

15.107 (13) (a) Four members appointed by the
governor.

(b) Five members appointed by the governor, one
of whom shall be nominated by each of the following:
1. The chief justice of the supreme court.
2. The president of the senate.
3. The senate minority leader.
4. The speaker of the assembly.
5. The assembly minority leader.

**Vetoed in Part**

**SECTION 14.** 15.107 (13) (c) of the statutes is
repealed.

15.107 (13) (c) Department of agriculture and trade,
protection: There is created a department of agriculture
and trade and consumer protection under s. 15.03.
The department shall consist of a board of members
consisting of 9 members, 3 of whom are appointed by
the secretary of agriculture and trade and consumer
protection, 1 by the chief justice of the supreme
court and 1 each by the president of the senate, the
senate minority leader, and the speaker of the assembly
and 1 member appointed by the secretary of agriculture and trade
and consumer protection. One member shall be a rep
resentative of the state laboratory of hygiene, and

**SECTION 15.** 15.107 (14) (a) and (b) of the statutes is
repealed.

15.107 (14) (a) A part of a research and extension
board. There is created an animal health and disease
research board attached to the department of agriculture,
and trade and consumer protection under s. 15.03.
The board shall consist of the dean of the
school of veterinary medicine, the director of the agricul-
tural experiment station at the university ofWis-
consin-Madison and the chief veterinarian of the
department of agriculture, and trade and consumer
protection, or their designees, and one public member
appointed for a 3-year term.

**SECTION 16.** 15.107 (14) (a) of the statutes is
repealed.

15.107 (14) (a) Creation. There is created a land con-
servation board which is attached to the department of
agriculture and trade and consumer protection under s. 15.03.

**SECTION 17.** 15.107 (14) (b) 1. of the statutes is
repealed.

15.107 (14) (b) 1. The secretaries of administration,
agriculture, and trade and consumer protection,

natural resources and of agriculture and trade and
consumer protection or their designees.

**SECTION 18.** 15.107 (14) (a) of the statutes, as
affected by 1991 Wisconsin Act 39, is amended to
read:

15.107 (14) (a) Four members appointed by the
governor.

(b) Five members appointed by the governor, one
of whom shall be nominated by each of the following:
1. The chief justice of the supreme court.
2. The president of the senate.
3. The senate minority leader.
4. The speaker of the assembly.
5. The assembly minority leader.
Vetoed in Part

SECTION 12m. 15.137 (4) of the statutes is created to read:

15.137 (4) AGRICULTURAL CHEMICAL CLEANUP COUNCIL. There is created in the department of agriculture, trade and consumer protection an agricultural chemical cleanup council. The council shall consist of the following members appointed by the secretary of agriculture, trade and consumer protection for 4-year terms:

(a) Two members to represent agricultural chemical manufacturers and wholesalers.

(b) Two members to represent farmers.

(c) Two members to represent retail fertilizer and pesticide dealers and commercial applicators.

(d) One member to represent an environmental interest.

Vetoed in Part

SECTION 12m. 15.137 (5) (h) of the statutes is amended to read:

15.137 (5) (h) Voting members. Six voting members shall be appointed jointly by the secretary of the department of agriculture, trade and consumer protection and the dean of the college of agriculture and the sciences at the university of Wisconsin-Madison, to serve for 4-year terms. Three of the members shall be industry representatives selected from a list of candidates provided by the fertilizer industry. Three members shall represent farmers who are crop producers. No voting member may serve more than 2 consecutive 4-year terms.

Vetoed in Part
(d) Nine members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council is required, except that at least 10 members of the council are required to vote affirmatively to recommend changes in the statutes or administrative rules.

SECTION 15. 15.253 (2) of the statutes is created to read:

15.253 (2) DIVISION OF CRIMINAL INVESTIGATION.

There is created in the department of justice a division of criminal investigation. The division shall be appointed by the secretary of the department of justice in the manner prescribed in the statutes.

SECTION 15. 15.253 (2) of the statutes is created to read:

15.253 (2) DIVISION OF CRIMINAL INVESTIGATION.

There is created in the department of justice a division of criminal investigation.

SECTION 15m. 15.347 (18) of the statutes is created to read:

15.347 (18) AQUATIC NUISANCE CONTROL COUNCIL.

(a) There is created in the department of natural resources an aquatic nuisance control council.

SECTION 15m. 15.347 (18) of the statutes is created to read:

15.347 (18) AQUATIC NUISANCE CONTROL COUNCIL.

(a) There is created in the department of natural resources an aquatic nuisance control council.
(b) The council shall be composed of the following members:
1. The secretary of natural resources or his or her designee.
2. Ten members, each of whom has a background in the area of conservation, environmental policy or public health.
(c) The members appointed under par. (b) 2 shall serve 3-year terms.

SECTION 15r. 15.405 (4m) of the statutes is repealed.

SECTION 18am. 15.64 of the statutes is created to read:

15.64 Gaming commission; creation. There is created a gaming commission. Each member shall be a U.S. citizen and shall be a resident, as described in s. 6.10 (1), of this state at the time of appointment. No person who has been convicted of or entered a plea of guilty or no contest to a felony or a gambling-related offense under the laws of this or another state or of the United States may be appointed as a member unless the person has received a pardon under which the person's full civil rights have been restored.

SECTION 19am. 15.643 of the statutes is created to read:

15.643 Same; specified divisions. (1) ADMINISTRATIVE SERVICES DIVISION. There is created in the gaming commission an administrative services division.
(2) GAMING SECURITY DIVISION. There is created in the gaming commission a gaming security division.
(3) RACING DIVISION. There is created in the gaming commission a racing division.
(4) LOTTERY DIVISION. There is created in the gaming commission a lottery division.

SECTION 20c. 15.707 (2) of the statutes is created to read:

15.707 (2) SUBMERGED CULTURAL RESOURCES COUNCIL. (a) There is created in the historical society a submerged cultural resources council, consisting of the following members:
1. The director of the historical society.
2. The secretary of natural resources.
2m. The secretary of transportation.
3. The administrator of the state's coastal zone management program.
4. The director of the sea grant institute at the university of Wisconsin-Madison.
5. The administrator of the division of tourism in the department of development.
6. A representative of the national park service, appointed by the director of the historical society from a list of nominees recommended by the national park service.
7. Six other members, including an archaeologist, a maritime historian and a representative of a maritime museum, appointed by the director of the historical society after consultation with the secretary of natural resources.
8. Four legislative members appointed as follows:
   a. One member who is appointed as are members of standing committees in the senate.
   b. One member who is appointed by the senate minority leader.
   c. One member who is appointed as are members of standing committees in the assembly.
   d. One member who is appointed by the assembly minority leader.
(b) The members appointed under par. (a) 6 and 7 shall serve 3-year terms and shall include at least 2 scuba divers certified by a nationally recognized aquatic safety program or a nationally recognized diver's organization.
(c) The members under par. (a) 1 to 5 shall serve as nonvoting members and may appoint designees to serve on the council.

SECTION 20g. 15.71 of the statutes is repealed.

15.72 Immune death investigation board. There is created an immune death investigation board consisting of members appointed for 4-year terms as follows:
1. One member having experience in the medical field appointed by the dean of the university of Wisconsin-Madison medical school.
2. One member having experience in the criminal justice system appointed by the dean of the university of Wisconsin-Madison law school.
3. One member having experience in law enforcement appointed by the chief justice of the supreme court.
4. One member appointed by the state public defender.
5. One member appointed by the secretary of corrections.
6. One member who is a pathologist nominated by the state medical society and appointed by the dean of the university of Wisconsin-Madison medical school.
7. One member who is an employee of the department of health and social services trained in medical services, but who is not a physician, appointed by the secretary of health and social services.

SECTION 18am. 15.643 of the statutes is created to read:

15.643 Same; specified divisions. (1) ADMINISTRATIVE SERVICES DIVISION. There is created in the gaming commission an administrative services division.
(2) GAMING SECURITY DIVISION. There is created in the gaming commission a gaming security division.
(3) RACING DIVISION. There is created in the gaming commission a racing division.
(4) LOTTERY DIVISION. There is created in the gaming commission a lottery division.

SECTION 20c. 15.707 (2) of the statutes is created to read:

15.707 (2) SUBMERGED CULTURAL RESOURCES COUNCIL. (a) There is created in the historical society a submerged cultural resources council, consisting of the following members:
1. The director of the historical society.
2. The secretary of natural resources.
2m. The secretary of transportation.
3. The administrator of the state's coastal zone management program.
4. The director of the sea grant institute at the university of Wisconsin-Madison.
5. The administrator of the division of tourism in the department of development.
6. A representative of the national park service, appointed by the director of the historical society from a list of nominees recommended by the national park service.
7. Six other members, including an archaeologist, a maritime historian and a representative of a maritime museum, appointed by the director of the historical society after consultation with the secretary of natural resources.
8. Four legislative members appointed as follows:
   a. One member who is appointed as are members of standing committees in the senate.
   b. One member who is appointed by the senate minority leader.
   c. One member who is appointed as are members of standing committees in the assembly.
   d. One member who is appointed by the assembly minority leader.
(b) The members appointed under par. (a) 6 and 7 shall serve 3-year terms and shall include at least 2 scuba divers certified by a nationally recognized aquatic safety program or a nationally recognized diver's organization.
(c) The members under par. (a) 1 to 5 shall serve as nonvoting members and may appoint designees to serve on the council.

SECTION 20g. 15.71 of the statutes is repealed.

15.72 Immune death investigation board. There is created an immune death investigation board consisting of members appointed for 4-year terms as follows:
1. One member having experience in the medical field appointed by the dean of the university of Wisconsin-Madison medical school.
2. One member having experience in the criminal justice system appointed by the dean of the university of Wisconsin-Madison law school.
3. One member having experience in law enforcement appointed by the chief justice of the supreme court.
4. One member appointed by the state public defender.
5. One member appointed by the secretary of corrections.
6. One member who is a pathologist nominated by the state medical society and appointed by the dean of the university of Wisconsin-Madison medical school.
7. One member who is an employee of the department of health and social services trained in medical services, but who is not a physician, appointed by the secretary of health and social services.
in Part

Vetoed

16.007 (2) Rules. The Except as provided in s. 901.05, the board shall not be bound by common law or statutory rules of evidence, but shall admit all testimony having reasonable probative value, excluding that which is immaterial, irrelevant or unduly repetitious. The board may take official notice of any generally recognized fact or established technical or scientific fact, but parties shall be notified either before or during hearing or by full reference in preliminary reports, or otherwise, of the facts so noticed, and the parties shall be afforded an opportunity to contest the validity of the official notice.

SECTION 21. 16.03 of the statutes is repealed.

SECTION 21d. 16.20 (1) (cg) of the statutes is created to read:

16.20 (1) (cg) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. "Disability" includes any physical disability or developmental disability, as defined in s. 51.01 (5) (a). "Disability" does not include the current illegal use of a controlled substance, as defined in s. 161.01 (4), unless the individual is participating in a supervised drug rehabilitation program.

SECTION 21f. 16.20 (1) (cm) of the statutes is amended to read:

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

SECTION 21h. 16.20 (2) (d) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

16.20 (2) (d) Human services. Promoting the social well-being of children, the elderly, persons with physical or developmental disabilities and persons with low incomes through the implementation of projects that include human services activities.

SECTION 21j. 16.20 (6) (bm) of the statutes is amended to read:

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

SECTION 21m. 16.20 (13) (a) of the statutes is amended to read:

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

SECTION 21n. 16.367 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

16.339 (2) (a) From the appropriation under s. 20.505 (7) (dm), the department may award a grant that does not exceed $50,000 to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied.

SECTION 21q. 16.505 (2) (b) of the statutes is amended to read:

16.505 (2) (b) This subsection does not apply to full-time equivalent positions funded from the appropriations under s. 20.370 (2) (bg) or (8) (mg) or 20.855 (8).

SECTION 21r. 16.515 (3) of the statutes is amended to read:

16.515 (3) This section does not apply to supplementation of appropriations under s. 20.370 (2) (bg) or (8) (mg) or 20.855 (8).

SECTION 22am. 16.61 (3) (u) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 16.61 (3) (u) 1 and amended to read:

16.61 (3) (u) 1. Shall create a registry of, in a format that may be accessed by computer terminal, describing the records series maintained by state agencies that contain personally identifiable information by using the maximum extent feasible, information submitted to the board in retention schedules under sub. (4) (b). The board may require state agencies to provide additional information necessary to create the registry. The board may not require a state agency to modify any records series described in the registry.

2. The registry shall not include any of the following:

a. Any records series that contains the results of a matching program, as defined in s. 19.62 (3), if the state agency using the records series destroys the
records series within one year after the records series was created.

3. The registry shall be designed to ensure:
   a. Ensure that state agencies are not maintaining any secret records series containing personally identifiable information.

SECTION 23. 16.61 (3) (u) 2. b. to f. and 3. b. and c. of the statutes are created to read:
   16.61 (3) (u) 2. b. Mailing lists.
   c. Telephone directories.
   d. Records series pertaining exclusively to employees of a state agency.
   e. Records series specified by the board that contain personally identifiable information incidental to the primary purpose for which the records series was created, such as the name of a salesperson or a vendor in a records series of purchase orders.
   f. Record series relating to procurement or budgeting by a state agency.

3. b. Be comprehensible to an individual using the registry so that identification of records series maintained by state agencies that may contain personally identifiable information about the individual is facilitated.

c. Identify who may be contacted for further information on a records series.

SECTION 23b. 16.61 (3) (v) of the statutes is created to read:
   16.61 (3) (v) Shall provide the privacy advocate direct access via a computer terminal to the registry created under par. (u).

SECTION 23m. 16.71 (3) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:
   16.71 (3) If the department makes or delegates to the lottery board gaming commission or to any other designated purchasing agent under sub. (1) the authority to make a major procurement, as defined in s. 565.01 (4), for the lottery board gaming commission, the department, lottery board gaming commission or designated purchasing agent shall comply with the requirements under s. 565.25.

SECTION 23p. 16.72 (4m) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:
   16.72 (4m) The department shall provide the lottery board gaming commission with a copy of each contract for a major procurement, as defined in s. 565.01 (4), for the lottery board gaming commission.

SECTION 23s. 16.84 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:
   16.84 (1) Have charge of, operate, maintain and keep in repair the state capitol building, the executive residence, the light, heat and power plant, the state office buildings and their power plants, the grounds connected therewith, and such other state properties as are designated by law. All costs of such operation and maintenance shall be paid from the appropriation appropriations under s. 20.505 (5) (ka) and (kb), except for debt service costs paid under s. 20.866 (1) (u). The department shall transfer moneys from the appropriation under s. 20.505 (5) (ka) to the appropriation account under s. 20.505 (5) (kc) sufficient to make principal and interest payments on state facilities and payments to the United States under s. 13.488 (1) (m).

SECTION 24. 16.84 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:
   16.84 (2) Appoint such number of security officers as is necessary to safeguard all public property placed by law in the department's charge, and provide security services at the historical society headquarters building located at 816 State street and the historical society museum located at 30 N. Carroll Street street in the city of Madison upon reimbursement therefor by the society. When authorized by the governor, the department shall appoint such number of security officers as is necessary to safeguard state officers or other persons. All such security officers may arrest, with or without warrant, any person violating any law within or around any of said properties or in the presence or vicinity of said state officers or other persons being safeguarded by authorization of the governor. Nothing in this subsection limits or impairs the duty of the chief and each police officer of the police force of the municipality in which the property is located to arrest and take before the proper court or magistrate persons found in a state of intoxication or engaged in any disturbance of the peace or violating any state law, except s. 16.843 (2), in or around any of said properties located in the municipality in which the property is located, as required by s. 62.09 (13).

SECTION 24m. 16.843 (2) (b) and (bm) (intro.) of the statutes are amended to read:
   16.843 (2) (b) The department shall establish a schedule of fees for parking during the state office hours specified in s. 230.35 (4) (f) at every state-owned office building for which the department has managing authority and which is located in a municipality served by an urban mass transit system for which state operating assistance is provided under s. 85.20, if the mass transit system serves a street which passes within 500 feet of the building. In addition, the department shall establish a schedule of fees for parking during other hours at any state-owned office building located in such a municipality served by an urban mass transit system for which state operating assistance is provided under s. 85.20. In addition, the department may establish a schedule of fees for parking at other state facilities located in such a municipality.

(bm) (intro.) Fees established under this subsection for parking at any state facility, except the parking specified in par. (cm), shall be established so that the total amount collected equals the total costs of:
SECTION 24n. 16.843 (2) (c) (intro.) of the statutes is amended to read:

16.843 (2) (c) (intro.) Notwithstanding par. (bm), except as provided in s. 13.488 (1) (L), fees need not be imposed by the department for parking in a facility at a state-owned office building in a fiscal year, except the parking fees specified in par. (cm), if the department determines that, for any fiscal year:

SECTION 24p. 16.843 (2) (cm) of the statutes is created to read:

16.843 (2) (cm) Fees established under this subsection for parking in a facility owned and operated by the department shall be so set that all costs of land acquisition, construction, financing, administration, maintenance and operation of the facility are recovered from fee revenue. The department shall review and establish fees under this paragraph on an annual basis such that the costs of administration, maintenance and operation of the facility are fully recovered on an annual basis and the costs of land acquisition, construction and financing are fully recovered at the earliest possible time.

SECTION 26d. 16.847 of the statutes is created to read:

16.847 Energy efficiency program. (1) Definitions. In this section:

(a) "Agency" has the meaning given in s. 16.52 (7).

(b) "State facilities" means all property owned and operated by the state for the purpose of carrying out usual state functions, including each center and institution within the university of Wisconsin system.

(c) "Utility expenses" means expenses incurred to provide heating, cooling and electricity to a state facility.

(2) Utility expense budgeting. For all appropriations listed in sub. (4), an agency shall submit to the department documentation that shows the amounts budgeted and expended by the agency for utility expenses in fiscal year 1993-94 and in fiscal year 1994-95.

(4) Utility expense appropriations. Subsection (2) applies to all of the following appropriations:

(a) Section 20.225 (1) (b).

(b) Section 20.245 (2) (c), (4) (c) and (5) (c).

(c) Section 20.255 (1) (c).

(d) Section 20.285 (1) (c).

(e) Section 20.410 (1) (f).

(f) Section 20.435 (2) (f).

(g) Section 20.465 (1) (f).

(h) Section 20.485 (1) (c).

(i) Section 20.505 (5) (ka).

(j) Section 20.865 (2) (e).

(5) Energy efficiency program. (a) The department shall establish an energy efficiency program to assist agencies in energy conservation. The department shall seek out energy saving opportunities, review and rank energy efficiency projects, award loans to agencies for energy efficiency projects and verify energy savings achieved by an energy efficiency project.

(b) The department may award a loan under sub. (6) to an agency for any of the following energy efficiency projects:

1. Construction projects that involve remodeling, renovation or similar modifications made to the interior or exterior structure of a building.

2. Nonconstruction projects that include energy efficiency work that is not included under subd. 1.

(6) Loans. (a) From the appropriation under s. 20.505 (5) (q) the department may award a loan to an agency to fund an energy efficiency project. The department may not award a loan under this paragraph unless all of the following conditions are satisfied:

1. The energy efficiency project generates sufficient utility expense savings to pay back the loan within 6 years.

2. The loan funds an energy efficiency project in an existing state facility.

3. The energy efficiency project is a construction project under sub. (5) (b) 1 or a nonconstruction project under sub. (5) (b) 2.

4. The energy efficiency project meets any other condition established by the department.

(b) From the appropriation under s. 20.505 (5) (q), the department may award a loan to an agency to fund an energy efficiency project. The department may not award a loan under this paragraph unless all of the following conditions are satisfied:

1. The energy efficiency project generates sufficient utility expense savings to pay back the loan within 6 years.

2. The loan funds an energy efficiency project in an existing state facility.

3. The energy efficiency project is a construction project under sub. (5) (b) 1 or a nonconstruction project under sub. (5) (b) 2.

4. The energy efficiency project meets any other condition established by the department.

(7) Loan approval. Loans made under sub. (6) require approval by the department or the building commission, or both, as follows:

(a) For any loan approval by the department under sub. (6) is required.

(b) For loans of $100,000 or more, after approval by the department, approval by the building commission is required. Any approval by the building commission under this paragraph shall be made after an exhaustive review and does not require enumeration as provided in s. 20.924 (1).

(8) Repayment agreements. (a) As a condition of receiving a loan under sub. (6), an agency shall enter into an agreement to pay back the loan from utility expense savings via the energy efficiency project. The agreement shall specify the annual repayment amount and the appropriation to which the loan shall be repaid. Initially, the department may impose the
Vetoed in Part

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(b) As a condition of receiving a loan under sub. (6), an agency shall agree that for 6 years after the loan is repaid utility expenses saved by the energy efficiency project shall be allocated as follows:

1. The department may transfer one-third of the annual savings to the general fund.

2. The department may transfer savings to the energy efficiency fund for maintenance, monitoring and education.

3. Subject to review under s. 16.50 (2), the agency may retain one-third of the annual savings for its general program operations.

91 WisAcT 269

MAINTENANCE, MONITORING AND EDUCATION.

(a) From the appropriation under s. 20.505 (5) (q), the department may expend up to 3% of the total amounts deposited in the energy fund for energy efficiency monitoring and for education programs that provide information about energy efficiency projects or information about energy conservation.

Vetoed in Part

(b) From the appropriation under s. 20.505 (5) (q), the department may expend the amounts deposited in the energy efficiency fund under sub. (8) (b) 2 for maintenance, monitoring and education.

Vetoed in Part

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, 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, and energy efficiency projects of the energy efficiency program under s. 16.847. The department shall not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a day care center primarily for use by children of state employees.

Vetoed in Part

SECTION 26f. 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, and energy efficiency projects of the energy efficiency program under s. 16.847. The department shall not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a day care center primarily for use by children of state employees.

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

If you do not see text of the Act, SCROLL DOWN.
SECTION 26mm. Subchapter X (title) of chapter 16 of the statutes is created to read:

CHAPTER 16

SUBCHAPTER X

PROPERTY TAX DEFERRAL PROGRAM

(to precede s. 16.993)

SECTION 26n. 17.275 of the statutes is amended to read:

17.275 Records of applicants for elective positions. No appointing authority may withhold from inspection or copying under s. 19.35 (1) any record of the name or address of an applicant for appointment to fill a vacancy in an elective office.

SECTION 26p. 9.34 (1) of the statutes is amended to read:

9.34 (1) "Personally identifiable information" has the meaning specified in s. 19.62 (5).

SECTION 26pp. 9.45 (1) of the statutes is amended to read:

9.45 (1) "Public employees" means those persons who are employees of the state or a political subdivision of the state, persons who are employees of an agency or department of the state, persons who are employees of a political subdivision of the state, or persons who are employees of an agency or department of a political subdivision of the state.

SECTION 26qq. 9.47 (1) of the statutes is amended to read:

9.47 (1) "Public record" means any record that is not excluded from the definition of public record by s. 19.02 (4), (6) or (7) but that is maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26rr. 9.49 (1) of the statutes is amended to read:

9.49 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26tt. 9.51 (1) of the statutes is amended to read:

9.51 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26uu. 9.53 (1) of the statutes is amended to read:

9.53 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26vv. 9.55 (1) of the statutes is amended to read:

9.55 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26ww. 9.57 (1) of the statutes is amended to read:

9.57 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26xx. 9.59 (1) of the statutes is amended to read:

9.59 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26yy. 9.61 (1) of the statutes is amended to read:

9.61 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.

SECTION 26zz. 9.63 (1) of the statutes is amended to read:

9.63 (1) "Public records" means all records kept by the state, a political subdivision of the state, or a public employee that are maintained by the state, a political subdivision of the state, or a public employee as part of the routine transaction of public business.
Vetoed in Part

19.35 (1) (am) 1. Any record containing personally identifiable information that is collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding, or any such record that is collected or maintained in connection with such an action or proceeding, unless the authority determines that the requested record is not otherwise protected in accordance with any other provision of law.

2. Any record containing personally identifiable information that, if disclosed, would do any of the following:
   a. Endanger an individual's life or safety.
   b. Identify a confidential informant.
   c. Endanger the security of any state correctional institution, as defined in s. 301.01 (4), jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 48.02 (15m), mental health institute, as defined in s. 51.01 (12), center for the developmentally disabled, as defined in s. 51.01 (3), or the population or staff of any of these institutions, facilities or jails.
   d. Compromise the rehabilitation of a person in the custody of the department of corrections or detained in a jail or facility identified in subd. 2. c.

SECTION 26sm. 19.35 (1) (b) of the statutes is amended to read:

19.35 (1) (b) Except as otherwise provided by law, any requester has a right to inspect a record and to make or receive a copy of a record which appears in written form. If a requester requests a copy of a record, the authority having custody of the record may, at its option, permit the requester to photocopy the record or provide the requester with a copy substantially as readable as the original.

SECTION 26t. 19.35 (1) (i) and (k) and (2) of the statutes are amended to read:

19.35 (1) (i) Except as authorized under this paragraph, no request under pars. (a) and (b) to (f) may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. Except as authorized under this paragraph, no request under pars. (a) to (f) may be refused because the request is received by mail, unless prepayment of a fee is required under sub. (3) (f). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.

(k) Notwithstanding pars. (a), (am), (b) and (f), a legal custodian may impose reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(2) FACILITIES. The authority shall provide any person who is authorized to inspect or copy a record under sub. (1) (a), (am), (b) or (f) with facilities comparable to those used by its employees to inspect, copy and abstract the record during established office hours. An authority is not required by this subsection to purchase or lease photocopying, duplicating, photographic or other equipment or to provide a separate room for the inspection, copying or abstracting of records.

SECTION 26u. 19.35 (4) (c) of the statutes is created to read:

19.35 (4) (c) If an authority receives a request under sub. (1) (a) or (am) from an individual or person authorized by the individual who identifies himself or herself and states that the purpose of the request is to inspect or copy a record containing personally identifiable information pertaining to the individual that is maintained by the authority, the authority shall deny or grant the request in accordance with the following procedure:

1. The authority shall first determine if the requester has a right to inspect or copy the record under sub. (1) (a).

2. If the authority determines that the requester has a right to inspect or copy the record under sub. (1) (a), the authority shall grant the request.

3. If the authority determines that the requester does not have a right to inspect or copy the record under sub. (1) (a), the authority shall then determine if the requester has a right to inspect or copy the record under sub. (1) (am) and grant or deny the request accordingly.

SECTION 26v. 19.36 (3) of the statutes are amended to read:

19.36 (3) CONTRACTORS' RECORDS. Each authority shall make available for inspection and copying under s. 19.35 (1) any record produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority. This subsection does not apply to the inspection or copying of a record under s. 19.35 (1) (am).
19.36 (6) **Separation of Information.** If a record contains information that may be made public is subject to disclosure under s. 19.35 (1) (a) or (am) and information that may not be made public is not subject to such disclosure, the authority having custody of the record shall provide the information that may be made public is subject to disclosure and delete the information that may not be made public subject to disclosure from the record before release.

SECTION 27b. 19.36 (7) of the statutes is created to read:

19.36 (7) **Identities of Applicants for Public Offices or Employment.** Every applicant for a position with any authority may indicate in writing to the authority that the applicant does not wish the authority to reveal his or her identity. Such authority shall provide a space for making such an indication on each application form used by the authority if the position is exempt with respect to an applicant whose name is certified for appointment to a position in the state classified service, if an applicant makes such an indication in writing, the authority shall not provide access to any record that may reveal the identity of the applicant.

SECTION 27d. 19.365 (title) of the statutes is created to read:

19.365 (title) **Rights of Data Subject to Challenge; Authority Corrections.**

SECTION 27e. 19.365 (2) (intro.) of the statutes is created to read:

19.365 (2) (intro.) This section does not apply to any of the following records:

SECTION 27f. 19.37 (2) of the statutes is renumbered 19.37 (2) (a) and amended to read:

19.37 (2) (a) The court shall award reasonable attorney fees, damages of not less than $100, and other actual costs to the requester if the requester prevails in whole or in substantial part in any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (a). Costs and fees shall be paid by the authority affected or the unit of government of which it is a part, or by the unit of government by which the legal custodian under s. 19.33 is employed and may not become a personal liability of any public official.

SECTION 27fd. 19.42 (2) of the statutes is amended to read:

19.42 (2) "Associated", when used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity or of which an individual or a member of his or her immediate family is an authorized representative or agent.

SECTION 27fe. 19.42 (5m) of the statutes is created to read:

19.42 (5m) "Elective office" means an office regularly filled by vote of the people.

SECTION 27ff. 19.42 (7w) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

19.42 (7w) (a) An elective office of a local governmental unit.

SECTION 27fm. 19.42 (13) (c) of the statutes is amended to read:

19.42 (13) (c) All positions identified under s. 20.923 (2), (4), (4m), (6) (f) to (14d) and (hp) (h) and (8) to (10), except clerical positions.

SECTION 27fn. 19.48 (9) of the statutes is amended to read:

19.48 (9) Administer a program programs to explain and interpret this subchapter and subch. III of ch. 13 for state public officials, and for elective state officials, candidates for state public office, legislative officials, agency officials and lobbyists, as defined in s. 13.62, local public officials, corporation counsels and attorneys for local governmental units. The program programs shall provide advice regarding appropriate ethical and lobbying practices, with special emphasis on public interest lobbying. The board may delegate creation and implementation of the any such program to a group representing the public interest. The board may charge a fee to participants in any such program.

SECTION 27fw. 19.59 (1) (f) of the statutes is created to read:

19.59 (1) (f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 144.445 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 144.445, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.

SECTION 27g. 19.59 (1) (f) of the statutes is created to read:

19.59 (1) (f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 144.445 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 144.445, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.

SECTION 27h. 19.59 (1) (f) of the statutes is created to read:

19.59 (1) (f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 144.445 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 144.445, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.
Vetoed in Part

SECTION 28. 19.63 (1) (d) of the statutes is created to read:

19.63 (1) (d) Publicize the registry of records series created under s. 16.61 (3) (u) and, upon request, assist with record retrieval any person requesting additional information on a records series in the registry that is provided by a state agency, or requesting from the registry information to which access is provided by a state agency.

SECTION 30. 19.69 (1) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

19.69 (1) (title) MATCHING SPECIFICATION. (intro.) A state authority may not use or allow the use of personally identifiable information maintained by the state authority in a match under a matching program, or provide personally identifiable information for use in a match under a matching program, unless the state authority specifies has specified in writing all of the following for the matching program:

SECTION 31. 19.69 (2) of the statutes is created to read:

19.69 (2) COPY TO PUBLIC RECORDS AND FORMS BOARD. A state authority that prepares a written specification of a matching program under sub. (1) shall provide to the public records and forms board a copy of the specification and any subsequent revision of the specification within 30 days after the state authority prepares the specification or the revision.

SECTION 33am. 19.73 (2) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (2) (a) and amended to read:

19.365 (2) (a) Records Any record transferred to an archival depository under s. 16.61 (13).

SECTION 33b. 19.73 (1) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.32 (1m) and amended to read:

19.32 (1m) In this section, "person" means the parent, guardian, as defined in s. 48.02 (8), or legal custodian, as defined in s. 48.02 (11), of a child, as defined in s. 48.02 (2), the guardian, as defined in s. 880.01 (3), of an individual adjudged incompetent, as defined in s. 880.01 (4), the personal representative or spouse of an individual who is deceased or any person authorized, in writing, by the individual to exercise the rights granted under this section.

SECTION 34am. 19.73 (2) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.35 (1) (am) (intro.) and amended to read:

19.35 (1) (am) (intro.) Upon request In addition to any right under par. (a), any requester who is an individual or person authorized by the individual, may has a right to inspect any record containing personally identifiable information pertaining to the individual that is maintained by an authority and to make or receive a copy of any such information in a form which is comprehensible to the individual or person authorized by the individual. The authority may impose a fee not to exceed the fees under s. 19.35 (3) for providing a copy of the information. The right to inspect or copy a record under this paragraph does not apply to any of the following:

SECTION 35am. 19.73 (3) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (1) and amended to read:

19.365 (1) An Except as provided under sub. (2), an individual or person authorized by the individual may challenge the accuracy of a record containing personally identifiable information pertaining to the individual that is maintained by an authority by notifying if the individual is authorized to inspect the record under s. 19.35 (1) (a) or (am) and the individual notifies the authority, in writing, of the challenge. After receiving the notice, the authority shall do one of the following:

(a) Concur with the challenge and correct the information.

(b) Deny the challenge, notify the individual or person authorized by the individual of the denial and allow the individual or person authorized by the individual to file a concise statement setting forth the reasons for the denial and the reasons for the disputed portion of the record. A state authority that denies a challenge shall also notify the individual or person authorized by the individual of the reasons for the denial.

SECTION 36am. 19.73 (4) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 37am. 19.73 (4) (a) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (2) (a) and amended to read:

19.365 (2) (a) Records Any record transferred to an archival depository under s. 16.61 (13).

SECTION 38. 19.73 (4) (b) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 39am. 19.73 (4) (c) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (2) (b) and amended to read:

19.365 (2) (b) Any record pertaining to an individual if a specific state statute prohibits the disclosure or federal law governs challenges to the accuracy of the record to the individual.
SECTION 40am. 19.73 (4) (d) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.35 (1) (am) 3 and amended to read:
19.35 (1) (am) 3. Any record that is not part of a records series, as defined in s. 19.62 (7), that is not indexed, arranged or automated in a way that the record can be retrieved by the authority maintaining the records series by use of an individual’s name, address or other identifier.

SECTION 41. 19.73 (4) (e) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 43am. 19.75 (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:
19.75 Access to confidential records. (intro.) Notwithstanding any other state law, unless federal law or regulations require or as a condition to receipt of federal aids by this state require that the right of inspection under this section be denied, the privacy advocate may inspect any record in the custody of an authority that is not open to inspection under ss. 19.35 (1) (a) and 19.36 if all of the following apply:

SECTION 43b. 19.80 (title) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:
19.80 (title) Penalties.

SECTION 43c. 19.80 (1) (a) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 43d. 19.80 (1) (e) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.37 (2) (b) and amended to read:
19.37 (2) (b) If in any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (am), if the court finds that the authority acted in a wilful or intentional manner, the court shall award the individual actual damages sustained by the individual as a consequence of the failure.

SECTION 43m. 20.002 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.002 (2) ACCRUED TAX RECEIPTS. Solely for purposes of relating annual taxes to estimated expenses, amounts withheld under s. 71.64 prior to July 1 and taxes imposed by subch. III of ch. 77 for periods ending prior to July 1 shall be deemed accrued tax receipts as of the close of the fiscal year but no revenue shall be deemed accrued tax receipts unless deposited by the state on or before the August 15 following the end of the fiscal year. Solely for purposes of relating annual taxes to estimated expenses, fees imposed under subch. II of ch. 77 and taxes imposed under ss. 139.02, 139.03 (2m) and (2n) and 139.76 and assessments imposed under s. 50.14 (2) shall be deemed accrued tax receipts as of the close of the fiscal year, but no revenue shall be deemed accrued tax receipts unless deposited by this state on or before July 31. Solely for purposes of relating annual taxes to estimated expenses, taxes imposed under s. 70.58 shall be deemed accrued tax receipts as of the close of the fiscal year, but no revenue shall be deemed accrued tax receipts unless it is deposited by this state on or before August 31.

SECTION 46. 20.005 (3) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:
20.005 (3) APPROPRIATIONS. (intro.) Except as otherwise provided in 1991 Wisconsin Act 39, section 9160 (1xg) and 1991 Wisconsin Act ... (this act), section 9160 (1z), the following tabulation lists all annual, biennial and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

SECTION 47. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

<table>
<thead>
<tr>
<th>20.115 Agriculture, trade and consumer protection, department of</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) ANIMAL HEALTH SERVICES</td>
</tr>
<tr>
<td>(e) Bovine tuberculosis research GPR A $50,000 Vetoed in Part</td>
</tr>
<tr>
<td>(7) AGRICULTURAL RESOURCE MANAGEMENT</td>
</tr>
<tr>
<td>(q) Gypsy moth eradication SEG A 250,000 235,300 Vetoed in Part</td>
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</table>

<table>
<thead>
<tr>
<th>28.103 Development, department of</th>
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</thead>
<tbody>
<tr>
<td>(1) ECONOMIC AND COMMUNITY DEVELOPMENT</td>
</tr>
<tr>
<td>Act</td>
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<tr>
<td>20.197</td>
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<td>20.225</td>
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<td>20.245</td>
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<td>20.255</td>
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<tr>
<td>20.370</td>
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</table>

**Historical society**

<table>
<thead>
<tr>
<th>(3)</th>
<th>Historic and burial sites preservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d)</td>
<td>Historical markers; state-funded markers and plaques</td>
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</tbody>
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**Public instruction, department of**

<table>
<thead>
<tr>
<th>(1)</th>
<th>Educational leadership</th>
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<tr>
<td>(dt)</td>
<td>Educational assessment program</td>
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**Aids for local educational programming**

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<tr>
<td>(dc)</td>
<td>Professional development</td>
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<td>(ds)</td>
<td>Management restructuring programs</td>
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<td>(ef)</td>
<td>Collaborative projects</td>
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<td>(eg)</td>
<td>Collaborative service programs</td>
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<td>(eh)</td>
<td>Head start supplement</td>
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<tr>
<td>(em)</td>
<td>Grants for mathematics and science programs</td>
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<td>(fh)</td>
<td>Grants for staff development</td>
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<tr>
<td>(u)</td>
<td>Aid for handicapped education transportation</td>
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**Natural resources, department of**

<table>
<thead>
<tr>
<th>(1)</th>
<th>Resource management</th>
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<tbody>
<tr>
<td>(ds)</td>
<td>Water resources--Portage canal; Port Winnebago</td>
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**Environmental standards**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>(bg)</td>
<td>Air management--stationary sources</td>
</tr>
<tr>
<td>(bh)</td>
<td>Air management--vapor recovery administration</td>
</tr>
<tr>
<td>(bi)</td>
<td>Air management--mobile sources</td>
</tr>
</tbody>
</table>

**Local support**

<table>
<thead>
<tr>
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<td>(ig)</td>
<td>Aids administration--vapor recovery grants</td>
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**Administrative services**

<table>
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<tr>
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<tr>
<td>(mg)</td>
<td>General program operations--stationary sources</td>
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### General program operations—mobile sources

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
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<tbody>
<tr>
<td>20.395</td>
<td>Transportation, department of</td>
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<td>26,000</td>
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### AIDS

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<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(av)</td>
<td>Assistance for Forest county, state funds</td>
<td>SEG B</td>
<td>540,500</td>
<td>-0-</td>
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</tbody>
</table>

### Health and social services, department of

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
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</thead>
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<tr>
<td>(gd)</td>
<td>Demand management</td>
<td>PR A</td>
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### Health services planning, regulation and delivery

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<tr>
<th>Section</th>
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<th>Notes</th>
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<tbody>
<tr>
<td>(cd)</td>
<td>Breast cancer screening and services</td>
<td>GPR N</td>
<td>310,000</td>
<td>442,600</td>
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### Demand management

<table>
<thead>
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<th>Section</th>
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<tr>
<td>(dg)</td>
<td>Demand management</td>
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<td>42,200</td>
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### Emergency medical services; general program operations

<table>
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<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>(rg)</td>
<td>Emergency medical services; general program operations</td>
<td>SEG A</td>
<td>-0-</td>
<td>180,600</td>
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### Inmate death investigation Board

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
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<tbody>
<tr>
<td>20.450</td>
<td>Inmate death investigation Board</td>
<td>SEG A</td>
<td>3,000</td>
<td>10,000</td>
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### Justice, department of

<table>
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<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>(g)</td>
<td>Gaming law enforcement; racing revenues</td>
<td>PR A</td>
<td>-0-</td>
<td>140,100</td>
</tr>
<tr>
<td>(r)</td>
<td>Gaming law enforcement; lottery revenues</td>
<td>SEG A</td>
<td>-0-</td>
<td>203,400</td>
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### Veterans affairs, department of

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(rc)</td>
<td>Homeless veterans reintegration</td>
<td>SEG A</td>
<td>-0-</td>
<td>75,000</td>
</tr>
<tr>
<td>(rs)</td>
<td>Retired senior volunteer program grants</td>
<td>SEG A</td>
<td>-0-</td>
<td>15,900</td>
</tr>
<tr>
<td>(sm)</td>
<td>Payments related to The Highground</td>
<td>SEG C</td>
<td>150,000</td>
<td>-0-</td>
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### Administration, department of

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
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<tbody>
<tr>
<td>(kb)</td>
<td>Parking</td>
<td>PR A</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(tj)</td>
<td>Maintenance, monitoring and education</td>
<td>SEG A</td>
<td>-0-</td>
<td>-0-</td>
</tr>
</tbody>
</table>

### Property tax deferral

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>Property tax deferral program; loans</td>
<td>GPR A</td>
<td>-0-</td>
<td>550,500</td>
</tr>
</tbody>
</table>
(b) Property tax deferral program; administration

20.515 Employe trust funds, department of

(1) EMPLOYE BENEFIT PLANS

(ut) Health insurance data collection and analysis contracts

20.521 Ethics board

(1) ETHICS AND LOBBYING REGULATION

(i) Materials and services

20.680 Supreme court

(2) Director of state examiners

(c) BAR EXAMINERS AND RESPONSIBILITY

(3) Board of bar examiners; state funding

Vetoed in Part

SECTION 47a. 20.115 (1)(b) of the statutes is amended to read:

20.115 (1)(b) Agriculture and trade, department of. There is appropriated to the department of agriculture and trade the unused balance of the following programs:

Vetoed in Part

SECTION 47b. 20.115 (1)(g) of the statutes is created to read:

20.115 (1)(g) Synthetic bovine somatotropin training. All moneys received under s. 97.237(1) to administer s. 97.237.

Vetoed in Part

SECTION 47c. 20.115 (1)(h) of the statutes is amended to read:

20.115 (1)(h) Pari-mutuel racing supplemental aid. All moneys received from s. 20.197(1)(g) 1r, to provide state aids to counties and agricultural societies, associations or boards and to incorporated dairy or livestock associations.

Vetoed in Part

SECTION 47d. 20.115 (2)(e) of the statutes is created to read:

20.115 (2)(e) Bovine tuberculosis research. The amounts in the schedule for bovine tuberculosis research under s. 95.179.

Vetoed in Part

SECTION 47j. 20.115 (2)(e) of the statutes is created to read:

20.115 (2)(e) Bovine tuberculosis research. The amounts in the schedule for bovine tuberculosis research under s. 95.179.
SECTION 47r. 20.143 (1) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.143 (1) (c) Wisconsin development fund, grants and loans. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under s. 560.665; for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m); and for the grants under 1991 Wisconsin Act .... (this act), section 9115 (1m); and for the grants under 1991 Wisconsin Act .... (this act), section 9115 (1x).

Vetoed in Part

SECTION 47rb. 20.143 (1) (c) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), is repealed and recreated to read:

20.143 (1) (c) Wisconsin development fund, grants and loans. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under s. 560.665; and for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m).

SECTION 47t. 20.143 (1) (er) of the statutes is amended to read:

20.143 (1) (er) Rural economic development program. Biennially, the amounts in the schedule for grants and loans under s. 560.17 and for the grant under 1991 Wisconsin Act .... (this act), section 9115 (1x).

SECTION 47v. 20.143 (1) (er) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and recreated to read:

20.143 (1) (er) Rural economic development program. Biennially, the amounts in the schedule for grants and loans under s. 560.17.

Vetoed in Part

SECTION 48. 20.143 (1) (er) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.143 (1) (er) Wisconsin development fund, grants and loans. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under ss. 560.665; and for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m).

SECTION 49. 20.143 (1) (er) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.143 (1) (er) Rural economic development program. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under ss. 560.665; and for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m).

SECTION 50. 20.143 (1) (er) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.143 (1) (er) Rural economic development program. Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under ss. 560.665; and for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m).

SECTION 51. 20.155 (1) (g) of the statutes is amended to read:

20.155 (1) (g) Utility regulation. The amounts in the schedule for the regulation of utilities. Ninety percent of all moneys received by the commission under s. 184.10 (3), 196.85 or 196.855 shall be credited to this appropriation. Ninety percent of all receipts from the sale of miscellaneous printed reports and other copied material, the cost of which was originally paid under this paragraph, shall be credited to this appropriation.

SECTION 51m. 20.155 (1) (h) of the statutes is amended to read:

20.155 (1) (h) Holding company and nonutility affiliate regulation. All Ninety percent of the moneys received by the commission under s. 196.84, for the regulation of holding companies and nonutility affiliates under s. 196.795.

SECTION 52. 20.165 (1) (g) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

20.165 (1) (g) General program operations. The amounts in the schedule for the licensing, rule making and regulatory functions of the department, except for preparing, administering and grading examinations. Ninety percent of all moneys received under chs. 433 and 440 to 459, except ss. 163.80, 440.05 (1) and 440.92 (8), shall be credited to this appropriation.

SECTION 54. 20.190 (1) (h) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.190 (1) (h) State fair operations. The amounts in the schedule for general program operations and for the grant program under s. 42.12. All moneys received for or on account of the state fair, state fair park or other events and all moneys received from the lease of the Olympic ice training center under s. 42.11 (3) shall be credited to this appropriation. The unencumbered balance of this appropriation on June 30 of each year shall be transferred to the appropriation under par. (i).

SECTION 54x. 20.192 (intro.) of the statutes is repealed.

SECTION 54y. 20.192 (1) (title) of the statutes is repealed.
SECTION 55g. 20.192 (1) (g) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.192 (1) (g) General program operations. (intro.) The amounts in the schedule for the regulation of racing under ch. 562. All moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), less the amounts appropriated under ss. 20.197 (4) (g) and 20.455 (2) (g), shall be credited to this appropriation. The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures by the racing board for the regulation of racing under ch. 562, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (e) 2 and (4), shall be transferred as follows:

SECTION 55m. 20.192 (1) (g) (intro.) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is renumbered 20.197 (1) (g) (intro.) and amended to read:

20.197 (1) (g) General program operations. (intro.) The amounts in the schedule for the regulation of racing under ch. 562 general program operations under chs. 561 to 569. All moneys received by the gaming commission under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), under ch. 563, except s. 563.80, and under s. 564.02 (2), less the amounts appropriated under ss. 20.197 (4) (g) and 20.455 (2) (g), shall be credited to this appropriation. The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures by the racing board for the regulation of racing under ch. 562, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (e) 2 and (4), shall be transferred as follows:

SECTION 55r. 20.192 (1) (g) 1 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 20.197 (1) (g) 1.

SECTION 55s. 20.192 (1) (g) 1r of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (1) (g) 1r.

SECTION 56c. 20.192 (1) (g) 1s of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (1) (g) 1s and amended to read:

20.197 (1) (g) 1s. After the transfers under subds. 1 and 1r, $200,000 $75,000 shall be transferred to the appropriation under sub. (2) (3) (hm).

SECTION 56e. 20.192 (1) (g) 2 of the statutes, as affected by 1991 Wisconsin Act 39, section 276n, is renumbered 20.197 (1) (g) 2.

SECTION 57e. 20.192 (2) (title) of the statutes is repealed.

SECTION 57m. 20.192 (2) (h) of the statutes is renumbered 20.197 (3) (h) and amended to read:

20.197 (3) (h) Purse supplements. All moneys received under s. 562.065 (3) (e) 1, for purse supplements under s. 562.075 (1) (b) and (2) (c). The board gaming commission shall determine, by rule, how much of the moneys under this appropriation shall be allocated for each of the purse supplements under s. 562.075 (1) (b) and (2) (c).

SECTION 57s. 20.192 (2) (hm) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (3) (hm), and 20.197 (3) (hm) (intro.), as renumbered, is amended to read:

20.197 (3) (hm) Special programs. (intro.) All moneys transferred from the appropriation under sub. (1) (g) 1s, to be distributed by the racing board gaming commission as follows:

SECTION 57u. 20.192 (2) (i) of the statutes is renumbered 20.197 (3) (i).

SECTION 58b. 20.195 (intro.) of the statutes is repealed.

SECTION 58c. 20.195 (1) (title) of the statutes is repealed.

SECTION 59b. 20.195 (1) (q) of the statutes is renumbered 20.197 (1) (q) and amended to read:

20.197 (1) (q) General program operations. From the lottery fund, the amounts in the schedule for general program operations under chs. 561 to 569.

SECTION 60e. 20.195 (1) (r) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (2) (r).

SECTION 60m. 20.195 (1) (s) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 20.197 (2) (s).

SECTION 60s. 20.195 (1) (v) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (2) (v).

SECTION 62b. 20.197 of the statutes is created to read:

20.197 Gaming commission. There is appropriated to the gaming commission for the following programs:

(1) GAMING OPERATIONS.
(2) LOTTERY EXPENSES.
(3) RACING SPECIAL PROGRAMS, SUPPLEMENTS AND GRANTS.
(4) TRANSITIONAL FUNDING. (g) General program operations; program revenues. From moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), the amounts in the schedule for general program operations of the gaming commission under chs. 561 to 569.

(q) General program operations; segregated revenues. From the lottery fund, the amounts in the schedule for general program operations of the gaming commission under chs. 561 to 569.

SECTION 62e. 20.197 (1) (g) 1s of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), is repealed.
SECTION 62m. 20.197 (1) (g) 2 of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), is repealed and recreated to read:

20.197 (1) (g) 2. Any amount remaining after the transfers under subds. 1 and 1r shall lapse to the general fund.

SECTION 62s. 20.197 (3) (hm) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), is repealed.

SECTION 62t. 20.197 (4) of the statutes, as created by 1991 Wisconsin Act .... (this act), is repealed.

SECTION 63. 20.235 (1) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.235 (1) (d) Dental education contract. The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of $8,500 in the 1991-92 fiscal year and $11,000 in the 1992-93 fiscal year and annually thereafter shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation is 93 in the 1991-92 fiscal year and 100 in the 1992-93 fiscal year.

SECTION 64. 20.235 (1) (fe) of the statutes is amended to read:

20.235 (1) (fe) Wisconsin higher education grants and talent incentive grants. Biennially, the amounts in the schedule to carry out the purposes of s. 39.435, less the amounts charged to the appropriation under par. (m).

SECTION 65. 20.235 (1) (m) of the statutes is repealed.

SECTION 66. 20.235 (1) (n) of the statutes is repealed.

SECTION 67. 20.245 (3) (d) of the statutes is created to read:

20.245 (3) (d) Historical markers; state-funded markers and plaques. The amounts in the schedule for state-funded historical markers and plaques under s. 44.15 (4).

SECTION 68m. 20.255 (1) (di) of the statutes is created to read:


SECTION 69m. 20.255 (1) (hm) of the statutes is repealed.

SECTION 70g. 20.255 (2) (dc) of the statutes is created to read:

20.255 (2) (dc) Professional development. The amounts in the schedule for professional development activities under s. 119.84.

SECTION 70r. 20.255 (2) (dm) of the statutes is amended to read:

20.255 (2) (dm) Grants for early alcohol and other drug abuse prevention and intervention programs. The amounts in the schedule for head start supplements and grants to school districts under s. 115.361. No money may be encumbered from the appropriation under this paragraph after June 30, 1993.

SECTION 71m. 20.255 (2) (ds) of the statutes is created to read:

20.255 (2) (ds) Management restructuring programs. The amounts in the schedule for grants to school districts for management restructuring programs under s. 118.013 (3). In the 1993-94 fiscal year, the legislature intends to appropriate $500,000 under this paragraph. No moneys may be encumbered under this paragraph after June 30, 1994.

SECTION 72m. 20.255 (2) (ef) of the statutes is created to read:

20.255 (2) (ef) Collaborative projects. The amounts in the schedule for grants to school districts for collaborative projects under s. 115.28 (3).

SECTION 73m. 20.255 (2) (eg) of the statutes is created to read:

20.255 (2) (eg) Collaborative service programs. The amounts in the schedule for grants for collaborative service programs under s. 115.40.

SECTION 74m. 20.255 (2) (eh) of the statutes is created to read:

20.255 (2) (eh) Head start supplement. The amounts in the schedule for the head start supplement under s. 115.3615.

SECTION 75m. 20.255 (2) (em) of the statutes is created to read:

20.255 (2) (em) Grants for mathematics and science programs. The amounts in the schedule for grants to school districts for enhanced mathematics and science programs under s. 115.364.

SECTION 76m. 20.255 (2) (f) of the statutes is repealed.

SECTION 77m. 20.255 (2) (fh) of the statutes is created to read:

20.255 (2) (fh) Grants for staff development. The amounts in the schedule for grants to school districts and cooperative educational service agencies for staff development under s. 115.366.
SECTION 77p. 20.255 (2) (u) of the statutes is created to read:

20.255 (2) (u) Aid for handicapped education transportation. From the transportation fund, the amounts in the schedule for the payment of handicapped education transportation aid under s. 115.88 (2). If the amount appropriated under this paragraph is insufficient to pay the full amount of aid under s. 115.88 (2), the balance shall be paid from the appropriation under par. (b). No moneys may be encumbered from the appropriation under this paragraph after June 30, 1993.

SECTION 78m. 20.285 (1) (cr) of the statutes is repealed.

SECTION 79. 20.370 (1) (fe) 1 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.370 (1) (fe) 1. From the general fund, a sum sufficient in fiscal year 1992-93 and in each fiscal year thereafter that equals the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3 for the previous fiscal year and the amounts received under s. 20.370 (1) (gr) in that fiscal year for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under this subdivision may not exceed $450,000 in a fiscal year.

SECTION 80. 20.370 (1) (fe) 1m of the statutes is created to read:

20.370 (1) (fe) 1m. From the general fund, a sum sufficient in fiscal year 1992-93 and in each fiscal year thereafter that equals the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3 for the previous fiscal year and the amounts received under s. 20.370 (1) (gr) in that fiscal year for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under this subdivision may not exceed $500,000 in a fiscal year.

SECTION 81. 20.370 (2) (bg) of the statutes is created to read:

20.370 (2) (bg) Air management — stationary sources. The amounts in the schedule for purposes related to stationary sources of air contaminants as specified in s. 144.399 (2) (b). All moneys received from fees imposed under s. 144.399 (2) (a), except moneys appropriated under sub. (8) (mg), shall be credited to this appropriation.

SECTION 82c. 20.370 (2) (bh) of the statutes is created to read:

20.370 (2) (bh) Air management — vapor recovery administration. From the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm) and not appropriated under par. (bh), the amounts in the schedule for programs related to vapor control systems for the control of volatile organic compound emissions.

SECTION 84c. 20.370 (2) (bi) of the statutes is created to read:

20.370 (2) (bi) Air management — mobile sources. From the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm) and not appropriated under par. (bh), the amounts in the schedule for programs related to mobile sources of air contaminants.

SECTION 85c. 20.370 (2) (ci) of the statutes is created to read:

20.370 (2) (ci) Air management — permit review and enforcement. The amounts in the schedule for any
purpose specified under s. 144.399 (1) or (5), except for purposes described in par. (ei), and for other activities to reduce air pollution, as provided in s. 144.399 (6). All moneys received from fees imposed under s. 144.399 (1) and (5), except moneys appropriated under par. (ei), shall be credited to this appropriation.

SECTION 86m. 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, 159 and 162 and ss. 44.47, 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; 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 87g. 20.370 (4) (bu) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.370 (4) (bu) Recreation aids — recreational boating projects; Milwaukee river study. As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92 and, for the engineering and environmental study under s. 31.307 and for a bridge under 1991 Wisconsin Act .... (this act), section 9142 (1m).

SECTION 87gg. 20.370 (4) (bu) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), is repealed and recreated to read:

20.370 (4) (bu) Recreation aids — recreational boating projects; Milwaukee river study. As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92 and, for the engineering and environmental study under s. 31.307.

SECTION 87r. 20.370 (4) (ca) of the statutes is repealed.

SECTION 87t. 20.370 (4) (cc) of the statutes is amended to read:

20.370 (4) (cc) Environmental aids; nonpoint source. From the general fund, as a continuing appropriation, the amounts in the schedule for purposes of 1991 Wisconsin Act .... (this act), are as follows:

SECTION 89c. 20.370 (4) (eg) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.370 (4) (eg) Environmental aids — vapor recovery grants. All of the moneys received from the petroleum inspection fee under s. 168.12 (1) (b) that are distributed under s. 168.12 (1) (b) for grants under s. 144.405 (5).

SECTION 89d. 20.370 (4) (cs) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.370 (4) (cs) Environmental aids — lake management grants. From the transportation fund, as a continuing appropriation, the amounts in the schedule for lake management grants under s. 144.254.

SECTION 89e. 20.370 (4) (ig) of the statutes is created to read:

20.370 (4) (ig) Aids administration — vapor recovery grants. From the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), after deducting the amounts appropriated under subs. (2) (bh) and (bi), the amounts in the schedule to administer grants under s. 144.405 (5).

SECTION 89sg. 20.370 (8) (mg) of the statutes is created to read:

20.370 (8) (mg) General program operations — stationary sources. From the moneys received from fees imposed under s. 144.399 (2) (a), the amounts in the schedule for the administration of the operation permit program under ss. 144.30 to 144.426 and 144.96.

SECTION 89sm. 20.370 (8) (mh) of the statutes is created to read:

20.370 (8) (mh) General program operations — mobile sources. The amounts in the schedule for the administration of the mobile source air pollution program under ss. 144.30 to 144.426. All moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), except moneys appropriated under subs. (2) (bh) and (bi) and (4) (ig) and s. 20.395 (4) (dg), shall be credited to this appropriation.

SECTION 89sp. 20.395 (1) (av) of the statutes is created to read:

20.395 (1) (av) Assistance for Forest county, state funds. Biennially, the amounts in the schedule to make the payment under 1991 Wisconsin Act .... (this act), section 9155 (3f). No moneys may be encumbered from this appropriation after December 31, 1992.

SECTION 89sq. 20.395 (1) (av) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed.

SECTION 90. 20.395 (2) (dq) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.395 (2) (dq) Local airport development, state funds. As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ss. 114.34 and 114.35; for developing air marking and other air navigational facilities; and for the purposes of 1991 Wisconsin Act 39 .... (this act), section 9155 (7) (1x).

SECTION 91c. 20.395 (4) (dg) of the statutes is created to read:
20.395 (4) (dg) Demand management. From the general fund, from the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), after deducting the amounts appropriated under s. 20.370 (2) (bh) and (bi) and (4) (ig), the amounts in the schedule for activities related to demand management, as defined in s. 85.24 (2) (a), and air quality assessment.

SECTION 94c. 20.435 (1) (ak) of the statutes is amended to read:

20.435 (1) (ak) (title) Continuation coverage and medical leave premium subsidies. Biennially, the amounts in the schedule to make premium payments under ss. 146.88 and 146.882.

SECTION 94g. 20.435 (1) (cc) of the statutes, as affected by 1991 Wisconsin Act 39, 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 s. 146.027 and 1991 Wisconsin Act 39, section 9125 (13g). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds for cancer control and prevention grants under ss. 146.027 and 146.0275 between fiscal years under this paragraph. All funds allocated by the department under s. 146.027 (2) or 146.0275 but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next fiscal year by the joint committee on finance.

SECTION 94h. 20.435 (1) (cd) of the statutes is created to read:

20.435 (1) (cd) Breast cancer screening and services. Vetoed in Part

20.435 (1) (cd) Breast cancer screening and services. As a contouring appropriation, the amounts in the schedule for breast cancer screening and services under s. 146.027.

SECTION 95. 20.435 (1) (dv) of the statutes is amended to read:

20.435 (1) (dv) Cooperative American Indian health program. The amounts in the schedule for grants for cooperative American Indian health program under s. 146.05.

SECTION 99. 20.435 (1) (fb) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

SECTION 101. 20.435 (1) (gp) of the statutes is amended to read:

20.435 (1) (gp) Health care; aids. All moneys received under s. 146.99, to be used for purchase of primary health care services under s. 146.93.
Vetoed in Part

SECTION 109. 20.435 (4) (cn) of the statutes, as affected by 1991 Wisconsin Act 39, section 472, is amended to read:

20.435 (4) (cn)  Child care for recipients and former recipients of aid to families with dependent children. As a continuing appropriation, the amounts in the schedule for paying child care costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under s. 49.50 (6g), for child care and related transportation costs under s. 49.50 (7) (c) and for child care costs under s. 49.50 (6e) (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department 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.

Vetoed in Part

SECTION 111. 20.435 (4) (df) of the statutes, as affected by 1991 Wisconsin Act 39, section 472, is amended to read:

20.435 (4) (df)  Employment and training programs. As a continuing appropriation, the amounts in the schedule for the work incentive demonstration program under ss. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the work experience and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs under ss. 46.253 and 49.50 (7m) and the food stamp employment and training project under s. 49.124 and, after December 31, 1991, paying child care costs under s. 49.50 (6e) (a). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department 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.
SECTION 120. 20.445 (1) (j) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.445 (1) (j) Safety and building operations. The amounts in the schedule for the purposes of subchs. I, II, III, IV and VI of ch. 101, chs. 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 101.973 (7), 168.12 (1) and (2) to (6) and 236.12 (7) and all of the moneys received under s. 168.12 that are distributed under s. 168.12 (1) (d) shall be credited to this appropriation. From the amounts received under s. 168.12, the amount specified in the schedule under s. 20.115 (1) (im) shall be transferred from the appropriation under this paragraph to the appropriation under s. 20.115 (1) (im) in each fiscal year. From the amounts received under s. 168.12, $22,000 shall be transferred to the appropriation under s. 20.115 (1) (j) in fiscal year 1991-92 and $31,000 in fiscal year 1992-93, for equipment to test the accuracy of fuel measuring devices. From the amounts received under s. 168.12, $353,800 in fiscal year 1991-92 and $400,700 in fiscal year 1992-93 shall be transferred to the appropriation under s. 20.465 (3) (jp). Beginning in fiscal year 1989-90, from the amounts received under s. 168.12, $500,000 shall be credited to the environmental fund for environmental repair in each fiscal year.

SECTION 122. 20.455 (2) (bd) of the statutes is amended to read:

20.455 (2) (bd) Drug law enforcement. The amounts in the schedule for the purposes of subchs. I, II, III, IV and VI of ch. 101, chs. 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 101.973 (7), 168.12 (1) and (2) to (6) and 236.12 (7) and all of the moneys received under s. 168.12 that are distributed under s. 168.12 (1) (d) shall be credited to this appropriation. From the amounts received under s. 168.12, the amount specified in the schedule under s. 20.115 (1) (im) shall be transferred from the appropriation under this paragraph to the appropriation under s. 20.115 (1) (im) in each fiscal year. From the amounts received under s. 168.12, $353,800 in fiscal year 1991-92 and $400,700 in fiscal year 1992-93 shall be transferred to the appropriation under s. 20.465 (3) (jp). Beginning in fiscal year 1989-90, from the amounts received under s. 168.12, $500,000 shall be credited to the environmental fund for environmental repair in each fiscal year.

SECTION 122a. 20.455 (2) (bd) of the statutes is amended to read:

20.455 (2) (bd) Drug law enforcement. The amounts in the schedule for the purposes of subchs. I, II, III, IV and VI of ch. 101, chs. 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 101.973 (7), 168.12 (1) and (2) to (6) and 236.12 (7) and all of the moneys received under s. 168.12 that are distributed under s. 168.12 (1) (d) shall be credited to this appropriation. From the amounts received under s. 168.12, $353,800 in fiscal year 1991-92 and $400,700 in fiscal year 1992-93 shall be transferred to the appropriation under s. 20.465 (3) (jp). Beginning in fiscal year 1989-90, from the amounts received under s. 168.12, $500,000 shall be credited to the environmental fund for environmental repair in each fiscal year.
SECTION 123. 20.455 (2) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.455 (2) (e) Drug enforcement. A sum sufficient not to exceed $1,757,500 $1,704,400 in fiscal year 1990-91, $1,714,500 in each fiscal year thereafter 1992-93, which shall consist of the amounts received under par. (ma) plus amounts from the general fund sufficient to equal $1,757,500 $1,704,400 in fiscal year 1990-91, $1,714,500 in each fiscal year thereafter 1992-93 for drug law enforcement programs to work with local law enforcement agencies in a coordinated effort, for operating costs of the crime laboratory in the city of Wausau, and to match federal funds under par. (ma) if matching funds under s. 20.505 (6) (h) are insufficient. No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 123m. 20.455 (2) (g) of the statutes is created to read:

20.455 (2) (g) Gaming law enforcement; racing revenues. From all moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), the amounts in the schedule for the performance of the department’s gaming law enforcement responsibilities as specified in s. 165.70 (3m).

SECTION 124m. 20.455 (2) (k) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.455 (2) (k) Interagency and intra-agency assistance; investigations. All moneys received from any state agency regarding anti-drug abuse law enforcement assistance and drug investigations and analysis or regarding gambling investigations to carry out the purposes for which received.

SECTION 125m. 20.455 (2) (r) of the statutes is created to read:

20.455 (2) (r) Gaming law enforcement; lottery revenues. From the lottery fund, the amounts in the schedule for the performance of the department’s gaming law enforcement responsibilities as specified in s. 165.70 (3m).

SECTION 125p. 20.455 (4) (a) of the statutes is created to read:

20.455 (4) (a) Financial hardship assistance for school districts. A sum sufficient for grants to school districts under s. 24.85. No moneys may be encumbered from this appropriation after June 30, 1994.

SECTION 126. 20.455 (4) (h) of the statutes is amended to read:

20.455 (4) (h) General program operations. The amounts in the schedule for the operations of the division of trust lands and investments as indicated under ss. 24.04, 24.53 and 24.62 (1). All amounts deducted from the gross receipts of the appropriate funds as indicated under ss. 24.04, 24.53 and 24.62 (1) shall be credited to this appropriation. On June 30, 1992, $25,100 shall lapse to the general fund. On each succeeding June 30, an amount shall lapse to the general fund as determined by the secretary of administration by multiplying the average rate used for the department of justice during that fiscal year to establish indirect cost reimbursements, as defined in s. 16.54 (9) (a) 2, by the cost to continue payment under this paragraph of salaries for all positions for the division of trust lands and investments at the beginning of that fiscal year, as affected by the applicable biennial budget act.

SECTION 126m. 20.485 (2) (f) of the statutes is amended to read:

20.485 (2) (f) Crime victim compensation, inmate payments. All moneys received under s. 303.06 (2) for the administration of ch. 949 and for crime victim compensation payments or services.

SECTION 127. 20.455 (5) (i) of the statutes is created to read:

20.455 (5) (i) Victim compensation, inmate payments. All moneys received under s. 303.06 (2) for the administration of ch. 949 and for crime victim compensation payments or services.

SECTION 127m. 20.485 (2) (rc) of the statutes is created to read:

20.485 (2) (rc) Homeless veterans reintegration. The amounts in the schedule for grants under s. 45.43 (7) (d) for the long-term transitional housing program of the minority homeless veterans reintegration project operating in Milwaukee county on June 30, 1991, and for grants to organizations in other counties providing long-term transitional housing to homeless veterans.

SECTION 127mm. 20.485 (2) (rs) of the statutes is created to read:

20.485 (2) (rs) Retired senior volunteer program grants. The amounts in the schedule for grants under s. 45.352 to retired senior volunteer programs.

SECTION 127p. 20.485 (2) (sm) of the statutes is created to read:

20.485 (2) (sm) Payments related to The Highground. From the transportation fund, as a continuing appropriation, the amounts in the schedule to make payments under s. 45.03 (3) related to the veterans memorial at The Highground in Clark county. Moneys may not be spent from this appropriation.
without the approval of the joint committee on finance.

**SECTION 132m.** 20.505 (5) (i) of the statutes is repealed.

20.505 (4) (fm) of the statutes is repealed and recreated to read:

**SECTION 132n.** 20.505 (5) (ka) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.505 (5) (ka) **Facility operations and maintenance.** The amounts in the schedule for the purpose of financing the costs of operation of state-owned or operated facilities that are not funded from other appropriations, including protective services; custodial and maintenance services; minor projects; utilities, fuel, heat and air conditioning; costs incurred under s. 16.895 by or on behalf of the department; and supplementing the costs of operation of child care facilities for children of state employees under s. 16.841. All moneys received from state agencies for the operation of such facilities, parking rental fees established under s. 16.843 (2) (bm) and miscellaneous other sources, all moneys received from assessments under s. 16.895, and all moneys transferred from the appropriation under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation.

**SECTION 132p.** 20.505 (5) (kb) of the statutes is created to read:

20.505 (5) (kb) **Parking.** The amounts in the schedule for the purpose of financing the costs specified in s. 16.843 (2) (cm) related to parking located in the city of Madison, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing parking fees transferred.

20.505 (5) (q) of the statutes is created to read:

20.505 (5) (q) **Energy efficiency monitoring and education.** From the energy efficiency fund, all moneys received from assessments under s. 21.152 and other sources shall be transferred to make loans under s. 16.847 (6) (a).

**SECTION 132q.** 20.505 (5) (qa) of the statutes is created to read:

20.505 (5) (qa) **Emergency power generation.** From the energy efficiency fund, all moneys received from the department under s. 16.895 and the Wisconsin energy efficient projects trust fund shall be transferred to make loans under s. 16.847 (6) (a).
SECTION 132t. 20.505 (9) (a) of the statutes is created to read:
20.505 (9) (a) Property tax deferral program; loans. The amounts in the schedule for property tax deferral loans under subch. X of ch. 16.

SECTION 132w. 20.505 (9) (b) of the statutes is created to read:
20.505 (9) (b) Property tax deferral program; administration. The amounts in the schedule to administer the program under subch. X of ch. 16.

SECTION 133. 20.515 (1) (ut) of the statutes is created to read:
20.515 (1) (ut) Health insurance data collection and analysis contracts. From the public employee trust fund, the amounts in the schedule for the costs of contracting for insurance data collection and analysis services under s. 40.03 (6) (j).

SECTION 133e. 20.521 (1) (i) of the statutes is created to read:
20.521 (1) (i) Materials and services. The amounts in the schedule for the costs of publishing documents, locating and copying records, postage and shipping and conducting programs under s. 19.48 (9). All moneys received by the board from sales of documents, and from fees collected for copies of records, for postage, for shipping and location fees, and from fees assessed to participants in programs under s. 19.48 (9) shall be credited to this appropriation.

SECTION 134sb. 20.566 (8) (title) of the statutes is repealed.
SECTION 134sc. 20.566 (8) (q) of the statutes is repealed.
SECTION 134sd. 20.566 (8) (v) of the statutes is repealed.
SECTION 134se. 20.566 (8) (w) of the statutes is repealed.
SECTION 134sf. 20.566 (8) (wa) of the statutes is repealed.

SECTION 134m. 20.680 (2) (c) of the statutes is created to read:
20.680 (2) (c) Mediation council. The amounts in the schedule for the general operating expenses of the mediation council under s. 123.15.

SECTION 142. 20.680 (3) (c) of the statutes is created to read:
20.680 (3) (c) Board of bar examiners; state funding. The amounts in the schedule to supplement the appropriation under par. (g) for the operational expenses of the board of bar examiners.

SECTION 143. 20.680 (3) (c) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.

SECTION 143m. 20.765 (3) (ka) of the statutes is amended to read:
20.765 (3) (ka) Audit bureau service charges. The amounts in the schedule for the provision of auditing services requested by state agencies or by the federal government, for actuarial audits of the Wisconsin retirement system, for audits of the racing board and for audits of the state lottery and, to the extent of the lottery board’s participation, of any multistate lotteries in which the state participates, gaming commission and verifications of the odds of winning a lottery game under s. 565.37 (5). All moneys received by the legislative audit bureau from charges assessed to departments under s. 13.94 (1s) shall be credited to this appropriation.

SECTION 144. 20.835 (1) (b) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:
20.835 (1) (b) Small municipalities shared revenue. A sum sufficient to make the payments under s. 79.03 (3e).

SECTION 145. 20.835 (1) (d) of the statutes is amended to read:
20.835 (1) (d) Shared revenue account. A sum sufficient to meet the requirements of the shared revenue account established under s. 79.01 (2) to provide for the distributions from the shared revenue account to counties, towns, villages and cities under ss. 79.03 and 79.04 and 79.06.

SECTION 145m. 20.835 (1) (h) of the statutes is created to read:
20.835 (1) (h) Property tax relief credits. A sum sufficient to make the payments determined under s. 79.38 (6).

SECTION 149m. 20.866 (1) (u) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:
20.866 (1) (u) Principal repayment and interest. A sum sufficient from moneys appropriated under ss. 20.190 (1) (j), 20.225 (1) (c), 20.245 (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.285 (1) (d), (db) and (gb), 20.320 (1) (c) and (t), 20.370 (1) (jg), (kc) and (kw), (2) (jg), (jc), (jd) and (je) and (8) (Lb) and (Ls), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko), 20.435 (2) (ec), (3) (c) and (5) (e), 20.465 (1) (d), 20.485 (1) (f) and (3) (t), 20.505 (5) (g) and (kc) and 20.867 (1) (a) and (b), (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

SECTION 150m. 20.866 (2) (t) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:
20.866 (2) (t) University of Wisconsin; self-amortizing facilities. From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities. The state may contract public debt in an amount not to exceed $232,366,600 for this purpose. Of this amount, $4,500,000 is allocated only for the university of Wisconsin-Madison indoor practice facility for athletic

Vetoed in Part

Vetoed in Part

Underscored, stricken, and vetoed text may not be searchable. If you do not see text of the Act, SCROLL DOWN.
programs and only at the time the building commission transfers the state.

SECTION 151. 20.866 (2) (y) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.866 (2) (y) Building commission; housing state departments and agencies. From the capital improvement fund, a sum sufficient to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed $112,659,200 $116,671,400 for this purpose.

SECTION 152. 20.866 (2) (ya) of the statutes is created to read:

20.866 (2) (ya) Building commission; 1 West Wilson street parking ramp. From the capital improvement fund, a sum sufficient to the building commission for the purpose of construction of a parking ramp at the state office building located at 1 West Wilson street in the city of Madison. The state may contract public debt in an amount not to exceed $15,100,000 for this purpose.

SECTION 153. 20.866 (2) (zo) of the statutes is amended to read:

20.866 (2) (zo) Veterans affairs, refunding bonds. From the funds and accounts under s. 18.04 (6) (b), a sum sufficient for the department of veterans affairs to fund, refund or acquire the whole or any part of public debt as set forth in s. 18.04 (5). The building commission may contract public debt in an amount not to exceed $300,000,000 $450,000,000 for these purposes, exclusive of public debt issued to fund or refund public debt issued for these purposes.

SECTION 153m. 20.867 (3) (c) of the statutes is created to read:

20.867 (3) (c) Principal repayment, interest and rebates; parking ramp. A sum sufficient to guarantee full payment of principal and interest costs for the 1 West Wilson street parking ramp in the city of Madison and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) attributable to the proceeds of obligations incurred in financing that ramp if the moneys available in the appropriation account under s. 20.505 (5) (kb) are insufficient to make full payment of those amounts. All amounts advanced under the authority of this paragraph shall be repaid to the general fund in installments to be determined jointly by the department of administration and the building commission.

SECTION 153m. 20.867 (3) (i) (title) of the statutes is amended to read:

20.867 (3) (i) (title) Principal repayment, interest and rebates; capital equipment.

SECTION 153n. 20.867 (3) (k) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

20.867 (3) (k) Interest rebates on obligation proceeds; program revenues. All moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) (gb), 20.410 (1) (ko) and 20.505 (5) (g) and (ke) to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations specified in those paragraphs.

SECTION 153m. 20.912 (2m) of the statutes is amended to read:

20.912 (2m) Credibility of canceled checks; other checks with other drafts. Information appearing in the register of canceled checks, share drafts and other drafts about a check, share draft or other draft canceled under sub. (1) is not available for inspection or copying under s. 19.13 (1) (a) and may not be disclosed by the state if the check, share draft or other draft is returned under sub. (2) which even occurs.

SECTION 156b. 20.923 (4) (e) 2m of the statutes is created to read:

20.923 (4) (e) 2m. Gaming commission: chairperson and members.

SECTION 156d. 20.923 (4) (e) 6m of the statutes is repealed.

SECTION 156r. 20.923 (4) (e) 10m of the statutes is repealed.

SECTION 157e. 20.923 (6) (h) of the statutes is repealed.

SECTION 157f. 20.923 (6) (hp) of the statutes is repealed.

SECTION 158. 20.923 (18) of the statutes is created to read:

20.923 (18) Prison industries sales positions. (a) The department, as defined in s. 230.03 (9), shall determine what positions in the classified service are comparable positions to the unclassified positions of 3 sales representatives of prison industries and one sales
manager of prison industries who are appointed under s. 303.01 (10). For each such unclassified position, the department, as defined in s. 230.03 (9), shall determine the minimum salary for each comparable position in the classified service and shall set an amount equal to that minimum salary as the salary for that unclassified position.

(b) In addition to the salary set under par. (a), each sales representative of prison industries and each sales manager of prison industries who is appointed in the unclassified service under s. 303.01 (10) shall be eligible to earn commission compensation in an amount established by the appointing authority as defined in s. 230.03 (4). That appointing authority shall establish the amount of commission compensation based on invoiced sales and new customers.

SECTION 158cm. 20.924 (1) (f) of the statutes is amended to read:

20.924 (1) (f) May authorize advance planning or architectural design of any building project for the acquisition of Wisconsin land under the estate development and approved by the board of trustees of the university of Wisconsin system in accordance with s. 23.09 (2), and rules promulgated under that subsection.

SECTION 158d. 20.924 (1) (h) of the statutes is created to read:

20.924 (1) (h) Shall review and may approve energy efficiency projects of the energy efficiency program under s. 16.847 as provided in s. 16.847 (7) (b).

SECTION 158g. 21.36 (2) of the statutes is amended to read:

21.36 (2) The governor may make and publish rules, regulations and orders for the government of the national guard, not inconsistent with the law, and cause the same, together with any laws relating thereto, to be printed and distributed in book form or otherwise in such numbers as he deems necessary, and he may provide for all books, blank books, and blanks that may be necessary for the proper discharge of the duty of all officers. The governor may delegate the authority under this subsection to the adjutant general by executive order.

SECTION 158hm. 21.49 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 158mc. 23.09 (2p) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

23.09 (2p) (c) If the moneys to be released to match a donation under par. (b) exceed the expenditure limit under sub. (2q) (a) (2r) for a given fiscal year, as adjusted under s. 23.0915 (2) (tz), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (2q) (a) (2r), as adjusted under s. 23.0915 (2) (tz) and after deducting the allocation under sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (2q) (a) (2r), as adjusted under s. 23.0915 (2) (tz) and after deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 159q. 23.09 (2q) (title) of the statutes is amended to read:

23.09 (2q) (title) STEWARDSHIP PROGRAM; LOWER WISCONSIN STATE RIVERWAY; ICE AGE TRAIL.

SECTION 159r. 23.09 (2q) (a) of the statutes is repealed.

SECTION 159w. 23.09 (2r) of the statutes is created to read:

23.09 (2r) STEWARDSHIP PROGRAM; LAND ACQUISITION. Except as provided in s. 23.0915 (2), the department in each fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more than $8,600.

SECTION 160am. 23.0915 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

23.0915 (1) (intro.) The legislature intends that the department will expend the following designated amounts under the stewardship program from the appropriation under s. 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures beginning with fiscal year 1990-91 and ending in fiscal year 1999-2000, except as provided in pars. (L) and (m):

SECTION 160bm. 23.0915 (1) (m) of the statutes is created to read:

23.0915 (1) (m) Horicon marsh interpretative center, a total of $250,000, to be expended beginning in fiscal year 1991-92 and ending in fiscal year 1999-2000.
SECTION 160de. 23.0915 (1g) of the statutes is created to read:

Vetoed in Part

23.0915 (1g) Designated Uses for Land Acquisition; Urban River Grants. Beginning in fiscal year 1992-93 and ending in fiscal year 1999-2000, the department for each fiscal year shall designate for expenditure $1,900,000 of the moneys appropriated under s. 20.866 (2) (tz) for land acquisition activities under s. 23.195 and for urban river grants under s. 30.277 by making the following calculations:

(a) For each year, if the amount to be received by the department for land acquisition activities under 16 USC 4601 to 4601, 277 to 777L and 600 to 600 is less than $1,900,000, the department shall do all of the following:

1. Subtract the amount to be received from $1,900,000 and add the remainder to the amount designated for expenditure for land acquisition activities under s. 23.195 (2).
2. Subtract the remainder calculated under sub. (1) from $1,900,000 and designate the resulting amount, if any, for expenditure for urban river grants under s. 30.277.

(b) For each fiscal year, if the amount to be received by the department for land acquisition activities under 16 USC 4601 to 4601, 277 to 777L and 600 to 600 is more than $1,900,000 or more, the department shall designate the $1,900,000 for expenditure for urban river grants under s. 30.277.

SECTION 160df. 23.0915 (1r) of the statutes is created to read:

Vetoed in Part

23.0915 (1r) Designated Use Amounts for Certain Fiscal Years; Land Acquisition; Urban River Grants. Notwithstanding sub. (1g), for fiscal years 1993-94, 1994-95 and 1995-96, the department shall designate for expenditure for each fiscal year $1,900,000 of the moneys appropriated under s. 20.866 (2) (tz) by making the following calculations:

(a) The department shall set aside $1,000,000 in each fiscal year to be used only for the Frank Lloyd Wright Monona terrace project as provided in s. 23.195.

(b) For each fiscal year, if the amount to be received by the department for land acquisition activities under 16 USC 4601 to 4601, 277 to 777L and 600 to 600 is less than $1,900,000, the department shall do all of the following:

1. Subtract the amount to be received from $1,900,000 and add the remainder to the amount designated for expenditure for land acquisition activities under s. 23.195 (2), but this remainder may not exceed $900,000.
2. Subtract the remainder calculated under sub. (1) from $900,000 and designate the resulting amount, if any, for expenditure for urban river grants under s. 30.277.

(c) For each fiscal year, if the amount to be received by the department for land acquisition activities under

SECTION 160dh. 23.0915 (2) (d) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

Vetoed in Part

23.0915 (2) (d) (intro.) In a given fiscal year, in addition to expending the amount designated for a purpose under sub. (1) (a), (c), (e), (g) or (k), or the amount equal to the expenditure limit for that purpose, as adjusted under pars. (a) and (b), and sub. (2) (c), whichever amount is applicable, the department may also expend for that purpose up to 50% of the designated amount for that purpose for the given fiscal year.

SECTION 160di. 23.0915 (2) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

Vetoed in Part

23.0915 (2) (a) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated for that purpose for the given fiscal year under sub. (1) (a) or (c) to (k), the department may adjust the expenditure limit under the stewardship program for that purpose by raising the expenditure limit, as it may have been previously adjusted under this paragraph, par. (b) and sub. (2) (c), for the next fiscal year by the amount that equals the difference between the amount designated for that purpose and the amount expended for that purpose in that given fiscal year.

SECTION 160dj. 23.0915 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

Vetoed in Part

23.0915 (2) (b) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount designated for that purpose for the given fiscal year under sub. (1) (a) or (c) to (k), the department shall adjust the expenditure limit under the stewardship program for that purpose by lowering the expenditure limit, as it may have been previously adjusted under this paragraph, par. (b) and sub. (2) (c), for the next fiscal year by the amount equal to the remainder calculated by subtracting the amount designated for that purpose from the amount expended, as it may be affected under par. (c) or (d), for that purpose in the given fiscal year.

SECTION 160dk. 23.0915 (2) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

Vetoed in Part

23.0915 (2) (a) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated for that purpose for the given fiscal year under sub. (1) (a) or (c) to (k), the department may adjust the expenditure limit under the stewardship program for that purpose by raising the expenditure limit, as it may have been previously adjusted under this paragraph, par. (b) and sub. (2) (c), for the next fiscal year by the amount that equals the difference between the amount designated for that purpose and the amount expended for that purpose in that given fiscal year.
for a project or activity if the natural resources board determines all of the following:

SECTION 160d. 23.0915 (2g) of the statutes is created to read:

23.0915 (2g) MONONA TERRACE PROJECT. If all of the money set aside under s. 23.195 for the Frank Lloyd Wright Monona terrace project is not expended before July 1,

1996, the department shall make the following allocations to make the unexpended moneys available for expenditure for land acquisition activities under 23.19 (3) and for urban river grants under s. 30.277:

(a) The department shall allocate the amounts that would have been connected under sub. (2c) for land acquisition activities in each of the 2 applicable fiscal years if the moneys had been expended for the Frank Lloyd Wright Monona terrace project and shall subtract from that amount the total of the amounts that were added in each of the 2 applicable fiscal years under sub. (1) (b).

(b) If the amount calculated under par. (a) is greater than or equal to the amount set aside but not expended for the Frank Lloyd Wright Monona terrace project, the department shall do all of the following:

1. Make available for expenditure for land acquisition activities under s. 23.09 (24) an amount equal to the amount set aside but not expended for the Frank Lloyd Wright Monona terrace project.

2. Raise the expenditure limit for land acquisition activities under s. 23.09 (24) for fiscal year 1996-97, as it may have been previously adjusted under par. (2), by an amount equal to the amount made available for expenditure under sub. (1).

(c) If the amount calculated under par. (a) is less than the amount set aside but not expended for the Frank Lloyd Wright Monona terrace project, the department shall do all of the following:

1. Make available for expenditure for land acquisition activities under s. 23.09 (24) an amount equal to the amount calculated under par. (a) and raise the expenditure limit for these activities for fiscal year 1996-97, as it may have been previously adjusted under par. (2), by the same amount.

2. Make available for expenditure for urban river grants under s. 30.277 an amount equal to the difference between the amount set aside but not expended and the amount calculated under par. (a), and raise the expenditure limit for these grants for fiscal year 1996-97, as it may have been previously adjusted under par. (2), by the same amount.

SECTION 160e. 23.0915 (3) of the statutes is created to read:

23.0915 (3) HORICON MARSH INTERPRETIVE CENTER. (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during fiscal year 1991-92 for the period of time specified in par. (1) (m) $250,000 for a project to develop a vacant building to be used as an interpretative and administr-
Vetoed in Part

Indicates that the provision of or permission to use the
underlined text in any way indicates the department's
knowledge, involvement, approval, authorization, or
connection with the person or the person's activities.

SECTION 161a. 23.195 of the statutes is created
to read:

23.195 Monona terrace project in Madison. (1) Beginning in fiscal year 1993-94 and ending in fiscal
year 1995-96, from the appropriation under s. 20.866
(2) (tz), the department shall set aside $1,000,000 in
each fiscal year to be expended for the Frank Lloyd
Wright Monona terrace project in the city of Madison
to be expended as follows:

(a) The amount of $370,000 for a bicycle path that
is part of the project.

(b) The amount of $2,630,000 for the following
purposes:

1. Construction of a pedestrian bridge improving
access to Lake Monona from the downtown area of
the city.

2. Construction and development of a terrace and
park in conjunction with the parking facility at the
state office building located at 1 West Wilson street
authorized under 1991 Wisconsin Act .... (this act),
section 9108 (1) (a).

3. Other park or recreational construction and
development associated with the project.

(2) The moneys expended from the appropriation
under s. 20.866 (2) (tz) for the purposes specified in
sub. (1) (b) 1 to 3 shall be limited to no more than 50% 
of the cost of the project that is for these purposes.

(4) If all of the money set aside under this section is
not expended before July 1, 1996, the moneys set aside
but not expended shall be treated by the department in
the manner provided in s. 23.0915 (2g).

SECTION 161c. 23.27 (3) (b) of the statutes is
amended to read:

23.27 (3) (b) Access to information: fees. The
department shall make information from the natural
heritage inventory program available to any individ-
ual or public or private agency for research, educa-
tional, environmental, land management or similar
authorized purposes. The department may establish a
fee to be charged to recover the actual cost of compil-
ing and providing this information. The department
may reduce or waive the fee established under this par-
graph if the department determines that a waiver or
reduction of the fee is in the public interest. "The
natural heritage inventory and related data are not public records subject to s.
19.35 (1) (a), and the department may refuse to release
information for any purpose which is not authorized.

Vetoed in Part

SECTION 161d. 24.61 (3) (c) of the statutes is
amended to read:

24.61 (3) (c) Reserve for school districts; pri-
ority for certain school districts.

SECTION 161e. 24.61 (3) (c) 1 of the statutes is
renumbered 24.61 (3) (c) 1 and amended to read:

24.61 (3) (c) 1. To the extent practicable, in the
1989-90 to 1992-93 fiscal years, annually the board
shall reserve an amount equal to at least 50% of
the money available for loans under this subchapter
for loans to school districts for the purposes specified
under s. 24.61 (3) (a) 1.

SECTION 161f. 24.61 (3) (c) 2 of the statutes is
amended to read:

24.61 (3) (c) 2. The board shall give first priority for
loans to school districts under this subchapter to
certain school districts that meet all of the following
criteria is as follows.

(a) The school board is subject to an order issued
by the state superintendent of public instruction
under s. 115.33 (3) after December 31, 1991, regarding
non-compliance with the standard under s. 121.02 (1) (i).

(b) The school district's equalized valuation
divided by its membership in the previous school year
is less than 50% of the statewide average for all school
districts. In this paragraph, "equalized valuation"
has the meaning given in s. 121.004 (2) and "membership"
has the meaning given in s. 121.004 (5).

(c) The school district's levy rate in the previous
year is greater than 140% of the statewide average
for all school districts.

24.61 (3) (c) 3. No more than 50% of the money
reserved under this paragraph may be used by the
board for loans to school districts for the purposes
specified under this paragraph.
SECTION 161r. 25.29 (1) (c) of the statutes is amended to read:

25.29 (1) (c) As for fiscal year 1992-93, and for each fiscal year thereafter, an amount equal to the estimated motorboat gas tax payment multiplied by 1.4. The estimated motorboat gas tax payment is calculated by multiplying the number of motorboats registered under s. 30.52 on January 1 of the previous fiscal year by 50 gallons and multiplying that product by the excise tax imposed under s. 78.01 (1) on April 1 of the previous fiscal year.

SECTION 162. 25.38 of the statutes is repealed.

SECTION 165. 25.40 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.255 (2) (r), 20.285 (1) (x), 20.292 (1) (r), (t), and (y), 20.370 (1) (dr) and (mr), 20.399 (1) (r), 20.435 (1) (r) and (rm), 20.455 (2) (q), 20.465 (1) (q) and (3) (q) and (s), 20.485 (2) (sm), 20.566 (1) (u), (2) (q) and (3) (u) and 20.855 (4) (q), (s), (t) and (u) or authorized by s. 25.17, shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 166. 25.40 (2) of the statutes, as affected by 1991 Wisconsin Act 39 and 1991 Wisconsin Act .... (this act), section 165, is repealed and recreated to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.255 (2) (r) and (u), 20.285 (1) (x), 20.292 (1) (r), (t) and (y), 20.370 (1) (dr) and (mr), 20.399 (1) (r), 20.435 (1) (r) and (rm), 20.455 (2) (q), 20.465 (1) (q) and (3) (q) and (s), 20.485 (2) (sm), 20.566 (1) (u), (2) (q) and (3) (u) and 20.855 (4) (q), (s), (t) and (u) or authorized by s. 25.17, shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 168n. 25.46 (19) of the statutes is amended to read:

25.46 (19) The amount distributed under s. 168.12 (1) (c) of the fees imposed under s. 168.12 (16) (c) for environmental repair.

SECTION 168p. 25.46 (19) of the statutes is amended to read:

25.46 (19) The amount distributed under s. 168.12 (1) (c) of the fees imposed under s. 168.12 (16) (c) for environmental repair.
Vetoed in Part

19. The surcharges imposed under s. 94.64 (3) (d) and (4) (a).

11. The surcharges imposed under s. 94.65 (1) (c).

2. The surcharges imposed under s. 94.63 (1) (c).

13. The surcharges imposed under s. 94.704 (3) (a).

14. The surcharges imposed under s. 94.704 (3) (a).

SECTION 169g. 25.47 of the statutes is amended to read:

25.47 Petroleum storage environmental cleanup fund. There is established a separate nonlapsible trust fund designated as the petroleum storage environmental cleanup fund, to consist of the amount distributed under s. 168.12 (1) (a) of the fees imposed under s. 168.12 (1) (a) and the net recoveries under s. 101.143 (5) (c).

SECTION 169h. 25.75 (1) (a) of the statutes is repealed.

SECTION 169m. 25.75 (1) (am) of the statutes is created to read:

25.75 (1) (am) "Commission" means the gaming commission.

SECTION 169s. 25.75 (1) (b) of the statutes is amended to read:

25.75 (1) (b) "Gross lottery revenues" means gross revenues from the sale of lottery tickets and lottery shares under ch. 565 and revenues from the imposition of fees, if any, under s. 565.10 (8) and includes compensation, including bonuses, if any, paid to retailers under s. 565.10 (14), regardless of whether the compensation is deducted by the retailer prior to transmitting lottery ticket and lottery share revenues to the board commission.

SECTION 173b. 25.75 (2) of the statutes is amended to read:

25.75 (2) CREATION. There is created a separate nonlapsible trust fund known as the lottery fund, to consist of gross lottery revenues received by the board commission.

SECTION 173m. 25.75 (3) (b) 1 of the statutes is amended to read:

25.75 (3) (b) 1. Compensation paid to retailers under s. 565.10 (14) shall be included regardless of whether the compensation is deducted by the retailer prior to transmitting lottery ticket and lottery share revenues to the board commission.

SECTION 174m. 25.75 (3) (b) 4 of the statutes is created to read:

25.75 (3) (b) 4. Moneys appropriated from the lottery fund under s. 20.455 (2) (r) shall not be included.

SECTION 177m. 25.90 of the statutes is created to read:

25.90 Energy efficiency fund. There is established a separate nonlapsible trust fund designated as the energy efficiency fund.
SECTION 183g. 29.02 (3m) of the statutes is created to read:

29.02 (3m) This section does not permit the seizure by the department, or prohibit the possession or sale, of commercially raised deer, as defined in s. 95.25 (5m), that are kept in compliance with this chapter.

SECTION 183r. 29.02 (4) of the statutes is renumbered 29.05 (6m) and amended to read:

29.05 (6m) (title) ACCESS TO PRIVATE LAND. Agents of the department may, after making reasonable efforts to notify the owner or occupant, enter upon private lands to retrieve, diagnose or otherwise determine if there are dead or diseased wild animals upon such lands, and take actions reasonably necessary to prevent the spread of contagious disease in such the wild animals.

SECTION 184. 29.05 (1d) of the statutes is created to read:

29.05 (1d) WARRANTS, ARRESTS; FIELD ARCHAEOLOGY. The department and any of its wardens may execute and serve warrants and processes issued for violations of s. 44.47 occurring on the bed of any stream or lake in the same manner as any constable may serve and execute such process; and may arrest a person, with or without a warrant, who is detected committing such a violation, or whom the warden has probable cause to believe is guilty of a violation of s. 44.47, and may take the person before any court in the county where the violation was committed and make proper complaint. For the purpose of enforcing s. 44.47, any warden may stop and board any boat and stop any automobile, snowmobile or other vehicle, if the warden reasonably suspects that there is a violation of s. 44.47.

SECTION 198d. 29.092 (9) (hg) of the statutes is created to read:

29.092 (9) (hg) Commercial deer farm license. The fee for a commercial deer farm license is $200 for the first license and $100 for each subsequent license.

SECTION 198h. 29.092 (9) (hr) of the statutes is created to read:

29.092 (9) (hr) Venison retailer permit. There is no fee for a venison retailer permit.

SECTION 198p. 29.093 (9) (gm) of the statutes is created to read:

29.093 (9) (gm) Commercial deer farm license. A commercial deer farm license is valid from January 1 or the date of issuance, whichever is later, until December 31.

SECTION 198t. 29.093 (9) (gr) of the statutes is created to read:

29.093 (9) (gr) Venison retailer permit. A venison retailer permit is valid from January 1 or the date of issuance, whichever is later, until December 31.

SECTION 198v. 29.095 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

29.095 (2) A senior citizen recreation card entitles the holder to exercise all of the combined rights and privileges conferred by a resident small game hunting license, a wild turkey hunting license, a wild turkey hunting stamp and a resident fishing license, subject to all duties, conditions, limitations and restrictions prescribed under this chapter and by department order. The card permits any vehicle, except a motor bus, as defined in s. 340.01 (31), having a card holder as an occupant to enter any vehicle admission area under s. 27.01 (7) without having an admission sticker affixed to it and without paying a fee. The card permits a card holder to enter Heritage Hill state park or a state trail without paying an admission fee.

SECTION 201m. 29.103 (2) (c) of the statutes is created to read:

29.103 (2) (c) Exception. Any person holding a senior citizen recreation card or a conservation patron license is exempt from the requirements under par. (b) if the person has received a notice of approval under sub. (4) (e) and the person is exempt from paying the fee for the wild turkey hunting license.

SECTION 224m. 29.145 (1) (b) (title) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

29.145 (1) (b) (title) Exception; residents under 16 years of age, certain senior citizens and certain physically and mentally handicapped persons.

SECTION 224n. 29.145 (1) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 29.145 (1) (b) 1.

SECTION 224p. 29.145 (1) (b) 2 of the statutes is created to read:

29.145 (1) (b) 2. Notwithstanding s. 29.092 (3v), no fishing license is required for any resident born before January 1, 1927, to fish for fish subject to all other provisions of law.

SECTION 228m. 29.1475 (2) of the statutes is amended to read:

29.1475 (2) AUTHORIZATION; HUNTING, FISHING AND TRAPPING PRIVILEGES. A conservation patron license confers upon the licensee all the combined privileges conferred by a resident small game hunting license, resident deer hunting license, wild turkey hunting license, resident bear hunting license, resident archer hunting license, a waterfowl hunting stamp, a wild turkey hunting stamp, resident annual fishing license, sturgeon spearing license, an inland waters trout stamp, a Great Lakes trout and salmon stamp and trapping license.

SECTION 229d. 29.148 (1) of the statutes is renumbered 29.148 (1m).

SECTION 229g. 29.148 (1) of the statutes is created to read:

29.148 (1) In this section, "validated" means marked with specified information in the manner required by the department.

SECTION 229h. 29.148 (2) of the statutes is amended to read:

29.148 (2) Such The sturgeon spearing license shall be accompanied by sturgeon carcass tags in such the
quantity to correspond with the season bag limit for spearing rock or lake sturgeon established by the department. The serial numbers of such these tags shall be entered on the license by the issuing agent.

SECTION 229j. 29.148 (4) of the statutes is amended to read:

29.148 (4) Any person having taken a rock or lake sturgeon by means of a spear shall immediately attach and lock, and leave attached and locked to the tail of such sturgeon, a current, validated sturgeon carcass tag issued to him with his sturgeon-spearing license and it is unlawful for any person to have in his possession or under his control or have in storage or as a common carrier any such sturgeon or part thereof without such tag attached and locked thereto that person to the tail of the sturgeon. No person may possess, control, store or transport a rock or lake sturgeon carcass unless it is tagged as required under this section.

SECTION 241b. 29.40 (6) of the statutes is created to read:

29.40 (6) COMMERCIAL RAISED DEER. This section does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241c. 29.42 (4) of the statutes is created to read:

29.42 (4) COMMERCIAL RAISED DEER. This section does not permit the seizure by the department, or prohibit the possession or sale, of commercially raised deer, as defined in s. 95.25 (5m), that are kept in compliance with this chapter.

SECTION 241d. 29.425 (4m) of the statutes is created to read:

29.425 (4m) APPLICABILITY. This section does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241e. 29.427 (6) of the statutes is amended to read:

29.427 (6) DESTRUCTION. A person may kill at any time a wild skunk which is a nuisance to activities authorized under s. 29.55, 29.572, 29.574, 29.575, 29.578, 29.58 or 29.585. A person who kills an adult wild skunk with young shall attempt to kill the young skunks.

SECTION 241f. 29.43 (5) (title) of the statutes is amended to read:

29.43 (5) (title) EXEMPTIONS.

SECTION 241g. 29.43 (5) of the statutes is renumbered 29.43 (5) (a).

SECTION 241h. 29.43 (5) (b) of the statutes is created to read:

29.43 (5) (b) Subsections (1) to (4) do not apply to the possession, transportation, delivery or receipt of commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241i. 29.44 (3) of the statutes is created to read:

29.44 (3) Subsection (1) does not apply to the possession, transportation, delivery or receipt of commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241k. 29.45 (6) of the statutes is created to read:

29.45 (6) This section does not apply to the transportation of commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241l. 29.48 (1m) of the statutes is created to read:

29.48 (1m) Subsection (1) does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241m. 29.49 (1) (a) (intro.) of the statutes is amended to read:

29.49 (1) (a) (intro.) Except as provided by s. in ss. 29.52 and 29.58, no innkeeper, manager or steward of any restaurant, club, hotel, boarding house, tavern, logging camp or mining camp may sell, barter, serve or give, or cause to be sold, bartered, served or given to the guests or boarders thereof.

SECTION 241n. 29.574 (1m) of the statutes is created to read:

29.574 (1m) This section does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241p. 29.578 (1m) of the statutes is created to read:

29.578 (1m) This section does not apply to commercially raised deer, as defined in s. 95.25 (5m), or to commercial deer farms licensed under s. 29.58.

SECTION 241q. 29.578 (14) (am) of the statutes is amended to read:

29.578 (14) (am) Special the department may issue special retail deer sale permits authorizing a person to retail a venison in the carcass from a deer lawfully killed and sold in the carcass under this section to any retailer of meats may be issued by the department.

SECTION 241r. 29.58 of the statutes is created to read:

29.58 COMMERCIAL DEER FARMS. (1) DEFINITION. In this section, “commercially raised deer” has the meaning given in s. 95.25 (5m).

(2) LICENSE REQUIRED. (a) Except as provided in par. (b), no person may possess live commercially raised deer unless the person is issued a commercial deer farm license under this section.

(b) Establishments licensed under s. 97.42 may keep live commercially raised deer for slaughtering purposes for up to 72 hours without holding a commercial deer farm license.

(3) APPLICATION PROCESS. (a) A person applying for a commercial deer farm license shall submit an application containing all of the following:

1. A description of the land to be enclosed in the commercial deer farm.

2. The number of acres to be enclosed in the commercial deer farm.
3. The legal interest that the applicant holds in the land.

(b) The department shall issue a commercial deer farm license to an applicant under par. (a) after all of the following occur:

1. The department verifies the facts required in the application under par. (a). The applicant shall provide proof of these facts upon request of the department.

2. The department establishes the acreage and boundaries of the commercial deer farm.

3. The applicant builds a fence that completely encloses the commercial deer farm and that complies with the specifications under sub. (4).

4. All white-tailed deer within the boundaries of the commercial deer farm are driven so that they are outside the boundaries of the commercial deer farm.

(4) FENCING. (a) The department shall promulgate by rule specifications for fencing of commercial deer farms.

(b) The specifications that the department applies to deer fences under s. 29.578 on the effective date of this paragraph ... [revisor inserts date], shall apply to commercial deer farms until the rules are promulgated under par. (a).

(5) LICENSE RENEWAL AND REVOCATION. If a person holding a commercial deer farm license does not comply with the requirements of this section or the rules promulgated under this section, the department shall revoke the license or shall refuse to renew the license when it expires.

(6) RECORDS. (a) Each person holding a commercial deer farm license must keep a complete, legible and accurate record of all commercially raised deer that are on the commercial deer farm.

(b) The records required under par. (a) shall include all of the following:

1. The complete name, address and commercial deer farm license number.

2. The complete name and address of the person to whom a commercially raised deer is sold or transferred or from whom a commercially raised deer is purchased or obtained.

3. For each transaction under subd. 2, the species and number of commercially raised deer and the date of each transaction.

4. The signature of the person making an entry in the record.

(c) Within 30 days after the end of each calendar quarter, each person holding a commercial deer farm license shall deliver the records under this subsection for the preceding calendar quarter to the department. If the records are mailed to the department, the date of the postmark constitutes the date of delivery.

(6m) INSPECTIONS. (a) For purposes of enforcing this section, the department may inspect any of the following:

1. Deer located on a commercial deer farm.

2. The records required under sub. (6).

3. Vehicles, equipment and other materials or activities related to the commercial deer farm.

4. Buildings and structures related to the commercial deer farm.

(b) In order to carry out inspections under par. (a), a warden or representative of the department, upon presentation of his or her credentials to a person holding a commercial deer farm license, may enter a vehicle, building or structure during the time when the license holder is conducting business.

(c) No person holding a commercial deer farm license or operator of a vehicle for such a person, or employee or person acting on behalf of such a person, may prohibit entry or prohibit an inspection from being conducted as authorized under this subsection unless a court restrains or enjoin the entry or inspection.

SECTION 241s. 29.581 of the statutes is created to read:

29.581 Venison retailer permits. (1) PERMIT REQUIRED. (a) No person may sell to consumers venison that is a product of a commercial deer farm licensed under s. 29.58 unless the person is issued a venison retailer permit under this section.

(b) No person may purchase, possess or transport venison that is a product of a commercial deer farm licensed under s. 29.58 for the purpose of selling the venison to consumers unless the person is issued a venison retailer permit under this section.

(c) The department shall issue a venison retailer permit to any person 18 years of age or older who applies for this permit.

(2) AUTHORIZATION. A person holding a venison retailer permit issued under this section may purchase venison that is a product of a commercial deer farm licensed under s. 29.58 only from an establishment licensed under s. 97.42 or from a meat broker registered under rules promulgated under s. 97.42 and may possess, transport and sell to consumers only such venison.

(3) INSPECTIONS. (a) For purposes of enforcing this section and only after having obtained an inspection warrant under s. 66.122, the department may inspect venison, deer and any of the following:

1. Records, vehicles, equipment and other materials or activities related to the possession, purchase, sale or transportation of the venison.

2. Buildings and structures related to the possession, purchase, sale or transportation of the venison.

(b) In order to carry out inspections under par. (a), a warden or representative of the department, upon presentation of his or her credentials and the inspection warrant issued under s. 66.122 to a holder of a venison retailer permit, may enter a vehicle, building or structure during the time when the permit holder is conducting business.

(c) In cases of emergency, no special warrant is required.
(cm) Notwithstanding s. 66.122 (2), refusal of the holder of a venison retailer permit to give consent for an inspection is not necessary for an inspection warrant to be issued for purposes of this subsection.

(d) No person holding a venison retailer permit or operator of a vehicle for such a person, or employe or person acting on behalf of such a person, may prohibit entry or prohibit an inspection from being conducted as authorized under this subsection unless a court restrains or enjoins the entry or inspection.

SECTION 241t. 29.583 of the statutes is created to read:

29.583 Disposal of escaped deer. (1) The department may seize and dispose of or may authorize the disposal of any deer that has escaped from land licensed under s. 29.574, 29.578 or 29.58 if the licensee has not had the deer returned to the land within 72 hours of the discovery of the escape.

(2) Notwithstanding the 72-hour waiting period in sub. (1), the department may dispose of the deer immediately if the deer poses a risk to public safety or to the health of other domestic or wild animals.

SECTION 241u. 29.585 (5) of the statutes is amended to read:

29.585 (5) No person may keep any live wild animal in captivity for the purpose of exhibition or for advertising purposes or have any wild animal in his or her custody or under his or her control for such purpose, unless a wildlife exhibit license is issued to the person by the department. A wildlife exhibit license is required in addition to any game bird and animal farm, deer farm or fur farm license or deer farm license under s. 29.578 that is required for the possession, breeding, propagating or dealing of these wild animals if these farms are wildlife exhibits as defined under sub. (1).

SECTION 241v. 29.99 (15) of the statutes is amended to read:

29.99 (15) In any prosecution under this section it is not necessary for the state to allege or prove that the animals were not commercially raised deer or domesticated animals; that they were not taken for scientific purposes, or that they were taken in possession or under control without a required approval; but the person claiming that these animals were commercially raised deer or domesticated animals, or that they were taken for scientific purposes, or that they were taken in possession or under control under the required approval, has the burden of proving these facts. In this subsection, "commercially raised deer" has the meaning given in s. 95.25 (5m).

SECTION 241w. 30.1255 of the statutes is created to read:

30.1255 Control of aquatic nuisance species. (1) DEFINITIONS. In this section:

(a) "Aquatic nuisance species" means a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters or that threatens a commercial, agricultural, aquacultural or recreational activity dependent on infested waters.

(b) "Council" means the aquatic nuisance control council.

(2) AQUATIC NUISANCE CONTROL COUNCIL. The council may make recommendations to the legislature, the governor and the department on any matter relating to the control of aquatic nuisance species.

(3) BIENNIAL REPORTS. (a) After consulting with the council, the department shall submit periodically to the legislature reports describing all of the following:

1. The current and potential economic and environmental impact of aquatic nuisance species on the waters of the state.

2. Potential strategies to control aquatic nuisance species.

3. Any geographical areas, public facilities or activities conducted in this state that need technical or financial assistance to reduce the environmental, public health or safety risk that may be caused by aquatic nuisance species.

(b) The department shall submit the first report within the 12-month period beginning on the effective date of this paragraph. Vetoed in Part

(c) The first report shall be limited to the aquatic nuisance species known as the zebra mussel.

(4) RULES. (a) After consulting with the council, the department shall promulgate rules regulating the possession, transportation and introduction of aquatic nuisance species.

(b) After consulting with the council, the department shall promulgate rules requiring the methods to be used to control aquatic nuisance species in this state.

SECTION 241x. 30.277 of the statutes is created to read:

30.277 Urban rivers grant program. (1) FUNDING. (b) Beginning in fiscal year 1992-93 and ending in fiscal year 1999-2000, from the appropriation under s. 20.866 (2) (tz), the department shall award grants to municipalities to assist municipalities in developing projects on or adjacent to rivers that flow through urban areas.

(2) PURPOSES OF GRANTS. (a) Grants awarded under this section shall be used for projects that emphasize the preservation or restoration of urban rivers or riverfronts for the purposes of economic revitalization and encouraging outdoor recreation activities that involve the enjoyment of the state's natural
resources. These outdoor recreation activities include, but are not limited to fishing, wildlife observation, enjoyment of scenic beauty, canoeing, boating, hiking and bicycling.

(b) A grant awarded to a municipality under this section may be used to acquire land or to develop land not owned by the municipality. For purposes of this paragraph, "land" includes rights in land.

(3) CRITERIA FOR GRANTS. The department shall consider all of the following criteria in awarding grants for projects under this section:

(a) The extent to which diverse outdoor recreational opportunities will be made available to all segments of the population.

(b) The extent of preservation or restoration, under the project, of an urban riverfront.

(c) The aesthetic value of the project.

(d) The project's potential for increasing tourism.

(e) Whether significant planning has occurred in the municipality prior to its request for a grant under this section.

(f) The level of support for the project demonstrated by the municipality, including financial support.

(g) Whether the project involves a joint effort by 2 or more municipalities.

(h) The potential benefits of the project to the overall economy of the municipality.

(i) The extent to which the project preserves or highlights an area with significant historical or cultural value.

(j) The extent to which access by the public to the riverfront will be improved.

(4) CAP ON GRANTS. No municipality may receive in any fiscal year more than 20% of the funds that are available for grants under this section.

(5) CONTRIBUTION BY MUNICIPALITY. To be eligible for a grant under this section, at least 50% of the cost of the project shall be funded by private, local or federal funding, by in-kind contributions or by state funding. For purposes of this subsection, state funding may not include grants under this section, moneys appropriated to the department under s. 20.370 or money appropriated under s. 20.866 (2) (tp) to (tw), (ty) or (tz).

(6) RULES. The department shall promulgate rules for the administration of this section, including rules that specify the weight to be assigned to each criterion under sub. (3) and the minimum number of criteria under sub. (3) in which an applicant must perform satisfactorily in order to be awarded a grant.

SECTION 244. 30.531 (1) (intro.) of the statutes is amended to read:

30.531 (1) CERTIFICATE. (intro.) The owner of a boat subject to registration or certificate of number requirements in this state, whether or not the boat is operated on the waters of this state, shall make application for certificate of title for the boat under the following circumstances:

SECTION 245. 30.531 (3) (a) of the statutes is amended to read:

30.531 (3) (a) Boats exempt from registration requirements. A boat is exempt from both the certificate of origin and certificate of title requirements of this chapter if it is exempt under s. 30.51 (2) (a) from the certificate of number or registration requirements or exempt under s. 30.51 (2) (b) from the certificate of number requirements of this chapter.

SECTION 246. 30.531 (4) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 247. 30.531 (4) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 248. 30.541 (1) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 251. 30.541 (3) (d) of the statutes is created to read:

30.541 (3) (d) 1. In all cases of the transfer of a boat owned by a decedent, except under subd. 2, ward, trustee or bankrupt, if the department receives all of the following the department shall accept the following as sufficient evidence of the transfer of ownership:

a. Evidence satisfactory to the department of the issuance of the letters of administration, letters testamentary, letters of guardianship, letters of trust or appointment of a trustee in bankruptcy.

b. Title executed by the administrator, executor, guardian or trustee.

c. Evidence concerning payment of sales or use taxes required under s. 77.61 (1) or evidence that the transfer is exempt from sales or use taxes.

2. a. The department shall transfer the decedent's interest in a boat to his or her surviving spouse upon receipt of the title executed by the surviving spouse and an affidavit signed by the spouse that includes the date of death of the decedent; the approximate value and description of the boat; and a statement that the spouse is personally liable for the decedent's debts and charges to the extent of the value of the boat, subject to s. 859.25.

b. The transfer shall not affect any lien on the boat.
c. Except as provided in subd. 2. d., no more than 5 boats may be transferred under this subdivision.

d. The limit in subd. 2. c. does not apply if the surviving spouse proceeds under s. 867.03 (1) and the total value of the decedent’s solely owned property in the state, including boats transferred under this subdivision, does not exceed $10,000.

3. Upon compliance with this paragraph, neither the secretary nor the department shall bear any liability or responsibility for the transfer of a boat in accordance with this paragraph.

Vetoed in Part

SECTION 259. 30.578 of the statutes is created to read:

30.578 Grounds for refusing issuance of certificate of title. The department shall refuse issuance of a certificate of title if any required fee is not paid or if it has reasonable grounds to believe that any of the following exists:

(1) The person alleged to be the owner of the boat is not the owner.

(2) The application contains a false or fraudulent statement.

(3) The applicant fails to furnish information or documents required by the department.

SECTION 261m. 30.92 (1) (b) of the statutes is amended to read:

30.92 (1) (b) “Governmental unit” means the department, a municipality, a town sanitary district, a public inland lake protection and rehabilitation district organized under ch. 33, the Milwaukee river revitalization council, the lower Wisconsin state riverway board, or the Fox river management commission or any other local governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose of lake management.

SECTION 261p. 30.92 (4) (b) 6m of the statutes is created to read:

30.92 (4) (b) 6m. Notwithstanding subd. 6, the department, with the approval of the commission, may reallocate for expenditure for recreational boating aids without complying with the percentages under subd. 6 any state funds that are not encumbered for expenditure for a fiscal year before the first day of the 4th quarter of that fiscal year.

SECTION 261s. 30.92 (4) (b) 8. (intro.), a. and b. of the statutes, as created by 1991 Wisconsin Act 39, are amended to read:

30.92 (4) (b) 8. (intro.) In addition to those projects specified under subd. 7, the following projects qualify for funds available for recreational boating aids under this section if they are projects for inland waters:

a. A project for the dredging of a channel in a waterway to the degree that is necessary to accommodate recreational watercraft if the project is for an inland water.

b. Acquisition of capital equipment that is necessary to cut and remove aquatic plants that are aquatic nuisances or that are detrimental to fish habitat if the acquisition is pursuant to a plan to cut and remove aquatic plants that is approved by the department and if the capital equipment will be used solely on inland waters.

SECTION 262. 30.94 (4) (d) of the statutes is created to read:

30.94 (4) (d) The department may require the commission to maintain the sea lamprey barrier at the Rapide Croche lock according to specifications of the department to prevent sea lampreys or other nonnative species from moving upstream. The Rapide Croche lock may not be opened without prior approval from the department.
SECTION 263a. 32.25 (1) of the statutes is amended to read:

32.25 (1) Notwithstanding any other provision of law, except as provided under sub. (3) and s. 85.09 (4m), no condemnor may proceed with any activity which may involve the displacement of persons, business concerns or farm operations until the condemnor has filed in writing a relocation payment plan and relocation assistance service plan and has had both plans approved in writing by the department of industry, labor and human relations.

SECTION 263w. 32.25 (3) of the statutes is created to read:

32.25 (3) (a) Subsection (1) does not apply to any of the following activities engaged in by a condemnor:

1. Obtaining an appraisal of property.
2. Obtaining an option to purchase property, regardless of whether the option specifies the purchase price, if the property is not part of a program or project receiving federal financial assistance.

(b) If a condemnor obtains an option to purchase under par. (a), 2, the condemnor shall file the plan under sub. (1) within 60 days after obtaining the option and may not exercise the option or otherwise acquire the property until at least 30 days after the department of industry, labor and human relations has approved the plans.

SECTION 263xg. 36.11 (25) of the statutes is created to read:

36.11 (25) BUILDING PROGRAM PLANNING AND APPROVAL. The board shall promulgate rules which establish a process for the systematic development by the system of all building program requests for submission to the building commission. Under the procedures in this building program request for which approval of the request is required under s. 263.24 (1) may be submitted to the building commission on the legislative prior to review and approval of the request by the board. No building project for the system may be submitted by the board to the building commission unless, Vetoed in Part unless the project is developed and approved by the board in conformity with this subsection and has been approved under this subsection.

SECTION 263m. 36.25 (11) of the statutes is amended to read:

36.25 (11) (f) The laboratory of hygiene board may impose a fee for each test conducted by the laboratory. Any test conducted for a local unit of government is exempt from the fee unless the test is outside the state public health care mission or is required under 42 USC 300f to 300j, as determined by the laboratory of hygiene board. The laboratory may charge state agencies through contractual arrangements for the actual services rendered.

SECTION 264. 36.25 (32) of the statutes, as affected by 1991 Wisconsin Act 32, is repealed.

SECTION 264b. 36.25 (32) of the statutes is created to read:

36.25 (32) Small business notification. The board shall inform the small business of the availability in Wisconsin of federal and state grants, loans and other financial assistance. The board shall establish in the extension of cooperation with the department of development, the department of industry, labor and human relations, the department of natural resources and the board of vocational, technical and adult education, a program to provide information and education to small businesses regarding the management of hazardous waste. The program shall include all of the following:

(a) Information and education regarding state hazardous waste rules and federal hazardous waste regulations and requirements for achieving compliance with the rules and regulations.

(b) Information and education for small businesses on the proper methods of reducing, storing, handling, treating, recycling and disposing of hazardous waste.

(c) Information and education on the advantage of proper management of hazardous waste relative to the costs of inefficient hazardous waste management and the risks of improper hazardous waste management for small businesses.

SECTION 264d. 36.25 (32) of the statutes, as affected by 1991 Wisconsin Act 32, is repealed.
Vetoed in Part

SECTION 264. 39.11 (20) of the statutes is amended to read:

39.11 (20) Provide leadership in securing appropriate funding for regional educational telecommunications networks maintained by schools and other educational institutions, coordinate the development of the networks and establish technical standards for the networks and their interconnections.

SECTION 265. 39.12 (2m) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

39.12 (2m) The corporation under sub. (1) shall donate any real or tangible property to the state within 5 years after acquiring the property unless holding the property for more than 5 years is consistent with sound business and financial practices and is approved by the joint committee on finance.

SECTION 266. 39.155 (2) of the statutes is amended to read:

39.155 (2) On or before January 15 and September 15 of each year, the medical college of Wisconsin, inc., shall submit to the higher educational aids board for its approval a list of the Wisconsin residents enrolled at the college who are paying full tuition. The state shall make semiannual payments to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), upon approval of the list. If the appropriation under s. 20.254 (1) (a) is insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the payments shall be disbursed on a prorated basis for each student entitled to such aid. No more than 8 such payments may be made to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), for any individual student.

SECTION 267. 39.155 (3) of the statutes is amended to read:

39.155 (3) The medical college of Wisconsin, inc., may not assess tuition for a Wisconsin resident enrolled at the college in an amount that exceeds the difference between the tuition assessed a nonresident student enrolled at the college and the amount specified to be disbursed under s. 20.250 (1) (a) for each Wisconsin resident enrolled at the college. This subsection applies to students enrolled in the class entering the college in the 1986-87 academic year and thereafter.

SECTION 268. 39.374 (2) of the statutes is amended to read:

39.374 (2) There is created a separate nonlapsing trust fund designated the Wisconsin health education loan repayment fund consisting of all revenues received in repayment of loans funded under this sec-
tion or loans financed from moneys made available under chapter 20, laws of 1981, section 2022 (1). The board may pledge revenues received or to be received by the fund to secure revenue obligations issued under this section, and shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

SECTION 268a. 39.41 (1) (a) of the statutes is amended to read:

39.41 (1) (a) Alternate means a senior who is eligible for a scholarship under this section if a designated scholar does not qualify for such scholarship.

(b) Designated scholar means a senior designated by the school board of the school district operating the private high school or the governing body of the private high school at the time the high school shall make the designation under par. (a) of the section who may be eligible for a higher education scholarship as a scholar or as an alternate.

SECTION 268b. 39.41 (1m) (f) of the statutes is created to read:

39.41 (1m) (f) Notwithstanding par. (a), if a high school of at least 80 pupils closes or merges in the 1991-92 school year or in any school year thereafter, the school board of the school district operating the public high school or the governing body of the private high school of the number of scholarships and alternates to be designated under par. (a).

SECTION 268c. 39.41 (1m) (f) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (1m) (f) Notwithstanding par. (a), if a high school of at least 80 pupils closes or merges in the 1991-92 school year or in any school year thereafter, the school board of the school district operating the public high school or the governing body of the private high school of the number of scholarships and alternates to be designated under par. (a).

SECTION 268d. 39.41 (1m) (f) of the statutes is created to read:

39.41 (1m) (f) Notwithstanding par. (a), if a high school of at least 80 pupils closes or merges in the 1991-92 school year or in any school year thereafter, the school board of the school district operating the public high school or the governing body of the private high school of the number of scholarships and alternates to be designated under par. (a).

SECTION 268e. 39.41 (1m) (f) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (1m) (f) Notwithstanding par. (a), if a high school of at least 80 pupils closes or merges in the 1991-92 school year or in any school year thereafter, the school board of the school district operating the public high school or the governing body of the private high school of the number of scholarships and alternates to be designated under par. (a).

SECTION 268f. 39.41 (2) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (2) (a) If a designated scholar of a class designated under sub. (1m) is admitted to and enrolls, on a full-time basis within one year after graduating from high school or, for scholars designated after July 1, 1992, by September 30 of the academic year immediately following the school year in which the senior was
Vetoed designated a scholar or an alternate, in a center or institution within the university of Wisconsin system or in a vocational, technical, and adult education district school that is participating in the program under this section, the scholar or alternate shall receive a higher education scholarship that exempts the scholar or alternate from all tuition and fees, including segregated fees, at the center, institution or district school for one year, subject to the availability of funds.

SECTION 268k. 39.41 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (3) (a) If a designated scholar or alternate under sub. (1m) is admitted to and enrolls, on a full-time basis within one year after graduating from high school or, for scholars designated after January 1, 1992, by September 30 of the academic year immediately following the school year in which the senior was designated a scholar, in a private institution of higher education that is located in this state and participating in the program under this section, the board shall pay the institution, on behalf of the pupil, an amount equal to 50% of the tuition and fees charged a resident undergraduate at the university of Wisconsin-Madison in the same academic year.

39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) only if the center, institution, district school or private institution matches the amount of the payment from institutional funds, gifts or grants. Beginning in the 1992-93 school year, the matching requirement under this paragraph for the centers and institutions within the university of Wisconsin system shall be satisfied by payments of an amount equal to the total payments from the centers and institutions made under this paragraph in the 1991-92 school year and if such payments are insufficient to satisfy the matching requirement, by the waiver of academic fees established under s. 36.27.

SECTION 268r. 39.41 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) only if the center, institution, district school or private institution matches the amount of the payment from institutional funds, gifts or grants. Beginning in the 1992-93 school year, the matching requirement under this paragraph for the centers and institutions within the university of Wisconsin system shall be satisfied by payments of an amount equal to the total payments from the centers and institutions made under this paragraph in the 1991-92 school year and if such payments are insufficient to satisfy the matching requirement, by the waiver of academic fees established under s. 36.27.
30. This paragraph applies to periods beginning after June 30, 1988.

SECTION 272m. 40.02 (17) (intro.) of the statutes is amended to read:

40.02 (17) (intro.) "Creditable service" means the creditable current and prior service, expressed in years and fractions of a year to the nearest one-hundredth, for which a participating employee receives earnings and for which contributions have been made as required by s. 40.05 (1) and (2) and creditable military service, service credited under s. 40.25 (7) and service credited under s. 40.29, expressed in years and fractions of years to the nearest one-hundredth. How much service in any annual earnings period is the full-time equivalent of one year of creditable service shall be determined by rule by the department and the rules may provide for differing equivalents for different types of employment. Except as provided under pars. (i) and (k), the amount of creditable service for periods prior to January 1, 1982, shall be the amount for which the participant was eligible under the applicable laws and rules in effect prior to January 1, 1982. No more than one year of creditable service shall be granted for any annual earnings period. Creditable service is determined in the following manner for the following persons:

SECTION 270. 40.01 (2) of the statutes is amended to read:

40.01 (2) PURPOSE. The public employe trust fund is a public trust and shall be managed, administered, invested and otherwise dealt with solely for the purpose of ensuring the fulfillment at the lowest possible cost of the benefits commitments to participants, as set forth in this chapter, and shall not be used for any other purpose. Revenues collected for and balances in the accounts of a specific benefit plan shall be used only for the purposes of that benefit plan, including amounts allocated under s. 20.515 (1) (um) or (ut) or 40.04 (2), and shall not be used for the purposes of any other benefit plan. Each member of the employe trust funds board shall be a trustee of the fund and the fund shall be administered by the department of employe trust funds. All statutes relating to the fund shall be construed liberally in furtherance of the purposes set forth in this section.

SECTION 271. 40.02 (3) of the statutes is renumbered 40.02 (3) (intro.) and amended to read:

40.02 (3) (intro.) "Annual earnings period" means the calendar year except for teachers as follows:

(a) For a teacher, it means the period beginning on the first day of a school year and ending on the day prior to the beginning of the next school year, as determined by the employer in accordance with rules of the department.

SECTION 272. 40.02 (3) (b) of the statutes is created to read:

40.02 (3) (b) For a supreme court justice, court of appeals judge or circuit judge who terminates all creditable service on or after the effective date of this paragraph ..., [revisor inserts date], it means the period beginning on July 1 and ending on the following June 91 Wis Act 269

Vetoed
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SECTION 274. 40.04 (2) (a) of the statutes is amended to read:

40.04 (2) (a) An administrative account shall be maintained within the fund from which administrative costs of the department shall be paid, except charges for services performed by the investment board and, costs of medical and vocational evaluations used in determinations of eligibility for benefits under ss. 40.61, 40.63 and 40.65, shall be paid and costs of contracting for insurance data collection and analysis services under s. 40.03 (6) (j).

SECTION 275. 40.04 (2) (e) of the statutes is created to read:

40.04 (2) (e) The costs of contracting for insurance data collection and analysis services under s. 40.03 (6) (j) shall be paid from the appropriation under s. 20.515 (1) (ut).

SECTION 275. 40.04 (2) (e) of the statutes is amended to read:

40.04 (2) (e) The Wisconsin Employers Association or any successor to that association shall continue to make contributions under par. (b) after June 30, 1997, as if that association continued to be a participating employer after that date until the payment of that association's unearned prior service liability for all categories of employees is made. The Wisconsin Employers Association or any successor to that association may make contributions of amounts under par. (b) in advance to reduce that association's unearned prior service liability.

SECTION 276. 40.05 (4) (bc) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

40.05 (4) (bc) The accumulated unused sick leave of an eligible employe under s. 40.02 (25) (b) 6g shall be converted to credits for the payment of health insurance premiums on behalf of the employe on the date on which the department receives the employe's application for a retirement annuity or for lump sum payment under s. 40.25 (1). The employe's unused sick leave shall be converted at the salary rate that the employe would be receiving on the date of the conversion if the employe had continued to be employed in the position described in s. 40.02 (25) (b) 6g that the employe held immediately before the employe terminated all creditable service or, if the employe is a state elected official who would have been prohibited by law from receiving an increase in compensation during the official's term of office, at the salary rate that would have been payable to the employe on the date of the conversion if the employe had not been prohibited by law from receiving an increase in compensation during his or her term of office eligible employe's basic pay rate immediately prior to termination of all creditable service. The full premium for the employe, or for the surviving insured dependents of the employe if the employe later becomes deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment.

SECTION 276. 40.25 (7) of the statutes is created to read:

40.25 (7) (a) Each participating employe whose creditable service terminates on or after the effective date of this paragraph ..., [revisor inserts date], and who has performed service, other than military service, as an employe of the federal government or a state or local governmental entity in the United States, other than a participating employer, that is located within or outside of this state may receive creditable service for such service if all of the following conditions are met:

1. The participant files an application to receive creditable service under this paragraph not more than 90 days after termination of employment as a participating employe.
2. The participant has at least 3 continuous years of creditable service under the fund at the time of application under subd. 1.
3. The number of years of creditable service applied for under this paragraph does not exceed the number of years of creditable service that the participant has at the date of application or 10 years, whichever is less. The participant furnishes evidence of such service which is acceptable to the department.
5. At the time of application under subd. 1, the participant pays to the department a lump sum equal to the present value of the creditable service applied for under this paragraph, in accordance with rates actually determined to be sufficient to fund the full cost of the increased benefits that will result from granting the creditable service under this paragraph.

(b) Creditable service granted under par. (a) shall be calculated in an amount equal to the year and fractions of a year to the nearest one-hundredth of a year for service other than military service performed for the governmental entity, as determined by evidence of such service furnished under par. (a). Creditable service granted under par. (a) shall be the same type of creditable service as the type that is granted to participants who are not executive participating employees, elected officials or protective occupation participants. A participating employee may apply to receive part or all of the creditable service that he or she is eligible to receive under par. (a).

(c) If a participant applies to receive creditable service under par. (a) and the department denies the participant creditable service, the department shall refund the participant’s lump sum payment made under par. (a).

(d) The lump sum payment under par. (a) shall be credited and treated as an employee required contribution for all purposes of the retirement system, except for purposes of s. 40.23.

(e) A participant may transfer employe additional contribution accumulations to the employe required contribution account under par. (d) as payment of the lump sum under par. (a).

(f) A participant may not receive creditable service under par. (a) for service that is used for the purpose of establishing entitlement to, or the amount of, any other benefit to be paid by any federal, state or local government entity, except a disability or OASDHI benefit or a benefit paid for service in the national guard.

SECTION 276ic. 40.51 (8) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (3) and (5), 632.895 (5m), (8) and (9) and 632.896.

SECTION 276id. 40.51 (8) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), section 276ic, is repealed and recreated to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (3), (4) and (5), 632.895 (5m), (8) and (9) and 632.896.

SECTION 276ie. 40.51 (8m) of the statutes is repealed.

SECTION 276ig. 40.51 (13) of the statutes is repealed.

SECTION 276ii. 40.51 (14) of the statutes, as created by 1989 Wisconsin Act 336, is repealed.

SECTION 276ik. 40.51 (15) of the statutes is repealed.

SECTION 277. 42.12 of the statutes is created to read:

42.12 Crowd and traffic control services grant program. (1) Beginning on July 1, 1992, in each fiscal year, the state fair park board may award a grant, not to exceed $35,000, to the city of West Allis to be used to provide crowd and traffic control services related to events held at the state fair park, including events associated with the Olympic ice training center under s. 42.11.

(2) The state fair park board may not award a grant under sub. (1) unless all of the following conditions are met:

(a) The city of West Allis submits a plan to the state fair park board detailing the proposed use of the grant.

(b) The state fair park board approves the plan under par. (a).

(c) The city of West Allis enters into a written agreement with the state fair park board under which the city of West Allis agrees to comply with conditions specified by the state fair park board for use of the grant, including an agreement to comply with any reporting and auditing requirements specified by the state fair park board.

(d) The city of West Allis agrees to submit to the state fair park board, within 6 months after the grant proceeds are fully expended, a report detailing the use of the proceeds of the grant.

SECTION 277m. 42.12(2)(d) of the statutes is amended to read:

42.12(2)(d) A participant may apply to receive part or all of the creditable service that he or she is eligible to receive under par. (a).

Underscored, stricken, and vetoed text may not be searchable. If you do not see text of the Act, SCROLL DOWN. 91 WISACT 269
43.30 (1) Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating which of its documents or other materials have been loaned to or used by an identifiable the identity of any individual who borrows or uses the library’s documents or other materials, resources or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system or, to persons authorized by the individual to inspect such records, or by order of a court of law or to libraries as authorized under subs. (2) and (3).

SECTION 277f. 43.30 (2) and (3) of the statutes are created to read:

43.30 (2) A library supported in whole or in part by public funds may disclose an individual’s identity to another library for the purpose of borrowing materials for the individual only if the library to which the individual’s identity is being disclosed meets at least one of the following requirements:

(a) The library is supported in whole or in part by public funds.

(b) The library has a written policy prohibiting the disclosure of the identity of the individual except as authorized under sub. (3).

(c) The library agrees not to disclose the identity of the individual except as authorized under sub. (3).

(3) A library to which an individual’s identity is disclosed under sub. (2) and that is not supported in whole or in part by public funds may disclose that individual’s identity to another library for the purpose of borrowing materials for that individual only if the library to which the identity is being disclosed meets at least one of the requirements specified under sub. (2) (a) to (c).

SECTION 277i. 43.54 (1) (a) of the statutes is amended to read:

43.54 (1) (a) Each public library established under s. 43.52 shall be administered by a library board composed in each city of the 2nd or 3rd class or school district of 9 members, in each city of the 4th class of 7 members and in each village, town, tribal government or tribal association of 5 members. Two additional members may be appointed to a library board for a village, town, tribal government or tribal association so that the board has 7 members. Members shall be residents of the municipality, except that not more than 2 members may be residents of towns adjacent to the municipality. Members shall be appointed by the mayor, village president, town chairperson, tribal chairperson or school board chairperson, respectively, with the approval of the municipal governing body. Up to 2 additional members may be appointed under s. 43.60 (3).

SECTION 277j. 43.60 (3) of the statutes is amended to read:
43.60 (3) Whenever the annual sum appropriated by the other municipality or county under sub. (2) equals or exceeds one-sixth of the net annual income of sum appropriated to the public library by any municipality in which the public library is located during the preceding fiscal year, the mayor, village president, town or county chairperson or tribal chairman of the other municipality or county, with the approval of the governing body thereof, may appoint from among the residents of the municipality or county an additional member of the library board of the public library and, when such sum equals or exceeds one-third of the net annual income sum appropriated to the public library by any municipality in which the public library is located, 2 additional members, for a term of 3 years from the July 1 next succeeding such appointment, and thereafter for terms of 3 years. Whenever the appropriation made is less than the one-third specified, the office of one such additional member of the board and, if less than the one-sixth specified, the office of both shall be vacant from the July 1 next thereafter.

SECTION 277L. 44.02 (6) of the statutes is amended to read:

44.02 (6) Thoroughly catalog the entire collections of the society for the more convenient reference of all persons who have occasion to consult the same collections. The society may loan to libraries, educational institutions and other organizations or to private individuals in good standing items from the collections of the society.

SECTION 277Lm. 44.02 (7) of the statutes is amended to read:

44.02 (7) (a) In consultation with the council, the historical society shall do all that is necessary to protect the sites in this state that is listed in the historical register of historic places in Wisconsin or the state register of historic places and that is not marked, under s. 13.70, (2) (a) 1. Any information collected under this subsection shall be entered in the historical register of historic places and shall be supplemented with the information contained in the state register of historic places. The information shall be maintained in such form as is most useful to the public. The information shall be submitted to the council and the public library commission for use in encouraging the cooperation of state agencies.

SECTION 278. 44.15 (title) of the statutes is amended to read:

44.15 (title) Historical markers program.

SECTION 279. 44.15 (1) of the statutes is renumbered 44.15 (2) and amended to read:

44.15 (2) (title) CREATION. It is declared to be in the public interest to stimulate interest in and knowledge of the state by marking sites of special historical, architectural, cultural, archaeological, ethnic, geological or legendary significance, and maintaining and developing such sites approximately so as to preserve their individual characteristics. The historical markers program is created to call attention to the state’s historical, cultural and natural heritage through a system of markers and plaques and to supplement, wherever possible, information contained in the state register of historic places. It is the purpose of this section the program to significantly increase the number of historical, cultural and natural heritage sites that are marked in this state and to accomplish such marking, maintenance and development through the historical markers council. In addition to powers specifically enumerated, the council shall have all powers necessary to perform its duties.

SECTION 280. 44.15 (1) of the statutes is created to read:

44.15 (1) DEFINITIONS. In this section, "council" means the historical markers council.

SECTION 281. 44.15 (2) of the statutes is repealed.

SECTION 282. 44.15 (3) of the statutes is renumbered 44.15 (7) and amended to read:

44.15 (7) (title) DONATIONS; ASSISTANCE. (a) The council may accept gifts, appropriations and bequests made to it for the purposes of this section and use them as far as practicable in accordance with the wishes of the donor. All money so received shall promptly be paid into the state treasury and be paid out on order of the council. The expenditures thereof shall be audited and paid as other disbursements by the state treasurer, and audited and paid.

(b) The council may accept the aid, support and cooperation of county, city, village or town agencies, or private agencies or persons in executing its projects.

(6) (title) COOPERATION OF STATE AGENCIES. All state departments, independent agencies and institutions are directed to cooperate with the council in the performance of its duties. Applicable laws shall be liberally construed in favor of such cooperation.

SECTION 283. 44.15 (3) to (6) and (9) of the statutes are created to read:

44.15 (3) MARKERS AND PLAQUES. (a) In consultation with the council, the historical society shall do all of the following:

1. Plan, develop and publicize a uniform system of marking for state and local sites of historical, architectural, cultural, archaeological, ethnic, geological and legendary significance. The marking system shall constitute large markers of standard design, in one or more sizes, with narrative text describing the associated site.

2. Plan, develop and publicize a system of plaques for the districts, sites, buildings, structures and objects listed on the state register of historic places and a system of plaques for marking state and local sites of special historical, architectural, cultural, archaeological, ethnic, geological or legendary significance. The system of plaques shall constitute small plaques of various types, each with a standard design, intended to identify the district, site, building, structure or object, and generally without narrative text. Any narrative text included on a plaque shall be standardized for a specific type of plaque. The historical society shall consider and respond to reasonable requests to establish new types of plaques.
3. Establish criteria for the selection of appropriate sites for markers and plaques under this subsection. The historical society shall accept applications for approval of the placement of markers and plaques, and for any narrative text for markers. The historical society shall approve those applications that meet the criteria established by the historical society.

(b) The markers and plaques approved by the historical society under this subsection may not be used to mark sites other than those approved by the historical society and shall be subject to any conditions established by the historical society. No marker or plaque may include the name of the current owner of the property. Without the approval of the historical society, no person may erect or use a marker or plaque that is identical to or misleadingly resembles the markers and plaques approved under this subsection. The historical society may require the removal of any marker or plaque that does not meet the requirements of this subsection.

(4) State-funded markers. In consultation with the council, the historical society may identify and authorize construction of individual markers or plaques, or any series of markers or plaques, to be funded from the appropriation under s. 20.245 (3) (d). No matching funds are required for a marker or plaque that is constructed under this subsection. Funds under this subsection may be used for the purchase of plaques to be installed on historical properties and for the construction of markers or plaques in other states or countries.

(5) Maintenance. Any approval issued for a marker or plaque by the historical society under this section shall include a requirement that the applicant maintain the marker or plaque, and shall also include authorization permitting the historical society or council, if necessary, to enter the property and maintain the marker or plaque. The historical society may issue orders to maintain markers and plaques, and may maintain markers or plaques.

(6) State-owned property. Each board, commission, committee, department or officer in state government shall cooperate with the historical society in the placement of markers or plaques on state-owned property, and shall place and maintain such markers or plaques, as supplied by the historical society, at locations identified by the historical society.

(9) Rules. In consultation with the council, the historical society shall promulgate rules to implement and administer the program. The rules shall include all of the following:

(a) Policies and procedures for the uniform systems of markers and plaques under sub. (3) (a) 1 and 2.

(b) Criteria for the selection of appropriate sites for markers and plaques under sub. (3) (a) 3.

SECTION 287c. 44.47 (1) (b) of the statutes is amended to read:

44.47 (1) (b) “Archaeological site” means any land or the bed of any stream or lake where there are objects or other evidence of archaeological interest, aboriginal mounds and earthworks, ancient burial grounds, prehistoric and historical ruins, Indian mounds, historic and prehistoric watercraft and associated objects, aircraft and other archaeological and historical features.

SECTION 287e. 44.47 (1) (bm) of the statutes is created to read:

44.47 (1) (bm) “Council” means the submerged cultural resources council.

SECTION 287g. 44.47 (1) (i) of the statutes is created to read:

44.47 (1) (i) “Submerged cultural resource” means an archaeological site or historic property that is located beneath the surface of a lake or stream.

SECTION 287j. 44.47 (5m) of the statutes is created to read:

44.47 (5m) Submerged cultural resources. (a) There is established, to be administered by the historical society and department of natural resources, a program for submerged cultural resources of this state.

(b) The historical society, in consultation with the department of natural resources, shall coordinate the activities of the state relating to the preservation, management and public use of submerged cultural resources. The historical society may enter into agreements with federal and state agencies, political subdivisions and nonprofit organizations regarding the preservation, management and use of submerged cultural resources and the management of bottomland preserves. On or before February 1 of each odd-numbered year, the historical society shall submit a report 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), on submerged cultural resources activities and implementation of this subsection.

(c) The historical society and department of natural resources may by rule designate areas of the bed of any stream or lake as bottomland preserves, for the purpose of enhancing preservation, management and public use of any submerged cultural resources within the bottomland preserve. A bottomland preserve may encompass more than one object or archaeological site.

(d) Before designation of an area as a bottomland preserve, the historical society shall consider all of the following:

1. If the preserve will provide preservation, management and public use of submerged cultural resources.

2. The extent to which an inventory of submerged cultural resources has been conducted for the area within the proposed bottomland preserve.

3. Whether a plan has been prepared for the management of submerged cultural resources within the
proposed bottomland preserve and for the recreational management and development of the proposed bottomland preserve.

4. The existence of an entity that will assume responsibility for the management of the bottomland preserve.

5. The availability of existing or planned facilities necessary for recreational uses of the bottomland preserve, including roads, boat landings, marinas, boat and diving charter services, hotels, medical decompression facilities and rescue agencies.

(e) The historical society and department of natural resources may promulgate rules relating to the access, use, stewardship, management, protection and recreational development of bottomland preserves, and the preservation, conservation, curation and display of submerged cultural resources and objects removed from underwater archaeological sites.

(f) The council shall:

1. Make recommendations to the historical society and the department of natural resources regarding the creation and management of bottomland preserves.

2. As requested by the state archaeologist, review applications for archaeological permits and make recommendations regarding issuance of permits.

3. As requested by the secretary of natural resources, review applications for archaeological permits for the recovery of abandoned property, including nonhistorical shipwrecks of potential recreational value, and make recommendations regarding issuance of permits.

4. Advise the historical society and department of natural resources regarding the administration of this program.

SECTION 287m. 44.47 (7) (a) of the statutes is amended to read:

44.47 (7) (a) 1. Whoever violates sub. (2) or any rules promulgated under sub. (5m) (e) shall forfeit not less than $100 nor more than $500.

2. Whoever intentionally defaces, injures, destroys, displaces or removes any archaeological object or data belonging to the state, or intentionally interferes with evidence or work on any state site or site owned by a political subdivision for which a permit has been issued under this section or intentionally violates any other provision of this section shall forfeit or any rules promulgated under sub. (5m) (e) shall be fined not less than $1,000 nor more than $5,000 or imprisoned for not more than 4 years or both.

3. Whoever removes any archaeological object from a state site or site owned by a political subdivision for commercial gain in violation of this section or any rules promulgated under sub. (5m) (e) shall forfeit an amount not to exceed 2 times the gross value gained or the gross loss caused by the disturbance, whichever is the greater, plus court costs and the costs of investigation and prosecution, reasonably incurred.

44.47 (7) (b) The director may refuse to issue or renew or may suspend or revoke the permit of any person who has violated this section or any rules promulgated under sub. (5m) (e). The director may refuse to name a school or scientific institution as the custodian of objects or data under any permit or agreement, if that school or scientific institution has failed in its duty to care for and preserve objects or data belonging to the state or has failed to make such objects or data conveniently available to the public.

SECTION 288m. 45.03 (3) of the statutes is created to read:

45.03 (3) From the appropriation under s. 20.485 (2) (sm), the department shall pay all debts that remain unpaid on February 15, 1992, for expenses incurred in operating the veterans memorial at The Highground in Clark county and shall contract for improvements related to the memorial. The improvements shall include the paving of the parking lot at the memorial.

SECTION 288n. 45.351 (1m) of the statutes is created to read:

45.351 (1m) VIETNAM-RELATED ILLNESSES. (a) The department may grant health care aid under sub. (1) for the purposes under par. (b) to a veteran if the veteran is suffering from non-Hodgkin’s lymphoma or soft-tissue sarcoma and if the veteran served on active duty in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces between August 5, 1964, and July 1, 1975, and served in Vietnam, Cambodia, Thailand or Laos, or in international waters adjacent to those countries. In that case, the requirements established by the department under sub. (1) are modified if the veteran provides the department with a physician’s statement that the veteran is diagnosed as having non-Hodgkin’s lymphoma or soft-tissue sarcoma. The department may not require a veteran suffering from non-Hodgkin’s lymphoma or soft-tissue sarcoma to spend available liquid assets as a condition of receipt of aid under sub. (1).

(b) The department may grant health care aid under sub. (1) for all of the following purposes:

1. The treatment of non-Hodgkin’s lymphoma or soft-tissue sarcoma regardless of whether a transfer to a U.S. department of veterans affairs hospital is medically feasible.

2. The nonemergency treatment of non-Hodgkin’s lymphoma or soft-tissue sarcoma without requiring the veteran to obtain prior authorization from the department for that treatment.

3. The nonemergency out-of-state treatment of non-Hodgkin’s lymphoma or soft-tissue sarcoma regardless of whether appropriate health care is available in the state.
4. Nonemergency surgery related to non-Hodgkin’s lymphoma or soft-tissue sarcoma without requiring the veteran to seek the surgery at a U.S. department of veterans affairs hospital.

(c) A person may submit an application for benefits under this subsection later than 120 days after receiving medical treatment for non-Hodgkin’s lymphoma or soft-tissue sarcoma.

(d) The department may provide a health care grant under sub. (1) for other diseases in addition to those covered by this subsection if the department determines that the disease has a positive association with exposure to agent orange or other herbicides that occurred in Vietnam, Cambodia, Thailand or Laos, or in international waters adjacent to those countries, during the period specified under par. (a).

SECTION 288nm. 45.352 of the statutes is created to read:

45.352 Services to older veterans. (1) Definitions.

In this section:

(a) “Department” means the department of veterans affairs.

(b) “Rural county” means a county that is not an urban county.

(c) “Urban county” means a county that is located in a federal standard metropolitan statistical area that predominantly contains residents of this state.

(2) Retired Senior Volunteer Program. (a) From the appropriation under s. 20.485 (2) (rs), the department may provide grants to one retired senior volunteer program operating in an urban county and to one retired senior volunteer program operating in a rural county to provide services to veterans who are primarily confined to their home. To be eligible for a grant under this subsection, a retired senior volunteer program shall do all the following:

1. Meet all of the requirements for a retired senior volunteer program under s. 46.85.

2. Have a U.S. department of veterans affairs health care facility in the program’s service area.

3. Sign a memorandum of understanding agreed to and signed by a U.S. department of veterans affairs health care facility in the program’s service area that is willing to cooperate with the retired senior volunteer program in providing services to veterans who are primarily confined to their home. The department shall assist the retired senior volunteer program in developing the memorandum of understanding. The memorandum of understanding shall be signed by the head administrator of the health care facility and by the retired senior volunteer program director. The memorandum of understanding shall describe the responsibilities of the retired senior volunteer program and of the U.S. department of veterans affairs health care facility. The memorandum of understanding shall provide that the recruiting of volunteers for the program shall be the responsibility of the retired senior volunteer program but that the program shall cooperate with the U.S. department of veterans affairs office of voluntary services in the recruitment efforts. The memorandum of understanding shall provide that recruitment presentations shall be made to selected veterans organizations in the program’s service area at least annually. The memorandum of understanding shall provide that special efforts will be made to recruit veterans age 60 and older and veterans’ wives, widows and other family members as senior volunteers.

(b) From the appropriation under s. 20.485 (2) (rs), the department shall provide a grant to each retired senior volunteer program that meets the requirements under par. (a) in an amount sufficient to enable the retired senior volunteer program to provide meal and transportation allowances for 6 senior volunteers.

SECTION 288t. 45.43 (7) (d) of the statutes is created to read:

45.43 (7) (d) 1. From the appropriation under s. 20.485 (2) (rc), the department shall grant $50,000 in fiscal year 1992-93 to the Milwaukee office of the national association of Black veterans for the operation of the long-term transitional housing program of the minority homeless veterans reintegration project operating in Milwaukee county on June 30, 1991.

2. From the appropriation under s. 20.485 (2) (rc), the department may award grants not to exceed $25,000 in fiscal year 1992-93 to county veterans service offices in counties other than Milwaukee county for the purpose of contracting for the operation of long-term transitional housing for homeless veterans.

SECTION 288w. 40.01 (4) (l) of the statutes is created to read:

40.01 (4) (l) Maintain a toll-free telephone number during normal business hours to provide persons with information regarding the following health care services programs for children and eligibility for these health care services programs:

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part
aids for the period beginning July 1, 1991, and ending June 30, 1993, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 293p. 46.26 (7) (g) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.26 (7) (g) For adjustments to provide increases for community program allocations, amounts not to exceed $819,200 for 1992 and $986,470 for the first 6 months of 1993.

SECTION 291g. 46.26 (3) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

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

SECTION 291m. 46.26 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 39, section 1253b, is amended to read:

46.26 (4) (a) Except as provided in par. (c), the department of health and social services shall bill counties or deduct from the funds authorized to be allocated for juvenile delinquency-related services allocations under s. 46.40 (1) 20.435 (3) (cd) for the costs of care, services and supplies purchased or provided by the department of health and social services for each person receiving services under ss. 48.34, 48.36 and 51.35 (3) or the department of corrections for each person receiving services under s. 48.366. The department of health and social services may not bill a county for or deduct from a county's allocation the cost of care, services and supplies provided to a person subject to an order under s. 48.366 after the person reaches 19 years of age. Payment shall be due within 60 days of the billing date. If any payment has not been received within 60 days, the department of health and social services may withhold aid payments in the amount due from the appropriation under s. 20.435 (7) (b).

SECTION 293g. 46.26 (6) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

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

SECTION 293m. 46.26 (7) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, section 1261d, is amended to read:

46.26 (7) ALLOCATIONS OF FUNDS. (intro.) From the funds authorized to be allocated for juvenile delinquency-related services within the limits of the availability of federal funds and of the appropriations under s. 46.40 (1) 20.435 (3) (cd) and (oo), the department shall allocate funds for community youth and family

Vetoed in Part

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

If you do not see text of the Act, SCROLL DOWN.
SECTION 296. 46.40 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.40 (1) ALLOCATION OF COMMUNITY AIDS FUNDS.

Within the limits of available federal funds and of the appropriations under s. 20.435 (o), (o) and (b), (b) and (o), the department shall allocate to county departments under s. 46.215, 46.22, 46.23, 51.42 and 51.437 and to private nonprofit child care providers as authorized under s. 46.98 (2) (a) 2 funds for human services, including prevention, intervention, treatment and aftercare, for the period beginning on January 1, 1992, and ending on December 31, 1992, and for each calendar year thereafter.

SECTION 297. 46.45 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

SECTION 298. 46.45 (6) of the statutes is amended to read:

46.45 (6) The department may carry forward 10% of any funds not carried forward under subs. (1) to (5) and (3) for justifiable unit services costs above planned levels and to provide compensation for increased costs due to population shifts.
SECTION 299. 46.48 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.48 (5) Relocation services for mentally ill persons. For program start-up and services to mentally ill persons relocated or diverted from a skilled nursing facility or intermediate care facility at risk of being determined by the federal health care financing administration to be an institution for mental diseases, as defined under 42 CFR 435.1009 (e), the department may allocate not more than $500,000 in each fiscal year. County matching funds are required for allocations under this subsection. A county's required match equals 9.89% of the county's allocation. The department may carry forward funds allocated under this subsection, but not encumbered by December 31, for allocation for the purpose under this subsection in the following calendar year.

SECTION 299k. 46.48 (22) of the statutes is amended to read:

46.48 (22) Alcohol and other drug abuse program for women. The department shall allocate $35,100 for fiscal year 1992-93 as a grant to the ARC Community Services Center for women and children in Dane county, to address a projected operation deficit of the center; to provide additional funding for transportation and meal expenses for chemically dependent women who receive services from the center; and to provide additional funding for staff of the center.

SECTION 299p. 46.485 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

46.485 (2) (b) Shall, from the appropriation under s. 20.435 (7) (bb) and (mb), allocate funds in fiscal years 1991-92 and 1992-93 as matching funds to the Robert Wood Johnson Foundation grant for severely emotionally disturbed youths, for the purposes specified in par. (a) 1 and 2.

SECTION 299r. 46.49 of the statutes is amended to read:

46.49 Allocation of federal funds for community aids and child welfare. If the department receives unanticipated federal alcohol, drug abuse and mental health block grant funds under 42 USC 300x to 300x-9, job opportunities and basic skills child care grant funds under 42 USC 603 (n), foster care and adoption assistance payments under 42 USC 670 to 676 or, social services block grant funds under 42 USC 1397 to 1397e or child care and development block grant funds under 42 USC 9858 and it proposes to allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded, the department shall submit a plan for the proposed allocation to the joint committee on finance. If the cochairs of the committee do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan within 14 working days after the date of the department's submittal, the department may implement the plan, notwithstanding s. 46.40. If within 14 working days after the date of the secretary's submittal the cochairs of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan, notwithstanding s. 46.40, only with the approval of the committee.

SECTION 300. 46.39 (3) (a) of the statutes is amended to read:

46.39 (3) (a) Before the department, in consultation with the department of health and human services, the department of natural resources and the department of agriculture, trade and consumer protection, shall prepare the following:

SECTION 300k. 46.81 (2) (a) of the statutes is renumbered 46.81 (2) and amended to read:

46.81 (2) From the appropriation under s. 20.435 (7) (dj), the department shall allocate $360,400 in each of fiscal years 1991-92 and 1992-93 to aging units to provide benefit specialist services for older persons who reside in a county.

SECTION 300m. 46.81 (2) (b) of the statutes is repealed.

SECTION 301. 46.935 (5) (g) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

46.935 (5) (g) In each of fiscal years 1991-92 and 1992-93, the board shall select up to 2 organizations to receive grants and shall award up to $66,000 to each organization selected. In fiscal years 1992-93, the board shall select up to 4 organizations to receive grants and shall award up to $66,000 to each organization selected.

SECTION 304. 46.99 of the statutes, as affected by 1991 Wisconsin Act 6, is repealed.

SECTION 330s. 48.22 (3) (c) of the statutes is created to read:

48.22 (3) (c) All superintendents appointed under par. (a) or (b) after the effective date of this paragraph ... [revisor inserts date], shall, within one year after that appointment, successfully complete an administrative training program approved of or provided by the department of justice.

SECTION 340m. 48.299 (4) (b) of the statutes is amended to read:

48.299 (4) (b) Neither except as provided in s. 901.05, neither common law nor statutory rules of evidence are binding at a waiver hearing under s. 48.18, a hearing for a child held in custody under s. 48.21, a
runaway home hearing under s. 48.227 (4), a disposi-
tional hearing, or a hearing about changes in place-
ment, revision of dispositional orders or extension of
dispositional orders. At those hearings, the court
shall admit all testimony having reasonable probative
value, but shall exclude immaterial, irrelevant or
unduly repetitious testimony or evidence that is inad-
missible under s. 901.05. Hearsay evidence may be
admitted if it has demonstrable circumstantial guar-
antees of trustworthiness. The court shall give effect
to the rules of privilege recognized by law. The court
shall apply the basic principles of relevancy, material-
ity and probative value to proof of all questions of
fact. Objections to evidentiary offers and offers of
evidence not admitted may be made and shall
be noted in the record.

SECTION 357mx. 48.985 (3) of the statutes, as
affected by 1991 Wisconsin Act 39, section 1444d, is
amended to read:

48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS.
From the appropriation under s. 20.435 (3) (oo), the
department shall allocate under s. 46.40 (4), to county
departments under ss. 46.215, 46.22 and 46.23 for the
provision of services under s. 46.26, not more than
$1,100,000 each in each fiscal year.

SECTION 393m. 49.035 (4m) of the statutes is cre-
ated to read:

49.035 (4m) The department shall reimburse the
general relief agency for claims submitted under sub.
(4) on or before the July 31 immediately following the
March 1 filing date or within 30 days after the effective
date of the act that provides funding for the general
relief appropriation from which general relief claims
are paid, whichever is later.

SECTION 422. 49.125 (2) of the statutes is
amended to read:

49.125 (2) A county or governing body of a fed-
ernally recognized American Indian tribe may retain 49-
percent of the amount of an overpayment the state
is authorized to retain under 7 USC 2025 which is recov-
ered under sub. (1) due to the efforts of an employe or
officer of the county or tribe. The department shall
promulgate a rule establishing the portion of the
amount of the overpayment that the county or gov-
nerning body may retain. This subsection does not
apply to recovery of an overpayment that was made as a
result of state, county or tribal governing body
corner.

SECTION 427. 49.19 (4) (bm) of the statutes, as
affected by 1991 Wisconsin Act 39, is amended to
read:

49.19 (4) (bm) The person applying for aid shall
document, to the department’s satisfaction, actual
income as claimed in the application, and shall reveal
all assets. Except as specified in par. (br), aid is avail-
able only if the combined equity value of assets does
not exceed $1,000. One automobile with an equity
value not exceeding $1,500, one home, as specified in
par. (e), and, for each person, one burial plot and one
burial agreement under s. 445.125 (1) (b) and (c) with
a value of not more than $1,500 may not be included
when determining the combined equity value of assets.
Any amount received under section 32 of the internal
revenue code, as defined in s. 71.01 (6), and any pay-
ment made by an employer under section 3507 of the
internal revenue code, as defined in s. 71.01 (6), may
not be included in determining the combined equity
value of assets in the month of receipt and the follow-
ing month.

SECTION 428. 49.19 (4) (es) of the statutes is
amended to read:

49.19 (4) (es) In determining eligibility for aid to
families with dependent children, all earned and
unearned income of the applicant shall be considered,
except any amount received under section 32 of the
internal revenue code, as defined in s. 71.01 (6), and
any payment made by an employer under section 3507
of the internal revenue code, as defined in s. 71.01 (6),
and aid received under this section. Eligibility does
not exist if the total income considered exceeds 185%
of the standard of need or if the total income consid-
ered after disregards are applied exceeds the standard
of need.

SECTION 430. 49.19 (4) (es) of the statutes is
amended to read:

49.19 (4) (es) In determining eligibility for aid to
families with dependent children, all earned and
unearned income of the applicant shall be considered,
except any amount received under section 32 of the
internal revenue code, as defined in s. 71.01 (6), and
any payment made by an employer under section 3507
of the internal revenue code, as defined in s. 71.01 (6),
and aid received under this section. Eligibility does
not exist if the total income considered exceeds 185%
of the standard of need or if the total income consid-
ered after disregards are applied exceeds the standard
of need.
49.45 (6m) (av) 4. (intro.) If the facility's payment rate under subd. 1 is a decrease from its average payment rate from the previous year under subd. 2, or if the facility's payment rate under subd. 1 is, for the 1991 fiscal year of the facility, less than a 2.5% increase over its average payment rate under subd. 2 or is, for the 1992 fiscal year of the facility, less than a 6.75% increase over its average payment rate under subd. 2, and if the figure calculated under subd. 3 exceeds the payment rate for the facility under subd. 1, the following shall apply:

SECTION 434m. 49.45 (6m) (av) 4. (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.45 (6m) (av) 4. The department may increase the rate under subd. 2 by an amount not to exceed, for state fiscal year 1991-92, 2.5% of the facility's average payment rate under subd. 2, or, for state fiscal year 1992-93, 2.5% 6.75% of the facility's average payment rate under subd. 2, based on an analysis which may be conducted by the department which compares the facility's average payment rate under subd. 2 with the costs under subd. 3 of similar facilities.

SECTION 437. 49.45 (6r) (g) of the statutes, as affected by 1991 Wisconsin Acts 39 and 80, is amended to read:

49.45 (6r) (g) If the federal department of health funding source feels the state share of payments made ..., this subsection does not apply after September 30, 1992.

SECTION 438. 49.45 (7) (a) of the statutes is amended to read:

49.45 (7) (a) A recipient who is a patient in a public medical institution or an accommodated person and has a monthly income exceeding the payment rates established under 42 USC 1382 (e) may retain $40 unearned income or the amount of any pension paid under 38 USC 3203 (f), whichever is greater, per month for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply income in excess of $40 or the amount of any pension paid under 38 USC 3203 (f), whichever is greater, less any amount deducted under rules promulgated by the department, toward the cost of care in the facility.

SECTION 439g. 49.45 (8) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

49.45 (8) HOME HEALTH SERVICES REIMBURSEMENT.

(a) In this subsection:
1. "Home health aide" has the meaning given in s. 146.40 (1) (bm).

2. "Licensed practical nurse" has the meaning given in s. 146.40 (1) (c).

3. "Occupational therapist" has the meaning given in s. 448.01 (2g).

4. "Patient care visit" means a personal contact with a patient in a patient’s home that is made by a registered nurse, licensed practical nurse, home health aide, physical therapist, occupational therapist or speech-language pathologist who is on the staff of or under contract or arrangement with a home health agency, or by a registered nurse or licensed practical nurse practicing independently, to provide a service that is covered under s. 49.46 or 49.47. "Patient care visit" does not include time spent by a nurse, therapist or home health aide on case management, care coordination, travel, record keeping or supervision that is related to the patient care visit.

5. "Physical therapist" has the meaning given in s. 448.01 (3).

6. "Registered nurse" has the meaning given in s. 146.40 (1) (f).

7. "Speech-language pathologist" means an individual engaged in the practice of speech-language pathology, as regulated under ch. 459.

(b) Reimbursement under s. 20.435 (1) (b) and (o) for home health services provided by a certified home health agency or independent nurse shall be made at the home health agency’s or nurse’s usual and customary fee per patient care visit, subject to a maximum allowable fee per patient care visit that is established under par. (c).

(c) The department shall establish a maximum statewide allowable fee per patient care visit, for each type of visit with respect to provider, that may be no greater than the cost per patient care visit, as determined by the department from cost reports of home health agencies, adjusted for costs related to case management, care coordination, travel, record keeping and supervision.

Vetoed before July 1, 1990, under par. (c) and affects Act 30.

SECTION 442. 49.455 (3) (b) (intro.) of the statutes is amended to read:

49.455 (3) (b) (intro.) Notwithstanding ch. 766, after an institutionalized spouse is determined to be eligible for medical assistance for the purposes of sub. (4), the following criteria apply in determining the income of an institutionalized spouse or a community spouse:

SECTION 445. 49.455 (5) (a) 1 of the statutes is amended to read:

49.455 (5) (a) 1. The department shall determine the total value of the ownership interest of the institutionalized spouse plus the ownership interest of the community spouse in resources as of the beginning of a the first continuous period of institutionalization beginning after September 29, 1989. The spousal share of resources equals one-half of that total value.

SECTION 446. 49.455 (5) (a) 2 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.455 (5) (a) 2. At the beginning of a the first continuous period of institutionalization beginning after September 29, 1989, upon the request of an institutionalized spouse or a community spouse and the receipt of necessary documentation, the department shall assess and document the total value of resources under subd. 1 and shall provide a copy of the assessment and documentation to each spouse and retain a copy for departmental use. If the request is not part of an application for medical assistance, the department may charge a fee not exceeding the reasonable expenses of providing and documenting the assessment. When the department provides a copy of an assessment, it shall provide notice that a spouse has the right to a fair hearing under sub. (8) after an application for medical assistance is filed.

SECTION 447. 49.455 (6) (a) of the statutes is amended to read:

Vetoed in Part
49.455 (6) (a) Notwithstanding s. 49.45 (17) (b), an institutionalized spouse may transfer an amount of resources equal to the community spouse resource allowance determined under par. (b) to, or for the sole benefit of, the community spouse. The institutionalized spouse shall make the transfer as soon as practicable after the initial determination of eligibility for medical assistance, taking into account the amount of time that is necessary to obtain a court order under par. (c).

SECTION 449k. 49.46 (1) (a) 13 of the statutes is created to read:

49.46 (1) (a) 13. Any child who is under one year of age, whose mother was determined to be eligible under subd. 9 and who lives with his or her mother.

SECTION 449l. 49.46 (2) (a) 4. a. of the statutes is amended to read:

49.46 (2) (a) 4. a. Inpatient hospital services other than services in an institution for mental diseases, including psychiatric and alcohol or other drug abuse treatment services, subject to the limitations under par. (i).

SECTION 449m. 49.46 (2) (a) 4. d. of the statutes is amended to read:

49.46 (2) (a) 4. d. Home health services, including supervisory visits by registered nurses, or nursing services if a home health agency is unavailable.

SECTION 449n. 49.46 (2) (b) 6. e. of the statutes is amended to read:

49.46 (2) (b) 6. e. Inpatient hospital, subject to the limitations under par. (i), skilled nursing facility and intermediate care facility services for patients of any institution for mental diseases who are under 21 years of age, are under 22 years of age and who were receiving these services immediately prior to reaching age 21, or are 65 years of age or older.

SECTION 449pc. 49.46 (2) (i) of the statutes is repealed.

SECTION 450. 49.465 (2) (intro.) and (a) of the statutes are amended to read:

49.465 (2) (intro.) A pregnant woman is eligible for medical assistance benefits, as provided under sub. (3), during the period beginning on the day on which a qualified provider determines, on the basis of preliminary information, that the woman's family income does not exceed the highest level for eligibility for benefits under s. 49.46 (1) or 49.47 (4) (am) or (c) 1 and ending on the earliest of the following:

(a) The day on which the woman applies for benefits under s. 49.46 or 49.47 within the time required under sub. (4), the day on which the department or the county department under s. 46.215, 46.22 or 46.23 determines whether the woman is eligible for benefits under s. 49.46 or 49.47.

SECTION 451. 49.465 (2) (b) of the statutes is repealed.

SECTION 452. 49.465 (2) (c) of the statutes is amended to read:

49.465 (2) (c) If the woman does not apply for benefits under s. 49.46 or 49.47, the 14th day after the day on which the qualified provider determines that the woman is eligible for benefits under s. 49.46 or 49.47 within the time required under sub. (4), the last day of the month following the month in which the qualified provider makes that determination.

SECTION 453. 49.465 (4) of the statutes is amended to read:

49.465 (4) A woman who is determined to be eligible under this section shall apply for benefits under s. 49.46 or 49.47 on or before the last day of the month following the month in which the qualified provider makes that determination.

SECTION 454. 49.468 (1) (e) of the statutes is created to read:

49.468 (1) (e) In determining under this subsection the income of an individual who is entitled to a monthly social security benefit under 42 USC 401 to 433, the department shall exclude, from December until the month after the month in which the annual revision of the poverty line is published, the amount of the social security benefit attributable to a cost-of-living increase under 42 USC 415 (i).

SECTION 455. 49.47 (3) (c) of the statutes is amended to read:

49.47 (3) (c) The department shall simplify applications for benefits for pregnant women and children under sub. (4) and shall make the simplified applications available in the offices of health care providers for pregnancy-related services.

SECTION 455j. 49.47 (4) (am) 3 of the statutes is created to read:

49.47 (4) (am) 3. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.

SECTION 455k. 49.47 (4) (am) 4 of the statutes is amended to read:

49.47 (4) (am) 4. a. Inpatient hospital services other than services in an institution for mental diseases, including psychiatric and alcohol or other drug abuse treatment services, subject to the limitations under par. (i).

SECTION 455l. 49.47 (4) (am) 5 of the statutes is amended to read:

49.47 (4) (am) 5. Home health services, including supervisory visits by registered nurses, or nursing services if a home health agency is unavailable.

SECTION 455m. 49.47 (4) (am) 6 of the statutes is amended to read:

49.47 (4) (am) 6. Inpatient hospital, subject to the limitations under par. (i), skilled nursing facility and intermediate care facility services for patients of any institution for mental diseases who are under 21 years of age, are under 22 years of age and who were receiving these services immediately prior to reaching age 21, or are 65 years of age or older.

SECTION 455n. 49.47 (4) (am) 7 of the statutes is amended to read:

49.47 (4) (am) 7. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.

SECTION 455o. 49.47 (4) (am) 8 of the statutes is amended to read:

49.47 (4) (am) 8. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.

SECTION 455p. 49.47 (4) (am) 9 of the statutes is amended to read:

49.47 (4) (am) 9. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.

SECTION 455q. 49.47 (4) (am) 10 of the statutes is amended to read:

49.47 (4) (am) 10. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.

SECTION 455r. 49.47 (4) (am) 11 of the statutes is amended to read:

49.47 (4) (am) 11. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.
Vetoed in Part

91 WisAct 269

20.435 (7) (b) and (o) and under s. 46.48 (4), 1989 stats. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 465m. 50.04 (2r) of the statutes is amended to read:

50.04 (2r) Admissions requiring approval. Except in an emergency, a nursing home that is not certified as a provider of medical assistance or that is not an intermediate care facility for the mentally retarded, as defined in s. 46.278 (1m) (a) (am), or an institution for mental diseases, as defined under 42 CFR 435.1009, may not admit as a resident an individual who has a developmental disability, as defined in s. 51.01 (5), or who is both under age 65 and has mental illness, as defined in s. 51.01 (13), unless the county department under s. 46.23, 51.42 or 51.437 of the individual's county of residence has recommended the admission.

SECTION 465j. 50.14 of the statutes is created to read:

50.14 Assessments on occupied, licensed beds. (1) In this section:

(a) Notwithstanding s. 50.01 (1m), "facility" means a nursing home or an intermediate care facility for the mentally retarded, which is not state-owned or state-operated, federally owned or federally operated or located outside the state.

(b) "Intermediate care facility for the mentally retarded" has the meaning given under 42 USC 1396d (c) and (d).

(2) For the privilege of doing business in this state, there is imposed on all occupied, licensed beds of a facility, except occupied, licensed beds for which payment is made under 42 USC 1395 to 1395ccc, an assessment in fiscal year 1992-93 that shall be deposited in the general fund and that is $68 per calendar month per occupied, licensed bed of an intermediate care facility for the mentally retarded and is $32 per calendar month per occupied, licensed bed of a short-term, medically-based residential facility that is certified by the department as a provider of medical assistance or a nursing home. The assessment shall be on the average number of occupied, licensed beds of a facility for the calendar month previous to the month of assessment, based on an average daily midnight census computed and reported by the facility and verified by the department. Charged bed- hold days for any resident of a facility shall be included as one full day in the average daily midnight census. In determining the number of occupied, licensed beds, if the amount of the beds is
other than a whole number the fractional part of the amount shall be disregarded unless it equals 50% or more of a whole number, in which case the amount shall be increased to the next whole number.

(3) By October 31, 1992, each facility shall submit to the department the facility's occupied licensed bed count and the amount due under sub. (2) for each occupied licensed bed of the facility for each month for the period from July 1, 1992, to September 30, 1992. Thereafter, by the end of each month each facility shall submit its bed count and payment for the month preceding the month during which the bed count and payment are being submitted. The department shall verify the bed count and, if necessary, make adjustments to the payment, notify the facility of changes in the bed count or payment and send the facility an invoice for the additional amount due or send the facility a refund.

(4) Sections 77.59 (1) to (5), (6) (intro.), (a) and (c) and (7) to (10), 77.60 (1) to (7), (9) and (10), 77.61 (9) and (12) to (14) and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the assessment under this section.

(5) (a) The department shall levy, enforce and collect the assessment under this section and shall develop and distribute forms necessary for levying and collection.

(b) The department shall promulgate rules that establish procedures and requirements for levying the assessment under this section.

(6) (a) An affected facility may contest an action by the department under this section by submitting a written request for a hearing to the department within 30 days after the date of the department's action.

(b) Any order or determination made by the department under a hearing as specified in par. (a) is subject to judicial review as prescribed under ch. 227.

SECTION 4653. 91 Wis. Stat. 269. (3) (b) of the statute is amended to read:

30. 31 (3) (b) The department shall require a hospital that is involved or is required to be involved in a continuing arrangement to submit to the department a copy of the summary evaluation document, a copy of any report received, relevant to the hospital, submitted to the department, and a copy of any report submitted to the hospital by the hospital's association or organization. Requiring the reports and keeping correspondence relating to the department, even if made by a separate health care entity under s. 20. 06 (3) (d), may not be received by the department.

SECTION 4653. 91 Wis. Stat. 269. (4) (f) (3) of the statute is amended to read:

30. 31 (4) (f) If a person or establishment licensed under ch. 25 is actively engaged in an activity for which a person is required under this section, the department may, by rule, exempt the person or establishment from the permit requirement under this section. Rules under this paragraph shall conform to a memorandum of understanding between the department and the department of agriculture, trade and consumer protection.

SECTION 4653. (3) (a) of the statute as affected by 1991 Wisconsin Act 10 is amended to read:

30. 31 (3) (a) In the administration of this subchapter or ch. 440, (7) (e) 1., the department may enter into a written agreement with a village, city, or county if the village, city, or county designates the village, city, or county as its agent in issuing permits to and making inspections or inspections of hotels, restaurants, temporary restaurants, junior and senior living homes, bed and breakfast establishments, campgrounds, and camping resorts, recreational and educational camps and dude ranches, and other swimming pools. If the village, city, or county designates a village, city, or county as its agent, the department may issue permits under 30. 31 (3) (b) and make inspections or inspections of hotels, restaurants, temporary restaurants, junior and senior living homes, bed and breakfast establishments, campgrounds, and camping resorts, recreational and educational camps and dude ranches, and other swimming pools. If the department designates a village, city, or county as its agent, the department may issue permits under 30. 31 (3) (b) and make inspections or inspections of hotels, restaurants, temporary restaurants, junior and senior living homes, bed and breakfast establishments, campgrounds, and camping resorts, recreational and educational camps and dude ranches, and other swimming pools. If the department designates a village, city, or county as its agent, the department may issue permits under 30. 31 (3) (b) and make inspections or inspections of hotels, restaurants, temporary restaurants, junior and senior living homes, bed and breakfast establishments, campgrounds, and camping resorts, recreational and educational camps and dude ranches, and other swimming pools.

SECTION 4653. 91 Wis. Stat. 269. (4) (a) (4) of the statute is amended to read:

30. 31 (4) (a) (4) Partial hospitalization programs, certification (1) In this section:

(a) Partial hospitalization program means a program that provides partial hospitalization services.

(b) Partial hospitalization services means active treatment for mental illness or alcohol or other drug abuse, under which intensive, coordinated, and structured clinical services are provided to a patient for a 24-hour period and that does not include an overnight stay.
3. The victim of the crime committed by the patient or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian, after the submission of a card under par. (dx) requesting notification.

SECTION 465mi. 51.37 (10) (dm) of the statutes is created to read:

51.37 (10) (dm) 1. The notice under par. (dg) shall inform the offices and person under par. (dg) 1 to 3 of the patient's name and of the date the patient will begin the home visit or leave. The department shall provide notice under this paragraph for a patient's first extended home visit or leave and, upon request, for subsequent extended home visits or leaves.

2. The department shall send the notice, postmarked at least 7 days before the patient begins the extended home visit or leave, to the last-known address of the offices and person under par. (dg) 1 to 3.

3. If the notice is for a first extended home visit or leave, the notice shall inform the offices and person under par. (dg) 1 to 3 that notification of subsequent extended home visits or leaves will be provided only upon request.

SECTION 465mk. 51.37 (10) (dx) of the statutes is created to read:

51.37 (10) (dx) The department shall design and prepare cards for persons specified in par. (dg) to send to the department. The cards shall have space for these persons to provide their names and addresses, the name of the applicable patient and any other information the department determines is necessary. The department shall provide the cards, without charge, to district attorneys. District attorneys shall provide the cards, without charge, to persons specified in par. (dg) 3. These persons may send completed cards to the department. All departmental records or portions of records that relate to mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1).

SECTION 465mm. 51.37 (10) (e) of the statutes is amended to read:

51.37 (10) (e) The director of the facility in which the patient under par. (e) (am) is detained or committed shall notify the committing court and the appropriate correctional officers of the department of corrections of the intention to grant a home visit or leave under this subsection at least 20 days prior to the departure of the patient from the facility.

SECTION 465mn. 51.423 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

51.423 (2) From the appropriations under s. 20.435 (7) (b) and (o), the department shall allocate the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments as provided under s. 46.40.
County matching funds are required for the allocations under s. 46.40 (1) e and (5) e 1 and 3. Before January 1, 1992, each county’s required match for a year equals 9.89% of the total of the county’s allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) c, 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. Beginning January 1, 1992, each county’s required match for a year equals a percentage of the county’s allocation for that year. The Beginning January 1, 1992, that percentage is obtained by dividing the total matching funds required from counties in 1991 by the total amount of funds allocated to counties in 1991 under s. 20.435 (3) oo and (7) b; and (o) and (e)oo and under s. 20.435 (3) cd, 1989 stats., and s. 46.48 (4), 1989 stats. Beginning January 1, 1993, that percentage is obtained by dividing the total matching funds required from counties in 1992 by the total amount of funds allocated to counties in 1992 under s. 20.435 (7) b and (o) and under s. 46.48 (4), 1989 stats. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 466g. 51.44 (3) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

51.44 (3) (a) From the appropriations under s. 20.435 (6) m and (7) b; and (ma) NL the department shall allocate in fiscal year 1991-92 funds for activities required for participation under 20 USC 1475 (b), and from the appropriation under s. 20.435 (7) b; the department shall allocate in fiscal year 1992-93 funds for activities required for participation under 20 USC 1475 (c). Of these funds, if the federal department of education awards the state a grant under 20 USC 1475 (c), the department shall allocate $375,000 funds from the appropriation under s. 20.435 (7) (ma) NL and all of the funds from the appropriation under s. 20.435 (7) b; counties to provide or contract for the provision of early intervention services to individuals eligible to receive the early intervention services.

SECTION 466i. 51.44 (3) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

51.44 (3) (b) Funds that are allocated to counties under par. (a) may not be used to supplant funding from any other source or to supplant funding previously received in the same fiscal biennium under par. (a).

SECTION 466j. 51.44 (5) (c) of the statutes is created to read:

51.44 (5) (c) To monitor the department annually, submit to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a report on the department’s progress toward full implementation of the program under this section, including the progress of the participating counties in implementing goals for participation in 5th-year requirements under 20 USC 1476.

SECTION 469. 55.06 (10) (b) of the statutes is amended to read:

55.06 (10) (b) The department, an agency, a guardian or a ward, or any other interested person may at any time petition the court for modification or termination of a protective placement. A petition to terminate a protective placement shall allege that the conditions which warranted placement as specified in sub. (2) are no longer present. A petition shall be heard if a hearing has not been held within the previous 6 months but a hearing may be held at any time in the discretion of the court. Such the petition shall be heard within 21 days of its receipt by the court.

SECTION 469mm. 59.031 (5) of the statutes is amended to read:

59.031 (5) MESSAGE TO THE COUNTY BOARD; SUBMISSION OF ANNUAL BUDGET. The county executive shall annually and otherwise as may be necessary, communicate to the county board of supervisors the condition of the county, and shall recommend such matters to the board for its consideration as he may deem expedient. Notwithstanding any other provision of the law, he or she shall be responsible for the submission of the annual budget to the county board and shall cause the budget to be submitted.

SECTION 469p. 59.07 (135) (q) of the statutes is created to read:

59.07 (135) (q) Impose fees, in addition to fees imposed under ch. 144, upon persons who dispose of solid waste at publicly owned solid waste disposal sites in the county for the purpose of cleaning up closed or
abandoned solid waste disposal sites within the county, subject to all of the following conditions:

1. The fees are based on the amount of solid waste disposed of by each person.
2. The fees may not exceed 20% of the amount charged for the disposal of the solid waste.
3. The effective date of the fees and any increase in the fees is January 1 and is at least 120 days after the date on which the board adopts the fee increase.
4. The cleanup is conducted under the supervision of the department of natural resources.
5. The county board of supervisors may prevent the implementation of, or may terminate, fees imposed by the solid waste management board.

SECTION 473m. 59.97 (2) (a) 3 of the statutes is created to read:

59.97 (2) (a) 3. If a county planning and zoning commission is created under subd. 2, the county executive may appoint, for staggered 3-year terms, 2 alternate members of the commission, subject to confirmation by the board. Annually, the county executive shall designate one of the alternate members as first alternate and the other as 2nd alternate. The first alternate shall act, with full power, only when a member of the commission refuses to vote because of a conflict of interest or when a member is absent. The 2nd alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent.

SECTION 474. 59.972 of the statutes is created to read:

59.972 Zoning of shorelands for Trenton island in Pierce county. (1) An ordinance enacted under s. 59.971 that applies to Trenton island in Pierce county may not limit the cost of any reconstruction, alteration or repair of, or addition to, any structure on the island that does not conform with the ordinance, except as provided in sub. (2).

(2) (a) For a structure not covered under par. (b), an ordinance enacted under s. 59.971 may require that the cost of an alteration or repair of, or an addition to, a structure that does not conform with the ordinance may not exceed 50% of the structure’s market value on the date on which the alteration, repair or addition begins.

(b) For structures that have been destroyed or that have been so severely damaged that they cannot be repaired, and that did not conform with the ordinance enacted under s. 59.971, an ordinance under s. 59.971 may require that the cost of the reconstruction of the structure may not exceed 150% of the structure’s market value on the date immediately before the destruction or damage occurred.

(c) An ordinance enacted under s. 59.971 may not impose the limitations under pars. (a) and (b) if, as a result of the alteration, repair, addition or reconstruction, the structure will conform with all of the provisions of the ordinance enacted under s. 59.971.

SECTION 474ng. 64.09 (5) of the statutes is amended to read:

64.09 (5) TU Except as provided in s. 19.36 (7), the applications, records, recommendations and qualifications of all applicants for the office of city manager shall be immediately placed and thereafter kept on file and shall be matters of public record and open to the public.
examination and inspection of the public at all reasonable times.

SECTION 474nh. 64.11 (7) of the statutes is amended to read:

64.11 (7) The except as provided in s. 19.36 (7), the applications, records, recommendations and qualifications of all applicants shall be immediately placed and thereafter kept on file and shall be matters of public record subject to the examination and inspection of the public at all reasonable times.

SECTION 474p. 66.02 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

66.02 Consolidation. Any subject to s. 66.023 (7), any town, village or city may be consolidated with a contiguous town, village or city, by ordinance, passed by a two-thirds vote of all the members of each board or council, fixing the terms of the consolidation and ratified by the electors at a referendum held in each municipality. The ballots shall bear the words, “for consolidation”, “against consolidation”, and if a majority of the votes cast thereon in each municipality are for consolidation, the ordinances shall then be in effect and have the force of a contract. The ordinance and the result of the referendum shall be certified as provided in s. 66.018 (5); if a town the certification shall be as provided in ss. 60.03 and 66.018 (5), respectively. Consolidation shall not affect the preexisting rights or liabilities of any municipality or actions thereon. Consolidation ordinance proposing the consolidation of a town and another municipality shall, within 10 days after its adoption and prior to its submission to the voters for ratification at a referendum, be submitted to the circuit court and the department of administration for a determination whether such proposed consolidation is in the public interest. The circuit court shall determine whether the proposed ordinance meets the formal requirements of this section and shall then refer the matter to the department of administration, which shall find as prescribed in s. 66.014 whether the proposed consolidation is in the public interest in accordance with the standards in s. 66.016. The department’s findings shall have the same status as incorporation findings under ss. 66.014 to 66.019.

SECTION 474q. 66.021 (2) (intro.) of the statutes is amended to read:

66.021 (2) Methods of annexation. (intro.) Territory subject to s. 66.023 (7), territory contiguous to any city or village may be annexed thereto in the following ways:

SECTION 474r. 66.022 (intro.) of the statutes is amended to read:

66.022 Detachment of territory. (intro.) Territory subject to s. 66.023 (7), territory may be detached from any city or village and be attached to any city, village or town, to which it is contiguous, in the following manner:

SECTION 474s. 66.023 of the statutes is created to read:

66.023 Boundary change pursuant to approved cooperative plan. (1) Definitions. In this section:

(a) “Department” means the department of administration.

(b) “Municipality” means a city, village or town.

(2) Boundary change authority. Any combination of municipalities may determine the boundary lines between themselves under a cooperative plan that is approved by the department under this section. No boundary of a municipality may be changed or maintained under this section unless the municipality is a party to the cooperative agreement. The cooperative plan shall provide one or more of the following:

(a) That specified boundary line changes shall occur during the planning period and the dates by which the changes shall occur.

(b) That specified boundary line changes may occur during the planning period and the dates by which the changes may occur.

(c) That a required boundary line change under par. (a) or an optional boundary line change under par. (b) shall be subject to the occurrence of conditions set forth in the plan.

(d) That specified boundary lines may not be changed during the planning period.

(3) Cooperative plan. (a) Who may prepare plan. The municipalities that propose to set the boundary lines between themselves under this section shall prepare a cooperative plan.

(b) Purpose of plan. The cooperative plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development.

(c) Content of plan; physical development of territory. The cooperative plan, and any accompanying maps, plats, charts and descriptive and explanatory materials, shall show the plan agreed upon for the physical development of the territory covered by the plan. The plan may include, without limitation because of enumeration, any of the following:

1. The general location, character and extent of streets, highways, freeways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, playgrounds and playgrounds.

2. Sites for public buildings and structures, airports, pierhead and bulkhead lines and waterways.

3. Routes for railroads and buses.

4. The general location and extent of sewers, water conduits and other public utilities, whether privately or publicly owned.
5. The acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals described in subds. 1 to 4.

6. Historic districts.

7. The general location, character and extent of community centers and neighborhood units.

8. The general character, extent and layout of the replanning of blighted districts and slum areas.

9. A comprehensive zoning plan.

(d) Content of plan; boundaries and services. The cooperative plan shall:

1. Identify any boundary change and any existing boundary that may not be changed during the planning period.

2. Identify any conditions that must be met before a boundary change may occur.

3. Include a schedule of the period during which a boundary change shall or may occur.

4. Include a statement explaining how any part of the plan related to the location of boundaries meets the approval criteria under sub. (5) (c) 4 and 5.

5. Describe the services to be provided to the territory covered by the plan, identify the providers of those services and indicate whether the provision of any service has received preliminary approval of any relevant governmental regulatory authority.

6. Include a schedule for delivery of the services described under subd. 5.

7. Include a statement explaining how provision under the plan for the delivery of necessary municipal services to the territory covered by the plan meets the approval criterion under sub. (5) (c) 3.

8. Designate the municipalities that are participating in the cooperative plan and that are required to ratify any boundary changes by enacting an ordinance under sub. (10).

(dm) Content of plan; environmental consequences and housing needs. The cooperative plan shall:

1. Identify any significant adverse consequences to the natural environment, including air and water pollution, energy use, development outside compact urban areas and contribution to urban sprawl, that may be caused by the proposed physical development of the territory covered by the plan.

2. Demonstrate that each participating municipality has considered alternatives to the proposed physical development of the territory covered by the plan, in order to minimize or avoid significant adverse environmental consequences, including those under subd. 1, and include in the plan a description of the alternatives considered.

3. If the physical development of the territory covered by the plan is subject to federal environmental laws or regulations, state laws or state environmental rules, describe how compliance with the laws, regulations or rules will be achieved.

4. Address the need for safe and affordable housing to meet the needs of diverse social and income groups in each municipality that is participating in the preparation of the plan.

5. Include a statement of why the cooperative plan meets the approval criteria under sub. (5) (c) 5m.

(e) Content of plan; compatibility with existing laws. The cooperative plan shall describe how the plan is consistent with current state and federal laws, municipal regulations and administrative rules that apply to the territory affected by the plan.

(f) Content of plan; planning period. The cooperative plan shall specify the duration of the proposed planning period, which shall be for a period of 10 years, except that the duration of the proposed planning period may be for a period greater than 10 years, but not for a period greater than 20 years, if a duration greater than 10 years is approved by the department.

(h) Existing plans may be used. A cooperative plan may be based on, contain elements of or duplicate any existing plan for the same territory.

(4) PROCEDURE FOR ADOPTING COOPERATIVE PLAN.

(a) Authorizing resolution. Each municipality that intends to participate in the preparation of a cooperative plan under this section shall adopt a resolution authorizing participation in the preparation of the plan. Notice of each resolution shall be given in writing, within 5 days after the resolution is adopted, to all of the following:

1. The department, the department of natural resources and the department of transportation.

2. The clerks of any municipality, school district, vocational, technical and adult education district, sewerage district or sanitary district which has any part of its territory within 5 miles of a participating municipality.

3. The clerk of each county in which a participating municipality is located.

4. Any county zoning agency under s. 59.97 (2) or regional planning commission whose jurisdiction includes a participating municipality.

(b) Public hearing. At least 120 days after adoption under par. (a) of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the department for review and approval under sub. (5), the participating municipalities shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by each participating municipality by class 3 notice under ch. 985.

(c) Comment on plan. Any person may comment on the plan during the hearing and may submit written comments at any time. All comments shall be considered by each participating municipality. Any county zoning agency under s. 59.97 (2) or regional planning commission whose jurisdiction includes any participating municipality shall comment in writing on the plan's effect on the master plan adopted by the regional planning commission under s. 66.945 (9), or
development plan adopted by the county board or county planning agency under s. 59.97 (3), and on the delivery of municipal services, and may comment on any other aspect of the plan. Any county in the regional planning commission’s jurisdiction may submit comments on the effect of the cooperative plan on the master plan adopted under s. 66.945 (9) and on the delivery of county services or on any other matter related to the plan.

(d) Adoption of final plan. 1. Subject to subd. 2, after the public hearing under par. (b) and consideration of comments made on the proposed cooperative plan, the plan participants may revise the plan in response to the comments and may, by resolution adopted by each participating municipality, adopt a final version of the plan.

2. If within 30 days after the public hearing under par. (b) a petition opposing the plan, signed by a number of qualified electors equal to at least 10% of the votes cast for governor in the municipality at the last gubernatorial election, is filed with the clerk of a participating municipality, the final version of the plan may be adopted in that municipality only by an affirmative vote of three-fourths of the members of the municipality’s governing body who are present and voting. The petition shall conform to the requirements of s. 8.40.

(c) Advisory referendum. 1. Within 30 days after adoption of a final plan under par. (d), the governing body of a participating municipality may adopt a resolution calling for an advisory referendum on the plan. An advisory referendum shall be held if, within 30 days after adoption of the final plan under par. (d), a petition, signed by a number of qualified electors equal to at least 10% of the votes cast for governor in the municipality at the last gubernatorial election, is filed with the clerk of a participating municipality, requesting an advisory referendum on the cooperative plan. The petition shall conform to the requirements of s. 8.40.

2. The advisory referendum shall be held within 30 days after adoption of the resolution under subd. 1 calling for the referendum or within 30 days after receipt of the petition by the municipal clerk. The municipal clerk shall give notice of the referendum by publishing a notice in a newspaper of general circulation in the municipality, both on the publication day next preceding the advisory referendum election and one week prior to that publication date.

3. The advisory referendum shall be conducted by the municipal election officials. The governing body of the municipality may specify the number of election officials for the referendum. The ballots shall contain the words “For the cooperative plan” and “Against the cooperative plan” and shall otherwise conform to the provisions of s. 5.64 (2). The election shall be conducted as are other municipal elections in accordance with chs. 6 and 7, insofar as applicable.

4. The election inspectors shall report the results of the election, showing the total number of votes cast and the numbers cast for and against the cooperative plan. The election inspectors shall attach their affidavit to the report and immediately file the report in the office of the municipal clerk. The election inspector shall file a certified report of the results in the office of the clerk of each municipality that is a party to the cooperative plan.

5. The costs of the advisory referendum election shall be borne by the municipality that holds the election.

(f) Submittal of final plan to department. If no advisory referendum is held under par. (e), the plan participants may submit the final version of the cooperative plan to the department for approval under sub. (5) at least 60 days but not more than 180 days after the public hearing under par. (b). If an advisory referendum is held under par. (e), each participating municipality shall determine, by resolution, whether to submit the final version of the cooperative plan to the department for approval under sub. (5). The resolution shall be adopted within 60 days after the last advisory referendum is held. If any of the plan participants fails or refuses to approve submittal of the cooperative plan to the department, the plan may not be submitted. Any written comment received by a participating municipality on any version of the cooperative plan shall be submitted to the department at the time that the cooperative plan is submitted. If the cooperative plan is not submitted to and approved by the department, it may not be implemented under this section by any of the participating municipalities.

(5) DEPARTMENT REVIEW AND APPROVAL OF LOCAL OR COOPERATIVE PLAN. (a) Generally. The department shall make a written determination of whether to approve a cooperative plan within 90 days after receiving the plan unless the department and the parties to the plan agree to a longer determination period.

The department shall consider written comment on the plan received by a municipality under sub. (4) (c) that is submitted to the department under sub. (4) (f) or from any other source. The department may request information relating to the cooperative plan, including any comprehensive plan or land use plan currently being utilized by any participating municipality, from that municipality, and from any county or regional planning commission. The department may seek and consider comments from any state agency on whether the cooperative plan is consistent with state laws and administrative rules under the agency’s jurisdiction. Any state agency requested to comment on a cooperative plan shall comply with the request. The department shall issue its determination of whether to approve the cooperative plan in writing, supported by specific findings based on the criteria under par. (c). The approval or disapproval of a cooperative plan by the department under this section is not a contested case, as defined in s. 227.01 (3), for purposes of ch. 227.

(b) Hearing. Any person may request a public hearing before the department on a cooperative plan
submitted to the department for approval. A request for a public hearing shall be in writing and shall be submitted to the department within 10 days after the cooperative plan is received by the department. If requested, the department shall, and on its own motion the department may, hold a public hearing on the cooperative plan. If requested to hold a public hearing, the department is required to hold only one hearing. Any public hearing under this paragraph shall be held in a municipality that is a party to the cooperative plan.

(c) Approval of cooperative plan. A cooperative plan shall be approved by the department if the department determines that all of the following apply:

1. The content of the plan under sub. (3) (c) to (e) is sufficient to enable the department to make the determinations under subs. 2 to 5m.
2. The cooperative plan is consistent with current state laws, municipal regulations and administrative rules that apply to the territory affected by the plan.
3. Adequate provision is made in the cooperative plan for the delivery of necessary municipal services to the territory covered by the plan.
4. Any boundary maintained or any boundary change under the cooperative plan is reasonably compatible with the characteristics of the surrounding community, taking into consideration present and potential transportation, sewer, water and storm drainage facilities and other infrastructure, fiscal capacity, previous political boundaries, boundaries of school districts and shopping and social customs.
5. The shape of any boundary maintained or any boundary change under the cooperative plan is not the result of arbitrariness and reflects due consideration for compactness of area. Considerations relevant to the criteria under this subdivision include quantity of land affected by the boundary maintenance or boundary change and compatibility of the proposed boundary maintenance or boundary change with natural terrain including general topography, major watersheds, soil conditions and such features as rivers, lakes and major bluffs.

5m. The cooperative plan adequately identifies and addresses the significant adverse environmental consequences to the natural environment that may be caused by the proposed physical development of the territory covered by the plan, the municipalities submitting the plan have adequately identified and considered alternatives to minimize or avoid the significant adverse environmental consequences, the proposals in the plan for compliance with federal environmental laws or regulations and state environmental laws or rules are adequate and the need for safe and affordable housing for a diversity of social and income groups in each community has been met.

6. Any proposed planning period exceeding 10 years is consistent with the plan.

(d) Return and resubmittal of plan. The department may return a cooperative plan, with comments, if the department determines that the cooperative plan, if revised, may constitute a plan that can be approved by the department. If a cooperative plan is returned under this paragraph, each participating municipality may revise the plan, as directed by the department, adopt the revised plan by resolution and resubmit the plan to the department within 90 days after the plan is returned. After receiving a resubmitted cooperative plan, the department shall make a determination on approval within 30 days.

(6) BINDING ELEMENTS OF COOPERATIVE PLAN. If a cooperative plan is approved by the department under sub. (5) or an amended plan is approved under sub. (8), provisions in the plan to maintain existing boundaries, the boundary changes in the plan, the schedule for those changes, the plan for delivery of services and the schedule for those services are binding on the parties to the plan and have the force and effect of a contract.

(7) APPLICABILITY OF OTHER BOUNDARY PROCEDURES. During the planning period specified under sub. (3) (f), no other procedure for altering a municipality's boundaries may be used to alter the boundary of a municipality that is a party to the cooperative plan, except if an annexation is conducted under s. 144.07 (1m), regardless of whether the boundary is proposed to be maintained or changed or is allowed to be changed under the plan. After the planning period has expired, the boundary may be altered.

(8) AMENDMENTS TO COOPERATIVE PLAN. (a) Authority to amend plan. A cooperative plan may be amended during the planning period if all the parties to the plan agree to the amendment and if the amendment is approved by the department.

(b) When full procedure required. An amendment to a cooperative plan that proposes to change a municipality's boundary or to change the approved planning period shall follow the same procedure as that required for an original plan.

(c) When expedited procedure may occur. An amendment to a cooperative plan that does not propose to change a boundary or the planning period shall follow the same procedure as that required for an original plan except that the hearing under sub. (4) (b) is not required unless objection to the amendment is made in writing by any person to the clerk of a participating municipality. An amendment under this paragraph shall be adopted by resolution of each of the participating municipalities. Notice of the amendment and adopting resolution shall follow the procedures specified in sub. (4) (a). Notice that the amendment will be submitted directly to the department unless objection is made in writing shall be given by each participating municipality by a class 3 notice under ch. 985. If no written objection to the amendment is received within 7 days after the last required notice is published, the amendment may be submitted
directly to the department for approval. If written objection is timely made, the public hearing and other requirements under sub. (4) (b) and (c) apply.

(9) COURT REVIEW OF DEPARTMENT DECISION. The decision of the department under sub. (5) (c) or (d) or (8) to approve or not to approve a cooperative plan or an amendment to a plan is subject to judicial review under ch. 227.

(10) BOUNDARY CHANGE ORDINANCE; FILING REQUIREMENT. A boundary change under a cooperative plan shall be accomplished by the enactment of an ordinance by the governing body designated to do so in the plan. The filing requirements under s. 66.021 (8) (a), as they apply to cities and villages under s. 66.021 (8) (a), apply to municipalities under this subsection. The requirements for the secretary of state shall be the same as those required in s. 66.021 (8) (b).

(11) TIME FOR BRINGING ACTION. No action to contest the validity of a cooperative plan under this section or an amendment to a cooperative plan, regardless of the grounds for the action, may be commenced after 60 days from the date on which the department approves the cooperative plan under sub. (5) or the amendment under sub. (8), respectively. No action relating to compliance with a binding element of a cooperative plan may be commenced later than 180 days after the failure to comply.

SECTION 474u. 66.024 (intro.) of the statutes is amended to read:

66.024 Annexation by referendum; court order. (intro.) As a complete alternative to any other annexation procedure, and subject to s. 66.023 (7), unincorporated territory which contains electors and is contiguous to a city or village may be annexed thereto in the manner hereafter provided. The definitions in s. 66.021 (1) shall apply to this section.

SECTION 474u. 66.025 of the statutes is amended to read:

66.025 Annexation of owned territory. In addition to other methods provided by law and subject to s. 66.023 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed thereto by ordinance adopted by the board of trustees of such village or the council of such city, provided that in the case of noncontiguous territory the use of such territory by the city or village is not contrary to any town or county zoning regulation. Such ordinance shall contain the exact description of the territory annexed and the names of the town or towns from which detached, and shall operate to attach such territory to such village or city upon the filing of 5 certified copies thereof in the office of the secretary of state, together with 5 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of revenue and one copy to the department of public instruction. The requirements for the secretary of state shall be the same as those required in s. 66.021 (8) (b).

SECTION 474v. 66.026 of the statutes is amended to read:

66.026 Notice of litigation. Whenever any proceedings under ss. 61.187, 61.189, 61.74, 62.075, 66.012, 66.013 to 66.019, 66.021, 66.022, 66.023, 66.025 or other sections relating to an incorporation, annexation, consolidation, dissolution or detachment of territory in a city or village are contested by instigation of legal proceedings, the clerk of the city or village involved in such proceedings shall forthwith file with the secretary of state 4 copies of a notice of the commencement of such action. The clerk shall also file with the secretary of state 4 copies of any judgments rendered or appeals taken in such cases. The notices or copies of judgments as herein required may also be filed by an officer or attorney of any party of interest. The secretary of state shall forward to the department of transportation 2 copies and to the department of revenue one copy of any notice of action or judgment filed with the secretary of state pursuant to this section.

SECTION 474w. 66.027 of the statutes is amended to read:

66.027 (title) Municipal boundaries, fixed by judgment. Any 2 municipalities whose boundaries are immediately adjacent at any point and who are parties to any action, proceeding or appeal in court for the purpose of testing the validity or invalidity of any annexation, incorporation, consolidation or detachment, may enter into a written stipulation, compromising and settling any such litigation and determining the common boundary line between the municipalities. The court having jurisdiction of the litigation, whether it is a circuit court, the court of appeals or the supreme court, may enter a final judgment incorporating the provisions of the stipulation and fixing the common boundary line between the municipalities involved. Any 2 municipalities whose boundaries are immediately adjacent at any point may enter into a written agreement setting the boundary lines between themselves. Any agreement stipulating changing boundaries of municipalities shall be approved by the governing bodies of the detaching and annexing municipalities and s. 66.021 (8) and (10) shall apply. Any change of civil municipal boundaries under this section is subject to a referendum of the electors residing within the territory annexed or detached, if within 30 days after the publication of the stipulation or agreement to change boundaries in a newspaper of general circulation in the area proposed to be annexed or detached, a petition for a referendum conforming to the requirements of s. 8.40 signed by at least 20% of the electors of the area to be annexed or detached, is filed with the clerk of the municipality from which the area is proposed to be detached. The referendum shall be conducted as an annexation referendum. If the referendum election is opposed to detachment from the municipality, all proceedings under this section are void. For the purposes of this
by the department of revenue. As soon as the assessor receives the notice of an addition of a mobile home to a park, the assessor shall determine its fair market value and notify the clerk of that determination. The clerk shall equate the fair market value established by the assessor and apply the appropriate tax rate, divide the annual parking permit fee thus determined by 12 and notify the mobile home owner of the monthly fee to be collected from the mobile home owner. A municipality, by ordinance, may require the mobile home park operator to collect the monthly parking fee from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the mobile home remains in the tax district. A new fee and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under ch. 70. If the board of review reduces a valuation on which previous monthly payments have been made the tax district shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile home owner to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due. No such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile for an accumulating period not to exceed 60 days in any 12 months if the occupants of the mobile home are tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the licensing authority from qualified tourists or vacationists in lieu of monthly mobile home parking permit fees. The credit under s. 79.10 (9) (bm), as it applies to the principal dwelling on a parcel of tax-liable property of an owner shall apply to the estimated fair market value of a mobile home that is the principal dwelling of the owner. The owner of the mobile home shall file a claim for the credit with the treasurer of the municipality in which the property is located not later than January 31. To obtain the credit under s. 79.10 (9) (bm), the owner shall attest on the claim that the mobile home is the owner’s principal dwelling, as defined in s. 79.10 (1) (f). The treasurer shall reduce the owner’s parking permit fee by the amount of any allowable credit. The treasurer shall furnish notice of all claims for credits filed under this paragraph to the department of revenue as provided under s. 79.10 (1m).

SECTION 475p. 66.057 of the statutes is created to read:

66.057 Minimum acreage of cemeteries. A city, village or town may enact and enforce an ordinance that does any of the following:

(1) Allows a cemetery consisting of less than the minimum acreage specified in s. 157.128 (1) to be dedicated, as defined in s. 157.061 (4), in that city, village or town.

(2) Allows a person to establish and use a public mausoleum in a cemetery consisting of less than the minimum acreage specified in s. 157.12 (2) (c).

SECTION 476. 66.058 (3) (c) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

66.058 (3) (c) (intro.) In addition to the license fee provided in pars. (a) (intro.) and (b), each local taxing authority shall collect from each mobile home occupying space or lots in a park in the city, town or village, except from mobile homes that constitute improvements to real property under s. 70.043 (1) and from recreational mobile homes and camping trailers as defined in s. 70.111 (19), a monthly parking permit fee computed as follows: On January 1, the assessor shall determine the total fair market value of each mobile home in the taxation district subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishings thus established, shall be equated to the general level of assessment for the prior year on other real and personal property in the district. The value of each mobile home thus determined shall be multiplied by the general property gross tax rate, less any credit rate for the property tax relief credit established under s. 79.10 (6a), established on the preceding year’s assessment of general property. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to mobile homes moving into the tax district any time during the year. The park operator shall furnish information to the tax district clerk and the assessor on mobile homes added to the park within 5 days after their arrival, on forms prescribed by the department of revenue.
SECTION 487. 66.184 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

66.184 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 employees on a self-insured basis, the self-insured plan shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (5), 632.895 (9) and 632.896.

SECTION 487j. 66.184 of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), is repealed and recreated to read:

66.184 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 employees on a self-insured basis, the self-insured plan shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (4) and (5), 632.895 (9) and 632.896.

SECTION 487m. 66.28 (4) of the statutes is amended to read:

66.28 (4) A city, village, town or county may dispose of any abandoned, unclaimed or seized firearm or ammunition only under s. 968.20.

SECTION 488. 66.303 of the statutes is created to read:

66.303 Multifamily dwelling code. (1) Except as provided in sub. (2), any ordinance enacted by a county, city, village or town relating to the construction or inspection of multifamily dwellings, as defined in s. 101.971 (2), shall conform to subch. VI of ch. 101 and s. 101.02 (7m).

(2) If a county, city, village or town has a preexisting stricter sprinkler ordinance, as defined in s. 101.975 (3) (a), that ordinance remains in effect and the county, city, village or town may take any action with regard to that ordinance that a political subdivision may take under s. 101.975 (3) (b).

SECTION 489. 66.609 of the statutes is amended to read:

66.609 Architectural conservancy districts. (1) In this section:

(a) “Architectural conservancy district” means an area within a municipality consisting of contiguous parcels subject to general real estate taxes, other than railroad rights-of-way.

(b) “Board” means an architectural conservancy district board appointed under sub. (3) (a).

(c) “Chief executive officer” means a mayor, city manager, village president or town chairperson.

(em) "Historic property" means any building or structure that is any of the following:

1. Listed on, or has been nominated by the state historical society for listing on, the national register of historic places in Wisconsin or the state register of historic places.

2. Included in a district that is listed on, or has been nominated by the state historical society for listing on, the national register of historic places in Wisconsin or the state register of historic places, and has been determined by the state historical society to contribute to the historic significance of the district.

3. Included on a list of properties that have been determined by the state historical society to be eligible for listing on the national register of historic places in Wisconsin or the state register of historic places.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) “Municipality” means a city, village or town.

(f) “Operating plan” means a plan that is adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of an architectural conservancy district and that includes all of the following:

1. The special assessment method applicable to the architectural conservancy district.
2. The kind, number and location of all proposed expenditures within the architectural conservancy district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the architectural conservancy district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subds. 1 to 4 have been complied with.

(g) “Planning commission” means a plan commission under s. 62.23 or, if one does not exist, a board of public land commissioners or, if neither exists, a planning committee of the local legislative body.

(2) A municipality may create an architectural conservancy district and adopt its operating plan if all of the following are met:

(a) An owner of real property located in the proposed architectural conservancy district designated under par. (b) petitions the municipality for creation of an architectural conservancy district.

(2am) At least 50% of the properties included within the proposed architectural conservancy district are historic properties.

(b) The planning commission designates a proposed architectural conservancy district and adopts its proposed initial operating plan.

(c) At least 30 days before the creation of the architectural conservancy district and adoption of its initial operating plan by the municipality, the planning commission holds a public hearing on the proposed architectural conservancy district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication of the notice, a copy of that notice, a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed architectural conservancy district shall be sent by certified mail to all owners of real property within the proposed architectural conservancy district. The notice shall state the boundaries of the proposed architectural conservancy district and shall indicate that copies of the proposed initial operating plan are available on request from the planning commission.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed architectural conservancy district or its proposed initial operating plan.

(e) The local legislative body votes to adopt the proposed initial operating plan for the municipality.

(3) (a) The chief executive officer shall appoint members to an architectural conservancy district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the architectural conservancy district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its architectural conservancy district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the architectural conservancy district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the architectural conservancy district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan that shall be obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the architectural conservancy district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or as amended and approved under par. (b), shall have all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from an architectural conservancy district, all other appropriations by the municipality and all other moneys received for the benefit of the architectural conservancy district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the architectural conservancy district by the municipality, all moneys collected by special assessment that remain in the account shall be disbursed to the owners of specially assessed property in the architectural conservancy district in the same proportion as the last collected special assessment.
shall terminate the architectural conservancy district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(6) (a) A municipality may terminate an architectural conservancy district at any time.

(b) This section does not limit the authorities of a municipality to regulate the use of or specially assess real property.

SECTION 490eg. 69.30 (title) of the statutes is amended to read:

69.30 (title) Authorized copying of vital records.

SECTION 490eh. 69.30 (1) of the statutes is renumbered 69.30 (1) (intro.) and amended to read:

69.30 (1) (intro.) In this section, “financial institution” means any bank, savings and loan association or credit union that is authorized to do business under state or federal laws relating to financial institutions.

SECTION 490ei. 69.30 (1) (a) and (c) of the statutes are created to read:

69.30 (1) (a) “County department” means a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437.

(c) “State agency” has the meaning given in s. 20.001 (1).

SECTION 490ej. 69.30 (2) of the statutes is amended to read:

69.30 (2) A financial institution, state agency or county department or an employee of a financial institution, state agency or county department or an employee of a financial institution, state agency or county department if the copy is marked “FOR ADMINISTRATIVE USE”.

SECTION 490ek. 69.30 (3) of the statutes is amended to read:

69.30 (3) The department of natural resources may conduct research on the control of aquatic weeds. The department of natural resources and agriculture and trade, and conservation and agriculture and trade, may authorize any person to plant or cultivate aquatic weeds for the purpose of controlled experimentation.

SECTION 490eg. 70.11 (4) of the statutes is amended to read:

70.11 (4) EDUCATIONAL, RELIGIOUS AND BENEVOLENT INSTITUTIONS; WOMEN’S CLUBS; HISTORICAL SOCIETIES; FRATERNITIES; LIBRARIES. Property owned and used exclusively by educational institutions offering regular courses 6 months in the year; or by churches or
religious, educational or benevolent associations, including benevolent nursing homes and retirement homes for the aged but not including property owned by any nonstock, nonprofit corporation which services guaranteed student loans for others or on its own account, and also including property owned and used for housing for pastors and their ordained assistants, members of religious orders and communities, and ordained teachers, whether or not contiguous to and a part of other property owned and used by such associations or churches; or by women's clubs; or by domestic, incorporated historical societies; or by domestic, incorporated, free public library associations; or by fraternal societies operating under the lodge system (except university, college and high school fraternities and sororities), but not exceeding 10 acres of land necessary for location and convenience of buildings while such property is not used for profit. Property owned by churches or religious associations necessary for location and convenience of buildings, used for educational purposes and not for profit, shall not be subject to the 10-acre limitation but shall be subject to a 30-acre limitation. Property that is exempt from taxation under this subsection and is leased remains exempt from taxation only if, in addition to the requirements specified in the introductory phrase of this section, the lessee does not discriminate on the basis of race.

Vetoed in Part

SECTION 3. 70.111 (b) of the statutes is amended to read:

70.111 (b) Mobile homes, as defined in s. 66.058, that are no larger than 400 square feet and that are used primarily as temporary living quarters for recreational, camping, travel or seasonal purposes.

SECTION 4. 70.119 (2) of the statutes is amended to read:

70.119 (2) The state department shall make reasonable payments for municipal services pursuant to the procedures specified in subs. (4), (5) and (6), except as provided in sub. (9).

SECTION 5. 70.119 (9) of the statutes is created to read:

70.119 (9) The department shall not make payments for municipal services at the parking ramp located at 1 West Wilson street in the city of Madison.
- 1283 -

Vetoed in Part

The vetoes have been sustained in part. The veto affected only sections of the statutes as affected by 1991 Wisconsin Act 39.

SECTION 490. 70.995 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.995 (1) (a) In this section "manufacturing property" includes all lands, buildings, structures and other real property used or, if vacant, designed for use in manufacturing, assembling, processing, fabricating, making or milling tangible personal property for profit. Manufacturing property also includes warehouses, storage facilities and office structures when the predominant use of the warehouses, storage facilities or offices is in support of the manufacturing property, and all personal property owned or used by any person engaged in any of the activities mentioned, and used in the activity, including raw materials, supplies, machinery, equipment, work in process and finished inventory when located at the site of the activity. Establishments engaged in assembling component parts of manufactured products are considered manufacturing establishments if the new product is neither a structure nor other fixed improvement. Materials processed by a manufacturing establishment include products of agriculture, forestry, mining and quarrying. For the purposes of this sec-

* Although Item E-23 of the Governor's veto message includes a reference to Section 490qq, the section is not marked by any veto overlay in the published slip law or in the official copy of the act filed with the Secretary of State.
tion, establishments which engage in mining metalliferous minerals are considered manufacturing establishments.

SECTION 490su. 70.995 (4) of the statutes is amended to read:

70.995 (4) Whenever real property or tangible personal property is used for one, or some combination, of the processes mentioned in sub. (3) and also for other purposes, the department of revenue, if satisfied that there is substantial use in one or some combination of such processes, may assess the property under this section. For all purposes of this section the department of revenue shall have sole discretion for the determination of what is substantial use and what description of real property or what unit of tangible personal property shall constitute "the property" to be included for assessment purposes, and, in connection herewith, the department may include in a real property unit, real property owned by different persons. Vacant property designed for use in manufacturing, assembling, processing, fabricating, making or milling tangible property for profit may be assessed under this section or under s. 70.32 (1), and the period of vacancy may not be the sole ground for making that determination. In those specific instances where a portion of a description of real property includes manufacturing property rented or leased and operated by a separate person which does not satisfy the substantial use qualification for the entire property, the local assessor shall assess the entire real property description and all personal property not exempt under s. 70.11 (27). The manufacturing machinery and equipment shall be valued by the department of revenue under sub. (7) (c) and shall qualify for exemption under s. 70.11 (27). The applicable portions of the standard manufacturing property report form under sub. (12) as they relate to manufacturing machinery and equipment shall be submitted by such person.

SECTION 490sw. 70.995 (8) (a) and (b) of the statutes are amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors, which shall be comprised of the members of the department of revenue whom the secretary designates. The state board of assessors shall investigate any objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state board of assessors, after having made the investigation, shall notify the person assessed or the person's agent and the appropriate municipality of its determination by 1st class mail. Beginning with objections filed in 1989, the state board of assessors shall make its determination on or before April 1 of the year after the filing. If the determination results in a refund of property taxes paid, the state board of assessors shall include in the determination a finding of whether the refund is due to false or incomplete information supplied by the person assessed. The person assessed or the municipality having been notified of the determination of the state board of assessors shall be deemed to have accepted the determination unless the person or municipality files a petition for review with the clerk of the tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission. If an assessment is reduced by the state board of assessors, the municipality affected may file an appeal seeking review of the reduction, or may, within 30 days after the person assessed files a petition for review, file a cross-appeal, before the tax appeals commission even though the municipality did not file an objection to the assessment with the board. If the board does not overrule a change from assessment under this section to assessment under s. 70.32 (1), the affected municipality may file an appeal before the tax appeals commission. If an assessment is increased by the board, the person assessed may file an appeal seeking review of the increase, or may, within 30 days after the municipality files a petition for review, file a cross-appeal, before the commission even though the person did not file an objection to the assessment with the board.

(b) The department of revenue shall annually notify each manufacturer assessed under this section and the municipality in which the manufacturing property is located of the full value of all real and personal property owned by the manufacturer. The notice shall be in writing and shall be sent by 1st class mail. In addition, the notice shall specify that objections to valuation, amount or taxability must be filed with the state board of assessors within 60 days of issuance of the notice of assessment, that objections to a change from assessment under this section to assessment under s. 70.32 (1) must be filed within 60 days after receipt of the notice of assessment under s. 70.32 (1), and that change that the fee under par. (c) or (d) must be paid and that the objection is not filed until the fee is paid. A statement shall be attached to the assessment roll indicating that the notices required by this section have been mailed and failure to receive the notice does not affect the validity of the assessments, the resulting tax on real or personal property, the procedures of the tax appeals commission or of the state board of assessors or the enforcement of delinquent taxes by statutory means.

SECTION 490sw. 70.995 (8) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.995 (8) (c) All objections to the amount, valuation or taxability or change from assessment under this section to assessment under s. 70.32 (1) of property shall be first made in writing on a form prescribed by the department of revenue and shall be filed with the state board of assessors within the time prescribed in par. (b). A $45 fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is
paid. Neither the state board of assessors nor the tax appeals commission may waive the requirement that objections be in writing. Persons who own land and improvements to that land may object to the aggregate value of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land.

SECTION 490sx. 70.995 (8) (d) of the statutes is amended to read:

70.995 (8) (d) A municipality may file an objection with the state board of assessors to the amount, valuation or taxability under this section or to the change from assessment under this section to assessment under s. 70.32 (1) of a specific property having a situs in the municipality, whether or not the owner of the specific property in question has filed an objection. Objection shall be made on a form prescribed by the department and filed with the board within 60 days of the date of the issuance of the assessment in question. A $45 filing fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. The board shall forthwith notify the person assessed of the objection to the assessment filed by the municipality.

SECTION 490tb. 71.01 (6) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.01 (6) (d) For taxable years that begin after December 31, 1988, and before January 1, 1990, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, “internal revenue code” means the federal internal revenue code enacted after December 31, 1989, and before January 1, 1990, except that changes to the internal revenue code as amended to December 31, 1991, do not apply to this paragraph. Amendments to the federal internal revenue code as amended to December 31, 1990, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-280 and P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 101-280 and P.L. 101-508 and P.L. 102-227 apply 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, 1988, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-280 and P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 101-280 and P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 490th. 71.01 (6) (g) of the statutes is created to read:


SECTION 490td. 71.01 (6) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.01 (6) (e) For taxable years that begin after December 31, 1989, and before January 1, 1991, for natural persons and fiduciaries, except fiduciaries of
with respect to taxable years beginning after December 31, 1991.

SECTION 490i. 71.01 (7r) of the statutes, as affected by 1991 Wisconsin Act 39, 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, 1990 and 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.

SECTION 490v. 71.02 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.02 (1) For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax on all net incomes of individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every natural person residing within the state or by his or her personal representative in case of death, and trusts administered within the state; by every nonresident natural person and trust of this state, upon such net incomes of individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every natural person residing within the state or by his or her personal representative in case of death, and trusts administered within the state; by every nonresident natural person and trust of this state, upon such income as is derived from the performance of personal services under ch. 562, and also by other income as is derived from property located or business transacted within the state including, but not limited by enumeration, income derived from a limited partner's distributive share of partnership income, the state lottery under ch. 565, any multistate lottery under ch. 565 if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the lottery board gaming commission and pari-mutuel wager winnings and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562, and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state, except as exempted under s. 71.05 (1) to (3). Every natural person domiciled in the state shall be deemed to be residing within the state for the purposes of determining liability for income taxes and surtaxes.

SECTION 490w. 71.02 (1m) of the statutes is created to read:

71.02 (1m) Department to open income tax returns. If a resident or nonresident individual is deceased on the date that the department receives the resident's or nonresident's income tax return for the year in which the individual's death occurs, the department shall forward the individual's return to and in the event of a joint return, to the individual's personal representative for further action. If the personal representative so requests, the department shall forward the individual's personal representative the individual's income tax return for the year in which the individual's death occurs.

SECTION 491. 71.03 (7) of the statutes, as affected by 1991 Wisconsin Act 3 is amended to read:

71.03 (7) EXTENSION OF TIME TO FILE. In the case of returns Returns of natural persons and fiduciaries which require a statement of amounts or information contained or entered on a corresponding return under the internal revenue code, such returns shall be filed within the time fixed under said code for filing of the corresponding federal return. Any extension of time granted by law or by the internal revenue service for the filing of such that corresponding federal return shall extend extends the time for filing under this chapter provided if a copy of any request for an extension granted required by the internal revenue service is filed with the return under this chapter or at such an earlier date as that the department by rule prescribes. Extensions for periods of 30 days may also be granted by the department in any case for cause satisfactory to it and if, in the case of a joint return, a request for an extension is signed by both spouses or authorized representatives by rule and if the taxpayer pays the Wisconsin tax in the manner applicable to federal income taxes under the internal revenue code. Taxes payable upon the filing of the return shall do not become delinquent during the period of an extension but shall be subject to interest at the rate of 12% per year during such period, except, for taxable years beginning after December 31, 1989, and before January 1, 1991, for persons who served in support of Operation Desert Shield, Operation Desert Storm or an operation that is a successor to Operation Desert Shield or Operation Desert Storm in the United States, or for persons who served in Egypt, Israel, Diego Garcia or Germany, or for persons who qualify for a federal extension of time to file under 26 USC 7508, who served outside the United States because of their participation in Operation Desert Shield, Operation Desert Storm or an operation that is a successor to Operation Desert Shield or Operation Desert Storm in the Desert Shield or Desert Storm theater of operations.

SECTION 491g. 71.04 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.04 (1) (a) All income or loss of resident individuals and resident estates and trusts shall follow the residence of the individual, estate or trust. Income or loss of nonresident individuals and nonresident estates and trusts from business, not requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the business from which derived. All items of income, loss and deductions of nonresident individuals and nonresident estates and trusts derived from a tax-option corporation not requiring apportionment under sub. (9) shall follow the situs of the business of
the corporation from which derived. Income or loss of nonresident individuals and nonresident estates and trusts derived from rentals and royalties from real estate or tangible personal property, or from the operation of any farm, mine or quarry, or from the sale of real property or tangible personal property shall follow the situs of the property from which derived. Income from personal services of nonresident individuals, including income from professions, shall follow the situs of the services. A nonresident limited partner's distributive share of partnership income shall follow the situs of the business. Income of nonresident individuals, estates and trusts from the state lottery under ch. 565 is taxable by this state. Income of nonresident individuals, estates and trusts from any multistate lottery under ch. 565 is taxable by this state. Income of nonresident individuals, estates and trusts from real property or tangible personal property shall follow the situs of the property from which derived. Income or loss of nonresident individuals and nonresident estates and trusts derived from rentals and royalties from real estate or tangible personal property, or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in par. (b) and sub. (9).

SECTION 491r. 71.04 (7) (f) 16 of the statutes is amended to read:

71.04 (7) (f) 16. Pari-mutuel wager winnings and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562 is taxable by this state. All other income or loss of nonresident individuals and nonresident estates and trusts, including income or loss derived from land contracts, mortgages, stocks, bonds and securities or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in par. (b) and sub. (9).

SECTION 491t. 71.05 (6) (b) 17 and 18 of the statutes are created to read:

71.05 (6) (b) 17. For taxable years beginning after December 31, 1992, and before January 1, 1994, an amount paid by a self-employed person, or an amount paid by a person who is the employee of another person if the person's employer pays no amount of money toward the person's medical care insurance, for medical care insurance for the person, his or her spouse and the person's dependents, calculated as follows:

a. Twenty-five percent of the amount paid by the person for medical care insurance. In this subdivision, "medical care insurance" means a medical care insurance policy that covers the person, his or her spouse and the person's dependents and provides surgical, medical, hospital, major medical or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but "medical care insurance" does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness or injury.

b. From the amount calculated under subd. 17. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.

c. For a person who is a nonresident or a part-year resident of this state, modify the amount calculated under subd. 17. b. by multiplying the amount by a fraction the numerator of which is the person's net earnings from a trade or business taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

d. Reduce the amount calculated under subd. 17. b. or c. to the person's aggregate net earnings from a trade or business that are taxable by this state.

18. For taxable years beginning on or after January 1, 1994, an amount paid by a self-employed person, or an amount paid by a person who is the employee of another person if the person's employer pays no amount of money toward the person's medical care insurance, for medical care insurance for the person, his or her spouse and the person's dependents, calculated as follows:

a. Fifty percent of the amount paid by the person for medical care insurance. In this subdivision, "medical care insurance" means a medical care insurance policy that covers the person, his or her spouse and the person's dependents and provides surgical, medical, hospital, major medical or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but "medical care insurance" does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness or injury.

b. From the amount calculated under subd. 18. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.

c. For a person who is a nonresident or a part-year resident of this state, modify the amount calculated under subd. 18. b. by multiplying the amount by a fraction the numerator of which is the person's net earnings from a trade or business taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

d. Reduce the amount calculated under subd. 18. b. or c. to the person's aggregate net earnings from a trade or business that are taxable by this state.

SECTION 493b. 71.07 (5) (a) 15 of the statutes is created to read:

71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance under section 213 of the internal revenue code that is exempt from taxation under s. 71.05 (6) (b) 17 and 18.

SECTION 493e. 71.07 (9e) (a) 1 to 3 of the statutes are amended to read:
71.07 (9e) 1. If the person has one dependent qualifying child who has the same principal place of abode as the person, 5%.

2. If the person has 2 dependent qualifying children who have the same principal place of abode as the person, 25%.

3. If the person has more than 2 dependent qualifying children who have the same principal place of abode as the person, 75%.

SECTION 493fb. 71.22 (4) (d) of the statutes, as affected by 1991 Wisconsin Act 39, 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, P.L. 101-239 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter made by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227. Amendments to the federal internal revenue code enacted after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes.

SECTION 493fh. 71.22 (4) (f) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.22 (4) (f) 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, 1990, and before January 1, 1992, means the federal internal revenue code as amended to December 31, 1990, and as amended by P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter made by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227. 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, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.


SECTION 493hd. 71.22 (4m) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:


SECTION 493hf. 71.22 (4m) (d) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.22 (4m) (d) For taxable years that begin after December 31, 1990, and before January 1, 1992, “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, 1990, and as amended by P.L. 101-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227. 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, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493hh. 71.22 (4m) (e) of the statutes is created to read:


SECTION 493j. 71.25 (5) (a) 24 of the statutes is amended to read:

71.25 (5) (a) 24. Pari-mutuel wager winnings and purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562.

SECTION 493jm. 71.25 (9) (f) 16 of the statutes is amended to read:

71.25 (9) (f) 16. Pari-mutuel wager winnings and purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562.

SECTION 493kb. 71.26 (2) (b) 4 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:


SECTION 493kf. 71.26 (2) (b) 5 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.26 (2) (b) 5. For taxable years that begin after December 31, 1989, and before January 1, 1991, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508 and P.L. 102-227 “net income” means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508 and P.L. 102-227 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508 and P.L. 102-227, applies for Wisconsin purposes at the same time as for federal purposes.
SECTION 493n. 71.26 (3) (y) of the statutes, as affected by 1991 Wisconsin Act 39, 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, 1991, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.
December 31, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 and P.L. 102-227 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493ph. 71.34 (1g) (f) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.34 (1g) (f) "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, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-508 and P.L. 102-227 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.
chapter 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.
P.L. 102-227, excluding sections 103, 104 and 110 of
P.L. 102-227, except that section 1366 (f) (relating to
pass-through of items to shareholders) is modified by
substituting the tax under s. 71.35 for the taxes under
sections 1374 and 1375. The internal revenue code
applies for Wisconsin purposes at the same time as for
federal purposes. Amendments to the federal internal
revenue code enacted after December 31, 1991, do not
apply to this paragraph with respect to taxable years

SECTION 493s. 71.365 (1m) of the statutes, as
affected by 1991 Wisconsin Act 39, is amended to
read:

71.365 (1m) Tax-option corporations; deprecia-
tion. A tax-option corporation may compute amorti-
zation and depreciation under either the federal
internal revenue code as amended to December 31,
1990, the federal internal revenue code in
effect for the taxable year for which return is filed,
except that property first placed in service by the tax-
payer 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) (b), 1985 stats., is required to be depreci-
ated under the internal revenue code as amended to
December 31, 1980, shall continue to be depreciated
under the internal revenue code as amended to
December 31, 1980. Any difference between the
adjusted basis for federal income tax purposes and the
adjusted basis under this chapter shall be taken into
account in determining net income or loss in the year
or years for which the gain or loss is reportable under
this chapter. If that property was placed in service by
the taxpayer during taxable year 1986 and thereafter
but before the property is used in the production of
income subject to taxation under this chapter, the
property's adjusted basis and the depreciation or
other deduction schedule are not required to be
changed from the amount allowable on the owner's
federal income tax returns for any year because the
property is used in the production of income subject
to taxation under this chapter. If that property was
acquired in a transaction in taxable year 1986 or there-
after in which the adjusted basis of the property in
the hands of the transferee is the same as the adjusted
basis of the property in the hands of the transferor, the
Wisconsin adjusted basis of that property on the date
of transfer is the adjusted basis allowable under the
internal revenue code as defined for Wisconsin pur-
poses for the property in the hands of the transferor.

SECTION 495dd. 71.42 (2) (d) of the statutes, as
affected by 1991 Wisconsin Act 39, is amended to
read:

71.42 (2) (d) For taxable years that begin after
December 31, 1988, and before January 1, 1991,
"internal revenue code" means the federal internal
revenue code as amended to December 31, 1988, and
as amended by P.L. 101-73, P.L. 101-140, P.L.
101-239 and, P.L. 101-508 and P.L. 102-227 and
changes that indirectly affect the federal internal
revenue code made by P.L. 101-73, P.L. 101-140,
102-227 apply to Wisconsin purposes at the same
time as for federal purposes.

SECTION 495df. 71.42 (2) (e) of the statutes, as
created by 1991 Wisconsin Act 39, is amended to read:

71.42 (2) (e) For taxable years that begin after
December 31, 1990, and before January 1, 1992,
"internal revenue code" means the federal internal
revenue code as amended to December 31, 1990, and
as amended by P.L. 102-227 and changes that indirectly
affect the federal internal revenue code made by P.L.
99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
101-508 and P.L. 102-227, except that "internal reve-
une 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, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 495dh. 71.42 (2) (f) of the statutes is created to read:


SECTION 495g. 71.45 (2) (a) 13 of the statutes, as affected by 1991 Wisconsin Act 39, 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, 1990, and the depreciation deduction under the federal internal revenue code in effect for the taxable year for which the return is filed, so as to reflect the fact that the insurer may choose between these 2 deductions, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

Vetoed in Part
have any right of action against an employer in regard to money deducted from wages and deposited with the public depository in compliance or intended compliance with this subchapter.

(b) Upon not less than 60 days notice to the public depository described under par. (a), the secretary of revenue may direct that withheld taxes required to be reported and remitted by employers on and after a date specified be reported and remitted directly to the department of revenue. Every employer who deducts and withhold any amount under this subchapter required to be reported and remitted on or after such date shall report and remit to the department the amounts of tax withheld, and include the amounts required to be remitted on or after such date, on each remittance of taxes due the department on or before the 20th day of the month following the month in which the amounts are payable to the employer. If no remittance is made to the department by the 20th day of the month in which the amounts are payable to the employer, the department shall assess a penalty at the rate of one-half of 1% per month or fraction thereof on the amount of tax withheld and not remitted by the employer.

SECTION 496m. 71.67 (4) of the statutes is amended to read:

71.67 (4) WITHHOLDING FROM LOTTERY WINNINGS. The executive director administrator of the lottery division in the gaming commission under ch. 565 shall withhold from any lottery prize of $2,000 or more an amount determined by multiplying the amount of the prize by the highest rate applicable to individuals under s. 71.06 (1). The executive director administrator shall deposit the amounts withheld, on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

SECTION 496p. 71.78 (4) (L) of the statutes is amended to read:

71.78 (4) (L) The executive director administrator of the lottery board division in the gaming commission for the purpose of withholding lottery winnings under s. 565.30 (5).

SECTION 496r. 71.83 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.83 (3) LATE FILING FEES. If any person required under this chapter to file an income or franchise tax return fails to file a return within the time prescribed by law, or as extended under s. 71.03 (7), 71.24 (7) or 71.44 (3), the department shall add to the tax of the person $10 or $30 in the case of corporations and in the case of persons other than corporations $2 when the total normal income tax of the person is less than $10, $3 when the tax is $10 or more but less than $20, $5 when the tax is $20 or more, except that $20 or $30 shall be added to the tax if the return is 60 or more days late. If no tax is assessed against any such person the amount of this fee shall be collected as income or franchise taxes are collected, and no person shall be allowed in any action or proceeding to contest the imposition of such fee.

SECTION 497r. 74.29 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

74.29 August settlement. On or before August 20, the county treasurer shall pay in full to the proper treasurer all real property taxes, including taxes offset by the credit under s. 79.10 (5), and special taxes included in the tax roll which have not previously been paid to, or retained by, the proper treasurer. A county may, by resolution adopted by the county board, direct the county treasurer to pay in full to the proper treasurer all special assessments and special charges included in the tax roll which have not previously been paid to, or retained by, the proper treasurer.

SECTION 497s. Chapter 77 (title) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS;
REAL ESTATE TRANSFER FEES;
SALES AND USE TAXES;
PROPERTY TAX DEFERRAL;
COUNTY SALES AND USE TAXES; MANAGED FOREST LAND;
TEMPORARY RECYCLING SURCHARGE

SECTION 498. 77.22 (1) of the statutes is renumbered 77.22, and 77.22 (1) and (2) (intro.), as renumbered, are amended to read:

77.22 (1) There is imposed on the grantor of real estate a real estate transfer fee at the rate of 30 cents for each $100 of value or fraction thereof on every conveyance not exempted or excluded under this subchapter. In regard to land contracts the value is the total principal amount that the buyer agrees to pay the seller for the real estate. This fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. Except as provided in s. 77.255, at the time of submission the grantee or his or
Vetoed in Part

her duly authorized agent or another person acquiring
an ownership interest under the instrument, or the
clerk of court in the case of a foreclosure under s.
846.16 (1), shall execute a return, signed by both gran-
tor and grantee, on the form prescribed under par. (b)
sub. (2). The register shall enter the fee paid on the
face of the deed or other instrument of conveyance
before recording, and, except as provided in s. 77.255,
submission of a completed real estate transfer return
and collection by the register of the fees shall be prereq-
usites to acceptance of the conveyance for recording.
The register shall have no duty to determine either the
correct value of the real estate transferred or the valid-
ity of any exemption or exclusion claimed. If the
transfer is not subject to a fee as provided in this sub-
chapter, the reason for exemption shall be stated on
the face of the conveyance to be recorded by reference
to the proper subsection under s. 77.25. All returns
related to conveyances exempt from the fee need not
report the value of the ownership transferred except
conveyances exempt under sub. (2) (a) and s. 77.25 (8).

(2) (intro.) The secretary of revenue shall prescribe
the form required under par. (a) sub. (1). The form
shall provide for the submission of the following:

SECTION 499. 77.22 (1) (title) of the statutes is
repealed.

SECTION 500. 77.22 (2) of the statutes is repealed.

SECTION 501. 77.25 (10) of the statutes is
amended to read:

77.25 (10) Solely in order to provide or release
security for a debt or obligation except as required by
s. 77.22 (2) (b).

SECTION 502. 77.25 (17) of the statutes is created
to read:

77.25 (17) Of a deed executed in fulfillment of a
land contract if the proper fee was paid when the land
contract or an instrument evidencing the land contract
was recorded.

SECTION 503. 77.51 (20) of the statutes is
amended to read:

77.51 (20) "Tangible personal property" means all
tangible personal property of every kind and description
and includes electricity, natural gas, steam and
water and also leased property affixed to reality if the
lessor has the right to remove the property upon
breach or termination of the lease agreement, unless
the lessor of the property is also the lessor of the reality
to which the property is affixed. The term "Tangible
personal property" also includes coins and stamps of
the United States sold or traded as collectors' items
above their face value and computer programs except
custom computer programs.

SECTION 504. 77.54 (32) of the statutes is
amended to read:

77.54 (32) The gross receipts from charges, includ-
ing charges for a search, imposed by an authority, as
defined in s. 19.32 (1), for copies of a public record
that a person may examine and use under s. 16.61 (12)
or for copies of a public record or confidential record
under s. 19.35 (1) (a).

SECTION 505. 77.54 (32) of the statutes is
amended to read:

77.54 (32) The gross receipts from charges, includ-
ing charges for a search, imposed by an authority, as
defined in s. 19.32 (1), for copies of a public record
that a person may examine and use under s. 16.61 (12)
or for copies of a public record or confidential record
under s. 19.35 (1) (a).
Vetoed in Part

SECTION 507. 77.59 (9) of the statutes is amended to read:

77.59 (9) If any person fails to file a return, the department shall make an estimate of the amount of the gross receipts of the person, or, as the case may be, of the amount of the total sales price of tangible personal property or taxable service sold or purchased by the person, the sale by or the storage, use or other consumption of which in this state is subject to sales or use tax. The estimate shall be made for the period in respect to which the person failed to make a return and shall be based upon any information which is in the department's possession or may come into its possession. Upon the basis of this estimate the department shall compute and determine the amount required to be paid to the state, adding to the sum thus arrived at a penalty equal to 40% 25% thereof. One or more such determinations may be made for one or more than one period. When a business is discontinued a determination may be made at any time thereafter, within the periods specified in sub. (3), as to liability arising out of that business.

SECTION 508. 77.60 (3) of the statutes is amended to read:

77.60 (3) If due to neglect an incorrect return is filed, the entire tax finally determined shall be subject to a penalty of 25%, or 50% in the case of returns under s. 77.61 (1) (c), of the tax exclusive of interest or other penalty. A person filing an incorrect return shall have the burden of proving that the error or errors were due to good cause and not due to neglect.

SECTION 509. 77.61 (1) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft registered or titled, or required to be registered or titled, in this state purchased from persons who are not Wisconsin boat, trailer or semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin snowmobile or all-terrain vehicle dealers, the purchaser shall file a report and pay the tax prior to registering or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft in this state.

SECTION 510. 77.61 (4) (c) of the statutes is amended to read:

77.61 (4) (c) For sales and use taxes payable on returns filed for calendar or fiscal years beginning on or after January 1, 1983, for reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected with it, retailers whose sales of taxable persons exceed $10,000 of the calendar quarter may deduct 2% of the first $10,000 of sales and use tax payable each year, one percent of the second $10,000 of sales and use tax payable each year and 5% of sales and use tax payable each year and 10%, retailers whose sales of taxable persons are not more than $10,000 for the calendar quarter may deduct 0.5% of the sales and use tax in excess of $20,000 payable each year as administration expenses if the payment of the taxes is not delinquent. For purposes of calculating the retailer's discount under this paragraph, the taxes on retail sales reported by retailers under subch. V, including taxes collected and remitted as required under s. 77.785, shall be included if the payment of those taxes is not delinquent.

SECTION 510m. 77.61 (5) (b) 9 of the statutes is amended to read:

77.61 (5) (b) 9. The executive director administrator of the lottery board division in the gaming commission for the purpose of withholding of lottery winnings under s. 565.30 (5).

SECTION 510r. Subchapter IV (title) of chapter 77 of the statutes is repealed.

SECTION 510s. 77.63 of the statutes is renumbered 16.993.

SECTION 510t. 77.64 (intro.) of the statutes is renumbered 16.994 (intro.).

SECTION 510ub. 77.64 (1) of the statutes is renumbered 16.994 (1).

SECTION 510uc. 77.64 (2) of the statutes is repealed.

SECTION 510ud. 77.64 (3) to (7) of the statutes are renumbered 16.994 (3) to (7).

SECTION 510ue. 77.64 (8) of the statutes is repealed.

SECTION 510uf. 77.65 of the statutes is renumbered 16.995, and 16.995 (1), as renumbered, is amended to read:

16.995 (1) Apply on forms prescribed by the department for a loan to pay property taxes by June 30 of the year in which the taxes are payable on a qualifying dwelling unit and, except as provided in s. 77.66 (16.996 (5)), specify the names of all coowners;

SECTION 510ug. 77.655 of the statutes is renumbered 16.9955.
SECTION 510uh. 77.66 of the statutes is renumbered 16.996, and 16.996 (1), (4) (b) and (9), as renumbered, are amended to read:

16.996 (1) Beginning with property taxes based on assessments made as of January 1, 1983, the department shall enter into agreements with participants and their coowners to loan funds to pay property taxes on their qualifying dwelling units. The maximum loan under this subchapter in any one year is limited to $1,800 or the amount of property taxes levied on the qualifying dwelling unit for the year for which the loan is sought, including interest and penalties for delinquency attributable thereto, whichever is less. Loans shall bear interest at a rate which is determined by the secretary to be sufficient to meet all expenses arising from the operation of the program and which, in the opinion of the secretary, will also recoup the maximum possible amount of the interest foregone by the general fund under s. 25.38 without discouraging a reasonable rate of participation in the program.

(4) (b) That the loan shall be due and payable upon the occurrence of any of the following events: transfer of the qualifying dwelling unit by any means except upon transfer to a coowner who resides in the unit and who is permitted to assume the participant’s account as provided in ss. 77.655 16.9955, or the death of the participant if the participant is the sole owner, or the death of the last surviving coowner who owns the qualifying dwelling unit, or upon discovery by the department that a participant or coowner has made a false statement on the application or otherwise in respect to the program, or upon condemnation or involuntary conversion of the qualifying dwelling unit, or if a participant ceases to meet the eligibility requirements of s. 77.65 16.995 except as provided in sub. (5) or fails to comply with the provisions of par. (d) or, at the participant’s or coowner’s election, at any time before any of the events enumerated in this paragraph occurs;

(9) Upon the making of the initial loan, a nonconsensual statutory lien in favor of the department to secure payment of the principal, interest, fees and charges due on all loans, including loans made after the lien is filed, to the participant made under this subchapter shall attach to the qualifying dwelling unit in respect to which the loan is made. The qualifying dwelling unit shall remain subject to the statutory lien until the payment in full of all loans and charges. If the department funds such loans from the proceeds of revenue obligations under s. 77.65 16.995, its right under the lien shall automatically accrue to the benefit of the holders of those revenue obligations, without any action or assignment by the department. When a loan becomes due and payable, the statutory lien hereby conferred may be enforced by the department or the holders of the revenue obligations or their representative, as the case may be, in the same manner as a construction lien under ss. 779.09 to 779.12, except that neither the participant nor any coowners or their personal representatives, successors or assigns shall be personally liable for any deficiency which may arise from the sale. At the time of disbursing the initial loan to a participant, the department shall file with the register of deeds of the county in which the qualifying dwelling unit is located, on a form prescribed by the department which shall contain a legal description of the qualifying dwelling unit, a notice of the loan made under this subchapter and the existence of the statutory lien arising therefrom. The register of deeds shall, without fee, record the notice in the land records and index it in the indexes maintained by the register of deeds. The statutory lien created by this section shall have priority over any lien that originates subsequent to the recording of the notice.

SECTION 510ui. 77.67 (title) of the statutes is renumbered 16.997 (title).

SECTION 510uj. 77.67 (1) of the statutes is renumbered 16.997 (1) and amended to read:

16.997 (1) Loans made or authorized to be made under this subchapter may be funded from the proceeds of revenue obligations issued subject to and in accordance with sub. (5) and subch. II of ch. 18 and from the fund appropriation under s. 25.38 20.505 (9) (a).

SECTION 510uk. 77.67 (2) of the statutes is renumbered 16.997 (2) and amended to read:

16.997 (2) The department may create a system of funds and accounts, separate and distinct from all other funds and accounts of the state, consisting of revenues received under sub. (5), all revenues received in the repayment of loans made under this subchapter, except as provided in sub. (2m), and any other revenues dedicated to it by the department. The department may pledge revenues received or to be received by this system of funds and accounts to secure revenue obligations issued for the program. The department shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18. Moneys from the fund under s. 25.38 may not be used to repay revenue obligations.

SECTION 510ul. 77.67 (2m) of the statutes is renumbered 16.997 (2m) and amended to read:

16.997 (2m) Revenues received in the repayment of loans funded from the fund under s. 25.38 made under this subchapter shall be paid into the general fund under s. 25.38.

SECTION 510um. 77.67 (3) of the statutes is renumbered 16.997 (3).

SECTION 510un. 77.67 (4) of the statutes is renumbered 16.997 (4) and amended to read:

16.997 (4) The department may promulgate rules that restrict eligibility in addition to the requirements of s. 77.65 16.995 or require the provision of additional security if, in the secretary’s judgment, the rules
or security are required for the satisfactory issuance of revenue obligations.

SECTION 510uu. 77.67 (5) of the statutes is renumbered 16.997 (5).

SECTION 510up. 77.67 (6) of the statutes is renumbered 16.997 (6).

SECTION 529. 77.76 (1) of the statutes is amended to read:

77.76 (1) The department of revenue shall have full power to levy, enforce and collect county sales and use taxes and may take any action, conduct any proceeding, impose interest and penalties and in all respects proceed as it is authorized to proceed for the taxes imposed by subch. III. The department of transportation and the department of natural resources may administer the county sales and use taxes in regard to items under s. 77.61 (1).

SECTION 529c. 77.92 (4) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

77.92 (4) "Net business income", with respect to a partnership, means ordinary income from trade or business activities as reported under subch. III of ch. 71. "Net business income", with respect to a natural person, estate or trust, means profit from a trade or business, as defined in section 1402 (c) of the internal revenue code, not including farming, for federal income tax purposes and includes net income derived as an employe as defined in section 3121 (d) (3) of the internal revenue code.

SECTION 529g. 77.92 (5) of the statutes is created to read:

77.92 (5) "Trade or business" has the meaning given in section 1402 (c) (4) of the internal revenue code, except that "trade or business" does not include the following:

(a) Farming.

(b) Service performed by a person under section 1402 (c) (4) of the internal revenue code.

(c) Service performed, not as an employe, by a person under section 1402 (c) (5) of the internal revenue code.

SECTION 529n. 77.96 (6) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

77.96 (6) The department of revenue shall refer to the surcharge under this subchapter as the temporary recycling surcharge.

SECTION 530m. 79.03 (3c) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:

79.03 (3c) (a) Definition. In this subsection, "full valuation" has the meaning given in sub. (3) (b) 3. (b) Eligibility. A municipality is eligible for a payment under this subsection if all of the following conditions are met:

1. The municipality's population is 5,000 or less in the year in which the statement under s. 79.015 is provided.

2. For the year before the year in which the statement under s. 79.015 is provided, the municipality levies property taxes for municipal purposes at a rate of at least one mill per dollar of full value under s. 70.57.

3. a. Except as provided in subd. 3. b., the full valuation of the property in the municipality does not exceed $40,000,000.

b. The full valuation of the property in the municipality may exceed $40,000,000 if the land area of the municipality exceeds 54 square miles.

(bm) Full value limit. If the full valuation of the property in the municipality exceeds $40,000,000 and the land area of the municipality exceeds 54 square miles, full valuation of the property in the eligible municipality shall be considered to be $40,000,000 under pars. (c) 1, (d) 1 and (e) 1.
(c) Payment. Subject to the minimum payment under par. (d) and the maximum payment under par. (e), each eligible municipality is entitled to shared revenue from the appropriation under s. 20.835 (1) (b), in addition to its shared revenue entitlements under sub. (1), calculated as follows:

1. Divide the full valuation of the property in the municipality by $40,000,000.
2. Multiply the result under subd. 1 by $55.
3. Subtract the amount under subd. 2 from $18,000.
4. Multiply the municipality’s population by the amount under subd. 3 or by $10, whichever is greater.

(d) Minimum payment. The minimum payment that an eligible municipality may receive under this subsection is the greater of zero or an amount calculated as follows:

1. Divide the full valuation of the property in the municipality by $1,000,000.
2. Multiply the result under subd. 1 by $720.
3. Subtract the amount under subd. 2 from $18,000.

(e) Maximum payment. The maximum payment that an eligible municipality may receive under this subsection is the greater of $10,000 or an amount calculated as follows:

1. Divide the full valuation of the property in the municipality by $1,000,000.
2. Multiply the result under subd. 1 by $1,750.
3. Subtract the amount under subd. 2 from $45,000.

(f) Distribution amount. If the total amounts calculated under par. (c) to (e) exceed the total amount to be distributed under this subsection, the amount paid to each eligible municipality shall be paid on a prorated basis. In 1993 and thereafter, the total amount to be distributed under this subsection from s. 20.835 (1) (b) is $893,680,500.

SECTION 534. 79.03 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is $869,000,000. In 1992, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is $885,961,300. In 1993 and subsequent years, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is $903,680,500.
Vetoed in Part

SECTION 536gb. 79.10 (2) of the statutes is amended to read:

79.10 (2) NOTICE TO MUNICIPALITIES. On or before December 1 of the year preceding the distribution under sub. (7m) (a), the department of revenue shall notify the clerk of each town, village and city of the amount to be distributed to it under sub. (7m) (a) on the following 4th Monday in July. The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits.

Vetoed in Part

SECTION 536gb. 79.10 (4) of the statutes is amended to read:

79.10 (4) School levy tax credit. The department of revenue shall determine the amount that may be distributed to a municipality under sub. (4) in proportion to its share of the average school tax levies for all municipalities, as adjusted under sub. (7m). (d).

Vetoed in Part

SECTION 536gb. 79.10 (6) of the statutes is amended to read:

79.10 (6) DISTRIBUTION OF PROPERTY TO A BILINGUAL SCHOOL DISTRICT. In 1993 and thereafter each municipality shall receive from the appropriation under sub. (20) of the share of the distribution amounts determined under par. (a) in proportion to its share of the average school tax levies for all municipalities as adjusted under sub. (7m).

Vetoed in Part

SECTION 536gb. 79.10 (6m) of the statutes is amended to read:

79.10 (6m) CONSEQUENCES OF STATE PROPERTY TAX RECIEPT PAYMENTS. If the department of administration or the department of revenue determines by October 1 of the year of any distribution under sub. (4) and (6m) that there was an overpayment of state property tax receipts made in that year, the department shall provide for the determination of the amount of such overpayment of state property tax receipts made in that year. The department of administration or the department of revenue may by refund or any other method provided for in the statutes, make the necessary adjustment to correct the overassessment of the school tax levies, or in the case of counties, the county tax levies, made on the correct date for the school tax levies, or in the case of counties, the county tax levies, made on the correct date for the school tax levies.

*Although Item E-20 of the Governor's veto message includes a reference to SECTION 536gb, the SECTION is not marked by any veto overlay in the published slip law or in the official copy of the act filed with the Secretary of State.
SECTION 537gd. 79.10 (7m) (a) 1. b. of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 79.10 (7m) (a) 1 and amended to read:

79.10 (7m) (a) 1. The amount determined under sub. (5) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3) (q) by the department of administration on the 4th Monday in March and on the first Friday in September. The distribution in March shall equal 88% of the municipality’s payment under sub. (5), and the distribution in September shall equal the municipality’s total payment under sub. (5) minus the amount distributed in March. The September distribution shall be made to the county in which the municipality is located.

SECTION 537mb. 79.10 (7m) (b) 1. a. of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

79.10 (7m) (b) 1. a. The amount determined under sub. (5) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3) (q) by the department of administration on the 4th Monday in March and on the first Friday in September. The distribution in March shall equal 88% of the municipality’s payment under sub. (5), and the distribution in September shall equal the municipality’s total payment under sub. (5) minus the amount distributed in March. The September distribution shall be made to the county in which the municipality is located.

SECTION 538md. 79.10 (9) (b) of the statutes is amended to read:

79.10 (9) (b) (title) Property tax relief credit. Except as provided in ss. 79.175 and 79.18, every property taxpayer of the municipality having assessed property shall receive a tax credit in an amount determined by applying the percentage of the amount of the value of property assessed to the taxpayer to the amount of the distribution to be made to the municipality under sub. (7m) (a), as stated in the December 1 notification from the department of revenue, except that no taxpayer may receive a credit larger than the total amount of property taxes to be paid on each parcel for which tax is levied for that year by that taxpayer.

SECTION 539gd. 79.10 (9) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

79.10 (9) (c) (title) Credits shown on tax bill. The amount of the state property tax credits of particular property taxpayers, as determined under pars. (b) and (bm), shall be separately set forth on tax bills in the manner provided in s. 74.09 and. The lottery credit under par. (bm) shall reduce the property taxes otherwise payable for those taxpayers who are eligible to receive these credits and who furnish the information required under sub. (10) (a), and the credit under par. (b) shall reduce the property taxes otherwise payable.

SECTION 539gf. 79.10 (10) (title) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

79.10 (10) (title) CLAIMING THE LOTTERY CREDIT.
SECTION 548. 85.08 (2) (k) of the statutes is created to read:

85.08 (2) (k) To allow other uses of rail corridors owned by the state that are being used for freight rail service when such uses serve the purpose of providing assistance to or restoration of freight rail service, and to regulate the safety and compatibility of such uses with the provision of freight rail service by issuing a permit for any such use.

SECTION 551. 85.15 of the statutes is amended to read:

85.15 Property management. The department may improve, use, maintain or lease any property acquired for highway, airport or any other transportation purpose until the property is actually needed for any such purpose and may permit use of the property for purposes and upon such terms and conditions as the department deems in the public interest.

SECTION 559. 86.195 (2) (ag) 33 of the statutes is created to read:

86.195 (2) (ag) 33. STH 441 between the Little Lake Butte des Morts bridge and USH 41; designated as the tri-county expressway, in Calumet, Outagamie and Winnebago counties.

SECTION 559b. 86.195 (2) (ag) 34 of the statutes is created to read:

86.195 (2) (ag) 34. USN 53 from I 90 at La Crosse to STH 35 north of Holmen.

SECTION 561. 86.30 (2) (a) 3. b. of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

86.30 (2) (a) 3. b. In calendar year 1993 and thereafter, $1,100 -- $1,200.

SECTION 562. 86.30 (9) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

86.30 (9) Aids calculations for 1992 and 1993. For the purpose of calculating and distributing aids under sub. (2), the amounts for aids are $239,202,700 in calendar year 1992 and $248,144,700 in calendar year 1993 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide average cost-sharing percentage in the particular calendar year.
SECTION 563. 86.31 (1) (a) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 86.31 (1) (ar).

SECTION 564. 86.31 (1) (a) and (am) of the statutes are created to read:
86.31 (1) (a) "County highway improvement program district" means a group of counties established by the department by rule under sub. (6) (f).

   (am) "County highway improvement program district committee" means a committee established by the department by rule under sub. (6) (f) consisting of not more than 5 county executives or county board chairpersons in counties that do not have county executives, or their designees, from counties within a county highway improvement program district.

SECTION 565. 86.31 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

86.31 (2) (b) Improvements Except as provided in par. (d), improvements for highway construction projects funded under the program shall be under contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder. If a city, village or town does not receive a responsible bid for an improvement, the city, village or town may contract with a county for the improvement.

SECTION 566. 86.31 (2) (d) of the statutes is created to read:

86.31 (2) (d) County trunk highway improvements funded under the program, including the hauling and laying of asphaltic hot mix, may be performed by county highway departments, subject to the following restrictions:

1. No improvement may exceed $100,000, or 0.5% of the total funds allocated to counties for county trunk highway improvements under sub. (3) (b) 1 during the current biennium, whichever is greater.

2. Work performed by any county highway department shall not exceed 40% of its county trunk highway improvements funded under the program.

3. Work performed within any county highway improvement district by county highway departments shall not exceed 30% of the biennial amount allocated for county trunk highway improvements within such district.

4. Contracts for the purchase of asphaltic hot mix shall be awarded on the basis of competitive sealed bidding.

5. Each county highway improvement program district committee shall be responsible for ensuring compliance with this paragraph.

SECTION 566d. 86.31 (2) (e) of the statutes is created to read:
86.31 (2) (e) The department of transportation may not require as a condition of reimbursement that the design and construction of any improvement with eligible costs totaling $50,000 or less be certified by a registered professional engineer.

SECTION 567. 86.31 (6) (f) of the statutes is created to read:
86.31 (6) (f) Procedures for the establishment, administration and operation of county highway improvement program districts and county highway improvement program district committees.

SECTION 569. 87.307 of the statutes is created to read:
87.307 Floodplain zoning for Trenton island in Pierce county. (1) A floodplain zoning ordinance that applies to Trenton island in Pierce county may not limit the cost of any reconstruction, replacement or modification of, or any addition to, any nonconforming building, as defined by the department by rule, that is located on the island, except as provided in sub. (2).

   (2) (a) For a building not covered under par. (b), the floodplain zoning ordinance may require that the cost of a modification of, or an addition to, a building of the type specified in sub. (1) may not exceed 50% of the building's market value on the date that the modification or addition begins.

   (b) For buildings of the type specified in sub. (1) that have been destroyed or that are so severely damaged that they cannot be restored, a floodplain zoning ordinance under s. 87.30 may require that the cost of the reconstruction or replacement of the building may not exceed 150% of the building's market value immediately before the destruction or the damage occurred.

   (c) An ordinance enacted under s. 87.30 may not impose the limitations under pars. (a) and (b) if, as a result of the reconstruction, replacement, modification or addition, the building and its use will conform with all of the provisions of the floodplain zoning ordinance enacted under s. 87.30.

SECTION 569f. 88.11 (1) (intro.) of the statutes is amended to read:
88.11 (1) (intro.) The department of agriculture, trade and consumer protection shall employ an engineer to improve district operations. The department may:

SECTION 569g. 88.11 (4) of the statutes is amended to read:
88.11 (4) If the area recommended by a board for drainage exceeds 20 acres, the board, prior to the county hearing on its report, shall procure and file with the court a report of the department of agriculture, trade and consumer protection on all of the following:

SECTION 569h. 88.11 (5) of the statutes is amended to read:
88.11 (5) The board, with the aid of an engineer having the qualifications specified in s. 88.21 (5), shall make the necessary survey and evaluation as directed by the department of agriculture, trade and consumer protection for its report.

SECTION 569i. 88.11 (6) (intro.) of the statutes is amended to read:
Vetoed in Part

SECTION 573. 93.07 (10) of the statutes is renumbered 93.07 (10) (a) and amended to read:

93.07 (10) (a) To protect the health of domestic animals of the state, to determine and employ the most efficient and practical means for the prevention, suppression, control and eradication of communicable diseases among domestic animals, and for these purposes it may establish, maintain, enforce and regulate such quarantine and such other measures relating to the importation, movement and care of animals and their products, the disinfection of suspected localities and articles, and the disposition of animals, as the department may deem necessary. The definition of "communicable disease" in s. 990.01 (5g) does not apply to this subsection paragraph.

SECTION 574. 93.07 (10) (b) of the statutes is created to read:

93.07 (10) (b) To inspect and conduct investigations of facilities in this state used for breeding or training greyhounds for racing, for the purpose of obtaining compliance with laws relating to the humane treatment of animals, animal health, animal importation, rabies control and dog licensure including ss. 174.07, 562.02 (1) (b), 562.10 (1) and 562.105 and chs. 95 and 951, and rules promulgated under those laws.

SECTION 575. 93.07 (10) (b) of the statutes is amended to read:

93.07 (10) (b) No standard or regulation shall be established or promulgated by the department of agriculture, trade and consumer protection under this section in any case where any other state department, commission or office has authority to establish such a standard or promulgate such a regulation; unless the department of agriculture, trade and consumer protection establishes the standard or promulgates the regulation jointly with such other department, commission or office. No standard or regulation shall be established or promulgated by any other state department, commission or office in any case where the department of agriculture, trade and consumer protection has authority to establish such a standard or promulgate such a regulation under this section, unless such other department, commission or office establishes the standard or promulgates the regulation
91 WisAct 269

SECTION 575. 94.43 (3) of the statutes is amended to read:

94.43 (3) Application for a seed labeler’s license shall be submitted on a form prescribed by the department and shall be accompanied by a fee based on the gross sales of seed within the state by the applicant under his or her own label during the previous 12 months prior to filing the application. Fees for a labeler’s license shall be computed on gross sales according to the following schedule: Less than $10,000, $25; $10,000 or more but less than $25,000, $50; $25,000 or more but less than $75,000, $100; $75,000 or more but less than $200,000, $150; and $200,000 or more, $200.

SECTION 576. 94.43 (4) of the statutes is amended to read:

94.43 (4) The license fee for a new applicant or for a person who did not sell seed under his or her own label during the previous 12 months shall be the minimum fee of $25 for the first year or any part thereof.

SECTION 577. 94.64 (3) (e) of the statutes is amended to read:

94.64 (3) (e) 1. Except as provided in s. 94.62 (3) (e), each license fee paid under par. (b) shall be in addition to an annual surcharge of $25. The department shall deposit all moneys collected under this paragraph in the agricultural management fund.

2. A license is not required to pay the surcharge under subd. 1 if the licensee is required to pay a surcharge under s. 94.62 (3) (b) or 94.64 (1) (d) for the same license period.

SECTION 578. 94.64 (3) (g) of the statutes is amended to read:

94.64 (3) (g) In addition to the fee under par. (a), (f), (m), (n) and (o), a surcharge of 40 cents per ton shall be paid to the department for all fertilizers sold or distributed in this state. The department shall deposit all moneys collected under this paragraph in the agricultural management fund.

SECTION 579. 94.67 (5) (b) of the statutes is amended to read:

94.67 (5) (b) “Business location” means either of the following:

1. A place from which a commercial applicator business operates or does business as a commercial applicator for hire.

2. Any place other than an application site to which应用er applies for business accounts or, for which a new account is created, or which receives, stores, or transfers any pesticide application by air or by any other means.

SECTION 580. 94.67 (5d) (a) and (c) of the statutes are amended to read:

94.67 (5d) (a) A place other than one of the immediately preceding paragraphs, in which more than 1,000 pounds of pesticide active ingredients are transferred from one container to another, including containers in pesticide application equipment and nurse tanks, is a place to which application agents apply for business accounts or, for which a new account is created, or which receives, stores, or transfers any pesticide application by air or by any other means, this year or during any year.
SECTION 580g. 94.685 of the statutes is amended to read:

94.685 Pesticides; licensing of dealers and distributors of restricted-use pesticides. (1) No dealer or distributor may sell or offer to sell chlordane or a restricted-use pesticide in this state, whether or not the sale is made wholly or partially in this state or another state, without a license issued by the department under this section. The licenses expire on December 31 of even-numbered years and are not transferable.

(2) An application for a license under this section shall be made on a form provided by the department, and shall be accompanied by the license fee required under sub. (3). Each license application shall include the full name of the licensee and the mailing address and street address of each location from which chlordane or restricted-use pesticides are sold by the licensee.

(3) (a) Except as provided under par. (b), a licensee shall pay a license fee of $100 per license period for each location from which the licensee sells chlordane or restricted-use pesticides, including any new location opened during the license period. A licensee who opens a new sales location during the license period may not sell any chlordane or a restricted-use pesticide from the new location unless the licensee has paid the license fee for that new sales location.

(b) If a license issued under this section is issued during the 2nd year of the 2-year period for which the license is applicable, the licensee shall pay a license fee of $50 per each location from which the licensee sells chlordane or restricted-use pesticides. This section is vetoed in part.
91 WisAct 269

Enforcement of Act

The department shall deposit all moneys collected under the section in the groundwater management fund.

SECTION 30. 94.73(6) of the statutes is amended to read:

94.73(6) Department means the department of agriculture, trade and consumer protection.

Vetoed in Part

94.77 of the statutes is created to read:

94.77 Agricultural chemical cleanup program. (1) Definitions. In this section:

(a) "Agricultural chemical" means a pesticide or a nonhousehold pesticide.

(b) "Corrective action" means the action taken to correct the discharge.

(c) "Corrective action order" means the order to take corrective action.

(d) "Discharge" means the release of an agricultural chemical into the waters of the state or on the land in a form or manner that is injurious to the environment or to human health.

(e) "Eligible person" means a person who possesses the capability to take corrective action.

(f) "Nonhousehold pesticide" means any pesticide that is not "household pesticide" as defined in s. 94.67(5)(g) and is used by a person who is not a household.

(g) "Household pesticide" means any pesticide that is used by a household.

(h) "Household" means a single-family residence or a group of single-family residences that is owned or leased by a single person or a single family.

(i) "Person" includes a corporation, partnership, association, body politic, or public agency.

(j) "Property" means any real or personal property.

(k) "Real property" means the soil and any structures on or under the soil.

(l) "Recovery" means the recovery of the costs incurred by the department in taking corrective action.

(m) "State" means the state of Wisconsin.

(n) "Voluntary compliance" means the voluntary cooperation of a person with the department.

(o) "Voluntary compliance order" means an order to take voluntary compliance action.

(p) "Voluntary compliance action" means an action taken by a person to correct a discharge.

(q) "Voluntary compliance program" means the program to ensure voluntary compliance with the terms of the voluntary compliance order.

Section 30. 94.72(1)(d) of the statutes is amended to read:

94.72(1)(d) Department means the department of agriculture, trade and consumer protection.

Vetoed in Part

94.72(1)(a) of the statutes is amended to read:

94.72(1)(a) Department means the department of agriculture, trade and consumer protection.

Vetoed in Part

8. The department may not issue a special order under par. (a) unless all of the following apply:

1. The department of natural resources is unable to actively oversee the investigation and remediation of the discharge.

2. The department of natural resources does not make written contact with the person responsible for the discharge within 45 days after the order to the department of natural resources of the department's preliminary assessment of the discharge.
The requirements of the special order are consistent with the requirements of s. 144.76 (2) or rules promulgated thereunder.

(2) If the department, after a hearing conducted under the procedures of ch. 227, finds that an eligible person is entitled to receive reimbursement for corrective action costs incurred by that person pursuant to a special order, the department shall authorize reimbursement in an amount equal to 30% of the total reasonable and necessary corrective action costs equal to or greater than $50,000 but less than $200,000. The department may truthfully, in whole or in part, authorize reimbursement in an amount that is not greater than 30% of the total reasonable and necessary corrective action costs equal to or greater than $200,000 but less than $500,000. The department may in whole or in part, authorize reimbursement for the costs of the authorized amount of reasonable and necessary corrective action costs equal to or greater than $200,000 but less than $500,000.

If the department authorizes reimbursement to an eligible person an amount that exceeds $50,000, the department shall reimburse the eligible person the balance of the authorized amount by reimbursing the eligible person an amount not to exceed $100,000 in each succeeding year until the full amount of the authorized reimbursement is paid.

(3) The department may not authorize reimbursement for any of the following corrective action costs:

1. The cost of an activity that does not contribute to the cleanup of a discharge.
2. A cost related to the repair, replacement, or upgrading of a facility, structure, or equipment.
3. Costs incurred for the review of corrective action reports.
4. Costs incurred for the review of corrective action work plans.
5. Costs incurred for the review of corrective action work plans.
6. Costs incurred for the review of corrective action work plans.
7. The cost of an eligible person’s legal costs in planning and administering the corrective action.
8. Costs incurred for the review of corrective action work plans.
9. Costs incurred for the review of corrective action work plans.
10. The cost of an eligible person’s legal costs in planning and administering the corrective action.
11. The cost of an eligible person’s legal costs in planning and administering the corrective action.
12. The cost of replacing discharged agricultural chemicals.
13. The cost of providing alternative sources of drinking water.
14. If the department determines that a discharge was caused by an intentional or gross negligent violation of any law, rule, or order of the department, the discharge was caused by an intentional or gross negligent violation of any law, rule, or order of the department or the department determined that the discharge was caused by an intentional or gross negligent violation of any law, rule, or order of the department.

If the department authorizes reimbursement to an eligible person an amount that exceeds $50,000, the department shall reimburse the eligible person the balance of the authorized amount by reimbursing the eligible person an amount not to exceed $100,000 in each succeeding year until the full amount of the authorized reimbursement is paid.
91 Wis Act 269

SECTION 593ac. 95.179 of the statutes is created to read:

95.179 Bovine tuberculosis research. The animal health and disease research board shall award funds appropriated under s. 20.115 (2) (e) to applicants for research on developing a blood test to detect bovine tuberculosis in commercially raised deer, as defined in s. 95.25 (5m). All funded research projects shall be conducted in this state. The animal health and research board shall monitor the fiscal status of research projects funded under this section.

SECTION 593ae. 95.25 (5m) of the statutes is created to read:

95.25 (5m). In this subsection, "commercially raised deer" means an animal that is a member of the family cervidae and of the genus cervus or the genus dama and that is commercially raised for breeding or for use as food by humans.

SECTION 593ad. 95.25 (5m) of the statutes is amended to read:

95.25 (5m). In this subsection, "commercially raised deer" means an animal that is a member of the family cervidae and of the genus cervus or the genus dama and that is commercially raised for breeding or for use as food by humans.
SECTION 593af. 95.31 (3) of the statutes is amended to read:

95.31 (3) In addition to the indemnities for specific animal diseases provided under ss. 95.25, 95.26, 95.27 and 95.35 or under special emergency programs, the department shall pay indemnities on livestock condemned and destroyed because of unknown or unidentified contagions or infections, the cause or nature of which cannot be fully determined at the time of condemnation. Indemnities for unknown or unidentified diseases shall be equal to the difference between net salvage and appraised or agreed values, but not to exceed $600. As used in this subsection, "livestock" means bovines, equines, swine, sheep, goats and poultry and commercially raised deer, as defined in s. 95.25 (5m).

SECTION 593af. 97.20 (2) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

97.20 (2) (b) License application. An application for a dairy plant license shall be made on a form provided by the department and shall be accompanied by each applicable fee required under subs. (2c) to (2w). The application shall include all information reasonably required by the department for purposes of licensing. The application shall state whether the dairy plant is a processing plant, receiving station or transfer station, and shall describe the nature of any processing operations conducted at the dairy plant.

SECTION 593af. 97.20 (2g) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

97.20 (2g) (a) (title) Monthly procurement fee. An applicant for a dairy plant license operator shall pay a milk procurement fee on or before the 18th day of each month in the amount specified under par. (b) as follows:

1. An applicant for a license to operate a dairy plant that operated during the previous calendar year month preceding the month when the payment is due shall pay a milk procurement fee based on the amount of milk that was delivered to the dairy plant from milk producers in the previous calendar year month preceding the month when the payment is due.

2. An applicant for a license to operate a dairy plant that has not been operated in the previous calendar year month preceding the month when the payment is due shall pay a milk procurement fee in the month when the payment is due that is established by department rule.

SECTION 593af. 97.20 (2g) (b) of the statutes is amended to read:

97.20 (2g) (b) Milk procurement fee. An applicant for a dairy plant license operator shall pay a milk procurement fee on or before the 18th day of each month in the amount specified under par. (b) as follows:

1. An applicant for a license to operate a dairy plant that operated during the previous calendar year month preceding the month when the payment is due shall pay a milk procurement fee based on the amount of milk that was delivered to the dairy plant from milk producers in the previous calendar year month preceding the month when the payment is due, whether or not that particular applicant dairy plant operator operated the dairy plant during the previous calendar year month preceding the month when the payment is due.

2. An applicant for a license to operate a dairy plant that has not been operated in the previous calendar year month preceding the month when the payment is due shall pay a milk procurement fee in the month when the payment is due that is established by department rule.
SECTION 593aw. 97.235 of the statutes is amended to read:

97.235 Supplemental bovine somatotropin research.

Except as provided in s. 97.235 (32), no person may administer supplemental bovine somatotropin to cows or conduct any scientific research that involves the administration of supplemental bovine somatotropin to cows. This section does not apply after June 1, 1991.

SECTION 593bn. 97.237 of the statutes is amended to read:

97.237 Synthetic bovine somatotropin certification.

1. Any information obtained and kept by the department under this section or under rules promulgated under this section is not subject to inspection under s. 111.043 except as the department determines is necessary to protect the public health, safety or welfare.

SECTION 593bng. 97.42 (1) (a) of the statutes is amended to read:

97.42 (1) (a) "Animal" means cattle, sheep, swine, goats, commercially raised deer, horses, mules, and other equines.

SECTION 593bnh. 97.42 (1) (cm) of the statutes is created to read:

Upon a milk producer’s successful completion of a written examination, the department shall grant the milk producer certification for 5 years and shall issue the milk producer a certification number.

The department shall annually establish the fee for the training program established under par. (c). All fees collected by the department under this section shall be credited to the appropriation under s. 20.115 (1) (g).

Before the first time that a person is required to maintain a valid certification under this section provides milk to a processing plant, he or she shall notify the department of the name and address of that processing plant. If the name and address of the processing plant was not listed in the certificate holder’s application for certification.

SECTION 593bno. 97.24 (3) (h) of the statutes is amended to read:

97.24 (3) (h) "Horses" means the department in consultation with the department of health and social services shall issue rules governing the production, transportation, processing, packaging, handling, identity stamping, examination, labeling, and sale of milk and fluid milk products, giving emphasis to the inspection of all milk and dairy forms and dairy plants, the issuing and regulation of permits to milk producers and milk haulers, and to dairy plants and milk distributors. Rules as permitted by the laws of this state, such rules shall be in reasonable accord with the minimum standards and requirements for milk and fluid milk products currently recommended and published by the U.S. Public Health Service as a milk ordinance and with the requirements of the Interstate Board for the Control of Milk, in addition to the standards as hereinafter described which may apply to the inspection of fluid milk products produced by the producer at the producer's farm, and for the inspection of fluid milk sold by producers selling such milk produced by the producer at the producer's farm, and for the producer's office, and for marketing places where milk is marketed.
SECTION 593bnL. 97.42 (4) (em) of the statutes is created to read:

97.42 (4) (em) The rate at which an operator of an establishment that slaughters commercially raised deer or processes the meat products of commercially raised deer shall pay the costs of examination and inspection under sub. (3) (em) and the manner in which the department shall collect those amounts.

SECTION 593bnm. 97.42 (5) (b) of the statutes is amended to read:

97.42 (5) (b) No county or municipality may collect any fees or charges for meat or poultry inspection or enforcement from any licensee under this section, except for overtime inspection work. Such charges and the inspection of commercially raised deer. Charges for overtime or for the inspection of commercially raised deer shall be on the same basis as and shall not exceed charges for overtime work or for the inspection of commercially raised deer prescribed by this section or by the rules of the department.

SECTION 593bnj. 97.42 (3) (b) of the statutes is amended to read:

97.42 (3) (b) Examination after slaughter. For the same purpose the department shall cause to be made, by inspectors (who may be veterinarians on either a full or part-time basis) under supervision of the department, an examination and inspection of the carcasses and parts thereof of all animals and poultry, except as provided in pars. (d) and (em). The carcasses and parts thereof of such animals and poultry found to be unwholesome or otherwise unfit for human food, and all carcasses and parts thereof so inspected and condemned shall be destroyed, in accordance with rules issued by the department. Inspection marks, stamps, tags and labels shall be prescribed by the department and shall include thereon the identification number of the establishment assigned by the department.

SECTION 593bnk. 97.42 (3) (em) of the statutes is created to read:

97.42 (3) (em) Slaughter of commercially raised deer. The requirements of pars. (a) and (b) do not apply to the slaughter of a commercially raised deer if its meat food products are not sold by a person holding a restaurant permit under s. 50.51 or by an operator of a retail food establishment, as defined under s. 97.30 (1) (c). The operator of an establishment in which commercially raised deer, their carcasses or their meat food products are examined and inspected under this subsection shall pay the department for the cost of the department's examination and inspection.
SECTION 593bt. 100.03 (5) (f) of the statutes is amended to read:

100.03 (5) (f) Closed to public inspection. A financial statement under this subsection may not be made available for public inspection under s. 19.35(3)(a). The department may use a financial statement in an enforcement action, administrative proceeding or court proceeding, and in that action or proceeding may release the financial statement to the parties, the hearing officer or the court under such conditions as the department or court considers appropriate. Except by agreement of the parties, a financial statement may not be made a part of the public record in an administrative or court proceeding, except as ordered by a court.

Vetoed in Part

SECTION 593bt. 100.06 (3m) of the statutes is repealed and renumbered to read:

100.06 (3m) First monthly payment. A dairy plant operator’s payment to a milk producer for milk received from that milk producer during the first 15 days of the month shall:

1. Be made before the 4th day of the following month;

2. Be an estimated price that is at least 80% of the base price published by the regional federal milk market administrator for the month before the milk is received, or 80% of the price ordinarily contracted for by the dairy plant operator and the milk producer, whichever is greater.

(2) Second monthly payment. A dairy plant operator shall pay a milk producer the balance due on the estimated price for all milk received from that milk producer during the month before the 19th day of the following month.

Vetoed in Part

SECTION 593bt. 100.15 of the statutes is renumbered 130.15 and 130.15 (3) (a), as renumbered, is amended to read:

130.15 (3) (a) An entry blank or other paper designed for recordkeeping in a cheese promotion exempt under s. 196.14 (2) 130.15 (2).

Vetoed in Part

SECTION 593bt. 100.16 of the statutes is renumbered 130.16.

SECTION 593bt. 100.17 of the statutes is renumbered 130.17.

SECTION 593bt. 130.07 (1) of the statutes are renumbered 130.07 (5) (a) and (b).

SECTION 593bt. 130.07 (2) (a), (b) and (c) of the statutes are renumbered 130.07 (2) (b), (c) and (a).

SECTION 593bt. 130.07 (3) (a) of the statutes are renumbered 130.07 (4) to (10).

SECTION 593bt. 130.12 (1) (d) of the statutes is renumbered 130.07 (11) (d) and amended to read:

130.07 (11) (d) The department of agriculture, trade and consumer protection shall enforce this section. Actions to enjoin violation of this section or any regulation thereunder may be commenced and prosecuted by the department in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.

Vetoed in Part

SECTION 593bt. 130.18 (11) (d) of the statutes is renumbered 130.07 (11) (d) and amended to read:

130.07 (11) (d) The department of agriculture, trade and consumer protection shall enforce this section. Actions to enjoin violation of this section or any regulation thereunder may be commenced and prosecuted by the department in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.
Vetoed in Part

SECTION 59(3) of the statutes is amended by 130.08(20)(a) and (11) to (14) to read:

130.08(20)(a) Any district attorney, after informing the department of justice, or the department of natural resources, or the department of agriculture, trade and consumer protection, may file a complaint or a petition to commence a civil action in circuit court to restrain any violation of this section. Prior to entering a final judgment, the court may award damages to the person suffering monetary loss because of a violation. The department of justice may subpoena any person to require the production of any document to aid in investigating alleged violations of this section.

(11) In lieu of instituting or combining an action under this subsection, the department of agriculture, trade and consumer protection, the department of justice may accept a written assurance from a violator of this section that the violation has ceased. If the terms of the assurance to provide its acceptance by either the department prevents the other department and all district attorneys from prosecuting the violation. An assurance is not evidence of a violation of this section but violation of an assurance is subject to the penalties and remedies of violating this section.

SECTION 931.10 (1)(a) of the statutes is amended to read:

100.20 (title) Methods of competition and trade practices in agricultural business.

SECTION 931.10 (4) of the statutes is amended by 100.20 (1) and (4) to read:

100.20 (4) Methods of competition in agricultural business and trade practices in agricultural business shall be fair. Unfair methods of competition in agricultural business and unfair trade practices in agricultural business are hereby prohibited.

SECTION 931.10 (4) of the statutes is amended to read:

100.20 (1) In this section, 'agricultural business' means any business related to agriculture or to the activities regulated by the department under secs. 33.76 to 33.84.

SECTION 931.10 (9) of the statutes is amended to read:

100.20 (9) of the statutes is amended to read:

100.20 (2) The department, after public hearing, may issue general orders forbidding methods of competition in agricultural business or trade practices in agricultural business which are determined by the department to be unfair. The department, after public hearings, may issue general orders forbidding methods of competition in agricultural business or trade practices in agricultural business which are determined by the department to be unfair.

SECTION 931.10 (3) of the statutes is amended to read:

100.20 (3) The department, after public hearing, may issue general orders forbidding methods of competition in agricultural business or trade practices in agricultural business which are determined by the department to be unfair.

100.20 (4) of the statutes is amended to read:

100.20 (4) Vetoed in Part
SECTION 594. 100.21 (1) (a) of the statutes is amended to read:

100.21 (1) (a) "Dwelling unit" means a dwelling, as defined under s. 101.61, a manufactured building, as defined under s. 101.71 or a manufactured home or mobile home, as defined under s. 101.91, or a multifamily dwelling, as defined under s. 101.971 (2).

Based on differences in milk quality, if all of the following apply:

(a) Before making any payments to producers, the person engaged in the business of buying milk from producers establishes a payment method based on differences in milk quality determined by an actual measured difference in bacteria count, somatic cell count, enzyme level or drug residue findings in the milk.

(b) Before making any payments to producers, the person engaged in the business of buying milk from producers announces, and offers to make payments in accordance with, the payment method established under par. (a) to all producers from whom the person buys milk.

(c) The person engaged in the business of buying milk from producers makes payments to all milk producers from whom the person purchases milk in accordance with the payment method established under par. (a).

(d) The payment method established under par. (a) is not part of any other method used to discriminate between producers in the price paid for milk or in services furnished in connection with the purchase of milk.

SECTION 594cr. 100.22 (3) of the statutes is amended to read:

100.22 (3) JUSTIFICATION DEFENSE. It is a defense to a prosecution for violation of this section or a special order issued under this section to prove that the discrimination in price or services was done in good faith to meet competition or was commensurate with an actual difference in the quality or quantity of or transportation charges or marketing expenses for the milk purchased.

SECTION 594c. 100.22 (1) of the statutes is amended to read:

100.22 (1) PROHIBITION. No person engaged in the business of buying milk from producers for the purpose of manufacture, processing or resale may discriminate between producers in the price paid for milk or in services furnished in connection with the purchase of milk if the discrimination injures producers or injures, destroys or prevents competition between competing purchasers of milk.

SECTION 594cq. 100.22 (1m) of the statutes is created to read:

100.22 (1m) MILK PRICING. A person engaged in the business of buying milk from producers for the purpose of manufacture, processing or resale may pay producers different prices for the purchase of milk based on differences in milk quality, if all of the following apply:

(a) Before making any payments to producers, the person engaged in the business of buying milk from producers establishes a payment method based on differences in milk quality determined by an actual measured difference in bacteria count, somatic cell count, enzyme level or drug residue findings in the milk.

(b) Before making any payments to producers, the person engaged in the business of buying milk from producers announces, and offers to make payments in accordance with, the payment method established under par. (a) to all producers from whom the person buys milk.

(c) The person engaged in the business of buying milk from producers makes payments to all milk producers from whom the person purchases milk in accordance with the payment method established under par. (a).

(d) The payment method established under par. (a) is not part of any other method used to discriminate between producers in the price paid for milk or in services furnished in connection with the purchase of milk.

Vetoed in Part

SECTION 594cp. 100.22 (1m) of the statutes is amended to read:

100.22 (1m) MILK PRICING. A person engaged in the business of buying milk from producers for the purpose of manufacture, processing or resale may pay producers different prices for the purchase of milk based on differences in milk quality, if all of the following apply:

(a) Before making any payments to producers, the person engaged in the business of buying milk from producers establishes a payment method based on differences in milk quality determined by an actual measured difference in bacteria count, somatic cell count, enzyme level or drug residue findings in the milk.

(b) Before making any payments to producers, the person engaged in the business of buying milk from producers announces, and offers to make payments in accordance with, the payment method established under par. (a) to all producers from whom the person buys milk.

(c) The person engaged in the business of buying milk from producers makes payments to all milk producers from whom the person purchases milk in accordance with the payment method established under par. (a).

(d) The payment method established under par. (a) is not part of any other method used to discriminate between producers in the price paid for milk or in services furnished in connection with the purchase of milk.

Vetoed in Part
Each day that an violation constitutes a
veto in part.

SECTION 324. 106.26 (6) of the statutes is
amended to read:
106.26(6) The department of justice or any district
attorney may commence an action in the name of the
state to recover a civil forfeiture in the state of not
cash more than $100 nor more than $400 for each
violation of an intevention for in 106.44, 106.441, 106.45
or an order issued under 106.48.

SECTION 324m. 106.26 (2) of the statutes is
repealed.

SECTION 324. 106.28 of the statutes is numeri-
ized 106.28.

SECTION 544. 106.28 of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.28(3).

SECTION 324o. 106.29 of the statutes is
repealed.

SECTION 324p. (6) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(1).

SECTION 324q. (1) of the statutes is
numerated 106.29(2).

SECTION 324r. (2) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(3).

SECTION 324s. (3a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(4).

SECTION 324t. (4a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(5).

SECTION 324u. (5a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(6).

SECTION 324v. (6a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(7).

SECTION 324w. (7a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(8).

SECTION 324x. (8a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(9).

SECTION 324y. (9a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(10).

SECTION 324z. (10a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(11).

SECTION 324aa. 106.29(12a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(12a).

SECTION 324bb. 106.29(13a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(13a).

The department may summarize
and order that the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

SECTION 324n. 106.26 (2) of the statutes is
repealed.

SECTION 324o. 106.28 of the statutes is
repealed.

SECTION 324r. (2) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(3).

SECTION 324s. (3a) of the statutes as
affected by 1991 Wisconsin Act 86 is numerated
106.29(4).

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

SECTION 324q. (1) of the statutes is
numerated 106.29(2).

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.

The department may summarize
the sale or distribution of any hazardous
substance or chemical that is listed in 106.45, 106.451,
or 106.452, or 106.4521, or an order issued under
106.48.
Vetoed in Part

SECTION 596. 101.02 (7m) of the statutes is created to read:

101.02 (7m) Notwithstanding sub. (7) (a), no city, village or town may make or enforce any ordinance that is applied to any multifamily dwelling, as defined in s. 101.971 (2), and that does not conform to subch. VI and this section or is contrary to an order of the department under ss. 101.01 to 101.25, except that if a city, village or town has a preexisting stricter sprinkler ordinance, as defined in s. 101.975 (3) (a), that ordinance remains in effect, except that the city, village or town may take any action with regard to that ordinance that a political subdivision may take under s. 101.975 (3) (b).

Vetoed in Part

SECTION 596r. 101.09 (3) (b) of the statutes is amended to read:

101.09 (3) (b) The department may transfer any information which the department receives under par. (a) to any other agency or governmental unit. Notwithstanding s. 19.35, the department and any such agency shall treat the name of the owner and the location of any noncommercial storage tank which stores heating oil for consumptive use on the premises, required to be submitted to the department under par. (a), as confidential and shall not permit inspection or copying under s. 19.35 of any record containing the information.

Vetoed in Part

SECTION 597. 101.122 (6) of the statutes is amended to read:

101.122 (6) Proof of certification or exclusion required for recordation. A register of deeds may not accept for recordation any deed or other document of transfer of real estate which includes a rental unit unless the deed or document is accompanied by the certificate required under sub. (4) (a), a waiver under sub. (4) (b) or a stipulation under sub. (4) (c). The department shall prescribe for use under s. 77.22 (4) (b) (2) a form setting forth the reasons why trans-
ferred real estate is not subject to certification under sub. (4) (a), waiver under sub. (4) (b) or stipulation under sub. (4) (c). A register of deeds shall record the certificate, waiver or stipulation.

SECTION 597m. 101.135 of the statutes is created to read:

101.135 Uniform firewall identification. (1) The department shall promulgate rules that specify uniform dimensions, design and other characteristics for signs used to identify firewalls. The rules may not specify firewall signs that are more expensive than necessary to accomplish their purpose.

(2) Whenever a city, village or town provides by ordinance for the identification of firewalls, the provisions of the ordinance shall conform to the rules promulgated under sub. (1).

SECTION 598. 101.14 (4m) of the statutes is created to read:

101.14 (4m) (a) In this subsection:
1. “Automatic fire sprinkler system” has the meaning given in s. 145.01 (2).
2. “Dwelling unit” has the meaning given in s. 101.61 (1).
3. “Multifamily dwelling” has the meaning given in s. 101.971 (2).
4. “Nondwelling unit portions” means the common use areas of a multifamily dwelling, including corridors, stairways, basements, cellars, vestibules, atriums, community rooms, laundry rooms or swimming pool rooms.
5. “Political subdivision” means a county, city, village or town.
5m. “Two-hour fire resistance” means 2-hour fire separations for all walls that separate dwelling units, exit corridors and exit stair enclosures and for all floors and ceilings, so that the specified walls, floors and ceilings are capable of resisting fire for a period not shorter than 2 hours.

(am) A political subdivision may enact ordinances, as provided in this paragraph, that require an automatic fire sprinkler system or 2-hour fire resistance in every multifamily dwelling. Any ordinance enacted under this paragraph shall meet the standards established under pars. (b) and (c) or under pars. (d) and (e).

(b) The department shall require an automatic fire sprinkler system or 2-hour fire resistance in every multifamily dwelling that contains any of the following:
1. Total floor area, for all individual dwelling units, exceeding 16,000 square feet.
2. More than 20 dwelling units.
3. Total floor area of its nondwelling unit portions exceeding the limits established in par. (c).

(c) An automatic fire sprinkler system or 2-hour fire resistance is required under par. (b) in a multifamily dwelling constructed by any of the following types of construction if the total floor area of the nondwelling unit portions in the multifamily dwelling exceeds the following:
1. Type 1 fire resistive construction, 16,000 square feet.
2. Type 2 fire resistive construction, 12,000 square feet.
3. Type 3 metal frame protected construction, 8,000 square feet.
4. Type 4 heavy timber construction, 5,600 square feet.
5. Type 5A exterior masonry protected, 5,600 square feet.
6. Type 5B exterior masonry unprotected, 5,600 square feet.
7. Type 6 metal frame unprotected, 5,600 square feet.
8. Type 7 wood frame protected construction, 5,600 square feet.
9. Type 8 wood frame unprotected construction, 4,800 square feet.
91 WisACT 269

Vetoed in Part

SECTION 598bg. 101.143 (2) (a) of the statutes is repealed.

Vetoed in Part

SECTION 598bg. 101.143 (4) (a) of the statutes is created to read:

101.143 (4) (a) In any fiscal year, the department may award more than 75% of the amount appropriated under s. 20.445 (1) (a) for awards for farm tanks of 1,000 gallons or less capacity.

Vetoed in Part

SECTION 598bg. 101.175 (3) (h) (4) of the statutes is amended to read:

101.175 (3) (h) (4). The department, in consultation with the department of agriculture, trade and consumer protection, shall establish by rule quality standards for local energy resource systems, which do not impede development of innovative systems but which do.

SECTION 598bg. 101.175 (6) of the statutes is amended to read:

101.175 (6). Misrepresentation, false or duplicative, of the department seal or quality seal issued under sub. (3) shall be deemed deceptive advertising under s. 100.181 (2m).

Vetoed in Part

SECTION 598bg. 101.177 (1) (b) of the statutes is amended to read:

101.177 (1) (b) "Ozone-depleting refrigerant" has the meaning given in s. 100.45 (100.45) (1) (b).

Vetoed in Part

SECTION 598bg. 101.19 (1) (f) of the statutes is amended to read:

101.19 (1) (f) Defraying the cost of the manufactured dwelling and program, the one- and two-family dwelling programs and the multifamily dwelling program.

Multifamily dwelling code

101.971 Definitions. In this subchapter:

(1) " Dwelling unit" has the meaning given in s. 101.61 (1).

(2) " Multifamily dwelling" means an apartment building, rowhouse, town house, condominium or manufactured building, as defined in s. 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of 3 or more attached dwelling units the initial construction of which is begun on or after January 1, 1993. " Multifamily dwelling" does not include a facility licensed under ch. 50.

(3) " Owner" means a person having a legal or equitable interest in a multifamily dwelling.

(4) " Political subdivision" means a county, city, village or town.

101.972 Multifamily dwelling code council duties. The multifamily dwelling code council shall review the rules for multifamily dwelling construction and recommend a uniform multifamily dwelling code for promulgation by the department. The council shall consider and make recommendations to the department pertaining to rules and any other matters related to this subchapter. The council shall identify, consider and make recommendations to the department regarding variances in the rules for different climate and soil conditions and the variable conditions created by building and population densities.

101.973 Department duties. The department shall:

(1) Promulgate rules that establish standards for the construction of multifamily dwellings and their components.

(2) Biennially review the rules promulgated under this subchapter.

(3) Issue any special order that it considers necessary to secure compliance with this subchapter.
(4) Prescribe and furnish to political subdivisions a standard building permit format for all multifamily dwellings subject to this subchapter.

(5) Collect and publish the data secured from the building permits.

(6) Hear under s. 101.02 (6) (e) to (i) and (8) petitions regarding the rules promulgated and special orders issued under this subchapter.

(7) Establish by rule a schedule of fees sufficient to defray the costs incurred by the department under this subchapter.

(8) Deposit the moneys received from the fees under sub. (7) in the appropriation under s. 20.445 (1) (j).

(9) Incorporate by reference in the rules promulgated under this subchapter all rules promulgated under subch. I that apply to multifamily dwellings.

(10) Establish a program of quality control training for all inspectors who inspect multifamily dwellings for compliance with this subchapter.

(11) Contract with the legislative audit bureau to make periodic performance audits of any division of the department that is responsible for inspections of multifamily dwellings.

101.974 Department powers. The department may:

(1) Hold hearings on any matter relating to this subchapter and issue subpoenas to compel the attendance of witnesses and the production of evidence at such hearings.

(2) Promulgate the rules under this subchapter after consultation with the multifamily dwelling code council.

(3) Provide for or engage in the testing, approval and certification of materials, methods and equipment of construction.

(4) Promulgate rules prescribing procedures for approving new building materials, methods and equipment.

(5) Study the administration of the rules promulgated under this subchapter and other laws related to the construction of multifamily dwelling units to determine their impact on the cost of building construction and their effectiveness in ensuring the health, safety and welfare of the occupants.

101.975 Local government authority. (1) A political subdivision may regulate the construction and installation of windows and doors in multifamily dwellings if the regulation is related to preventing illegal entry.

(2) A political subdivision shall use the standard building permit format prescribed and furnished by the department under s. 101.973 (4) and file a copy of each permit issued with the department.

(3) (a) In this subsection, “preexisting stricter sprinkler ordinance” means an ordinance that fulfills all of the following requirements:

1. The ordinance requires an automatic sprinkler system in every multifamily dwelling and the ordinance applies to multifamily dwellings containing 20 or less attached dwelling units.

2. The ordinance was in effect on January 1, 1992, and remains in effect on the effective date of this subchapter. [reviser inserts date].

3. The ordinance does not conform to this subchapter and s. 101.02 (7m) or is contrary to an order of the department under ss. 101.01 to 101.25.

4. The ordinance is more stringent than the corresponding provision of this subchapter or s. 101.02 or the contrary provision of an order of the department under ss. 101.01 to 101.25.

(b) If a political subdivision has a preexisting stricter sprinkler ordinance, that ordinance remains in effect, except that the political subdivision may amend the ordinance to conform to this subchapter and s. 101.02 (7m) and to be not contrary to an order of the department under ss. 101.01 to 101.25.

101.976 Fire chief and inspector powers and duties. This subchapter does not restrict the duties and powers of fire chiefs or inspectors under s. 101.14 (2).

101.977 Compliance. A person who constructs a multifamily dwelling shall use building materials, methods and equipment that are in conformance with the standards prescribed under s. 101.973 (1).

101.978 Penalties. Any person who violates this subchapter or any rules promulgated under this subchapter shall forfeit not less than $25 nor more than $500 for each offense. Each day of continued violation constitutes a separate offense.

SECTION 601m. 108.09 (5) (a) of the statutes is amended to read:

108.09 (5) (a) The Except as provided in s. 901.05, the manner in which claims shall be presented, the reports thereon required from the employer and from employers, and the conduct of hearings and appeals shall be governed by general department rules (whether or not they conform to common law or statutory rules of evidence and other technical rules of procedure) for determining the rights of the parties.

SECTION 601q. 108.141 (1) (e) (intro.) of the statutes is amended to read:

108.141 (1) (e) (intro.) There Except as provided in sub. (1m), there is a Wisconsin “off” indicator for a week if the department determines, in accordance with the regulations of the U.S. secretary of labor, that, for the period consisting of such week and the immediately preceding 12 weeks, the Wisconsin rate of insured unemployment (not seasonally adjusted):
of the 4th week after the week in which the governor issues the order, whichever is later.

SECTION 601s. 108.142 (1) (c) (intro.) of the statutes is amended to read:

108.142 (1) (c) (intro.) There Except as provided in sub. (1m), there is a Wisconsin "off" indicator under this section for a week if the department determines that, for the period consisting of that week and the immediately preceding 12 weeks, the Wisconsin rate of insured unemployment (not seasonally adjusted):

SECTION 601t. 108.142 (1m) of the statutes is created to read:

108.142 (1m) ADDITIONAL FEDERALLY FUNDED BENEFITS. The governor may, by executive order, elect to establish a Wisconsin "off" indicator in order to allow for the payment of additional federally funded benefits in lieu of Wisconsin supplemental benefits during a period specified in the order, if such an election is permitted by federal law. Any such indicator is effective at the beginning of the week in which additional federally funded benefits are initially payable or the beginning of the 4th week after the week in which the governor issues the order, whichever is later.

SECTION 604m. 111.91 (2) (j) of the statutes is created to read:

111.91 (2) (j) Creditable service to which s. 40.25 (7) (f) applies.

SECTION 605m. 114.103 of the statutes is created to read:

114.103 Private security personnel; report to a law enforcement authority. (1) In this section:

(a) "Controlled substance" has the meaning given in s. 161.01 (4).

(b) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(c) "Private security person" has the meaning given in s. 440.26 (1m), but does not include any law enforcement officer.

(2) (a) If any private security person acting in the course of his or her employment at an airport believes, on the basis of personal observation, that someone possesses a controlled substance, without a prescription or an authorization for that possession, or possesses $10,000 or more in cash or that a shipment contains a controlled substance or $10,000 or more in cash, the private security person shall report, as soon as practicable and by telephone or in person, to the county sheriff's office or the police department of the municipality in which the airport is located.

(b) A report under par. (a) shall contain all of the following information, unless the information is unobtainable by the person making the report:

1. The name, business address and business telephone number of the person submitting the report.
2. The name, address and telephone number of any person who is the subject of the report.
3. The date, time and location of the conduct or shipment that is the subject of the report.
4. A description of the conduct or shipment being reported, including personal observations and all other factors leading to the reporter's conclusion that the conduct or shipment has occurred.

(3) Any private security person who violates sub. (2) may be fined not more than $500 or imprisoned for not more than 30 days or both.

SECTION 609m. 114.27 of the statutes is amended to read:

114.27 Penalty. Except as provided in ss. 114.103 and 114.40, any person failing to comply with the requirements, or violating any of the provisions of this chapter shall be guilty of a misdemeanor and punishable by a fine of not more than $500; or by imprisonment for not more than 90 days or both.

SECTION 610. 114.35 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

114.35 (2) The secretary may also use the funds provided by the state independent of the availability of federal funds to aid sponsors in the development of approved projects on the state system or joint projects; for air marking and air navigation facilities; and for the purposes of 1991 Wisconsin Act 39,... (this act), section 9155 (7j) (1x).

SECTION 610g. 115.28 (10) (a) of the statutes is renumbered 115.28 (10).

SECTION 610h. 115.28 (10) (b) of the statutes is repealed.

SECTION 611g. 115.28 (12) of the statutes is repealed.

SECTION 611m. 115.28 (23) (intro.) of the statutes is amended to read:

115.28 (23) (title) WISCONSIN EDUCATIONAL OPPORTUNITY PROGRAMS. (intro.) Administer a Wisconsin educational opportunity program programs to assist minority and economically disadvantaged youth and adults in pursuing higher education opportunities. The program programs shall consist of all of the following separate components:

SECTION 611r. 115.28 (32) of the statutes is created to read:

115.28 (32) PUPIL TRANSCRIPT. By July 1, 1993, develop a uniform pupil transcript that may be used by school districts beginning in the 1993-94 school year.

SECTION 612g. 115.28 (34) of the statutes is created to read:

115.28 (34) EXCHANGE TEACHERS. Coordinate and publicize the exchange of teachers under s. 119.18 (13) and the exchange of teachers and administrators under s. 120.13 (7).

SECTION 612r. 115.28 (35) of the statutes is created to read:

115.28 (35) GRANTS FOR COLLABORATIVE PROJECTS. From the appropriation under s. 20.255 (2) (ef), award
a $300,000 grant to a rural school district, a suburban school district and an urban school district, other than the school district operating under ch. 119, for projects, conducted in collaboration with the county social services department or the county human services department, that integrate social services and school responsibilities as they relate to pupils and their parents. One-third of the total grant amount shall be paid in each of 3 consecutive school years. The state superintendent shall give preference in awarding grants to projects that provide for the delivery of services in a single location.

SECTION 613g. 115.28 (36) of the statutes is created to read:

115.28 (36) REPORT ON GOALS. Report to the governor and to the appropriate standing committees of the legislature under s. 13.172 (3) the progress made by school districts toward attaining state educational goals and the state vision for education.

SECTION 614g. 115.361 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 115.3615 and amended to read:

115.3615 Head start supplement. From the appropriation under s. 20.255 (2) (eh), the state superintendent shall distribute funds to agencies determined by the state superintendent to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. The state superintendent shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The state superintendent shall give preference in funding under this subsection to an agency that is receiving federal funds under 42 USC 9831 to 9852 for programs under this subsection.

SECTION 614r. 115.361 (7) (a) 1 of the statutes is repealed.

SECTION 615g. 115.363 (1) (f) of the statutes is created to read:

115.363 (1) (f) Provide educational, health, mental health, nutritional and social services to low-income preschoolers and their families.

SECTION 615r. 115.363 (6) of the statutes is amended to read:

115.363 (6) Amounts awarded under this section shall be paid from the appropriation under s. 20.255 (2) (ez) and may be paid in instalments. The state superintendent shall allocate $434,000 in the 1989-90 school year and $434,000 in the 1990-91 school year for school districts with a membership of less than 12,000 in which more than 3.5% of the membership consists of limited-English speaking pupils from Indo-Chinese language groups. Beginning in the 1992-93 school year and annually thereafter, the state superintendent shall allocate $1,000,000 for programs under sub. (1)(f). In this subsection, "membership" has the meaning given in s. 121.004 (5).

SECTION 616g. 115.366 of the statutes is created to read:

115.366 Grants for staff development. (1) (a) From the appropriation under s. 20.255 (2) (fh), the state superintendent shall allocate $400,000 annually for one-year grants to school districts for staff development programs under this subsection.

(b) The state superintendent may not award a grant to a school district under this subsection unless, in the previous school year, the quotient of the school district's equalized valuation divided by its membership was less than 75% of the statewide average. In this paragraph, "equalized valuation" has the meaning given in s. 121.004 (2) and "membership" has the meaning given in s. 121.004 (5).

(2) From the appropriation under s. 20.255 (2) (fh), the state superintendent shall allocate $400,000 annually for grants to school districts, cooperative educational service agencies and professional educational development consortia for staff development under this subsection.

(3) (a) The state superintendent may award grants under this section only to programs that have been developed with significant input from teachers.

(b) The recipient of a grant awarded under this section may not use the grant to supplant or replace funds otherwise available for the program.

(c) The amount of a grant under this section may not exceed 75% of the cost of the program.

SECTION 617g. 115.38 (title) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

115.38 (title) School performance report; educational program review.

SECTION 617r. 115.38 (1) (c) of the statutes is created to read:

115.38 (1) (c) Staffing and financial data information, as determined by the state superintendent, not to exceed 10 items. The state superintendent may not request a school board to provide information solely for the purpose of including the information in the report under this paragraph.
SECTION 618g. 115.38 (2) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

115.38 (2) Annually by January 1, 1993, and annually thereafter by January 1, each school board shall distribute to the parent or guardian of each pupil enrolled in the school district, or give to each pupil to bring home to his or her parent or guardian, a school and school district performance report that includes the information specified by the state superintendent under sub. (1).

SECTION 618r. 115.38 (4) of the statutes is created to read:

115.38 (4) Beginning in the 1993-94 school year and annually thereafter, the state superintendent shall identify those school districts that are low in performance and those schools in which there are pupils enrolled who do not meet the state minimum performance standards on the examinations administered under s. 118.30. The state superintendent shall make recommendations regarding how the programs and operations of the identified school districts and schools may be improved and periodically assess school district implementation of the recommendations.

SECTION 619g. 115.40 of the statutes is created to read:

115.40 Grants for collaborative service programs.
(1) In this section “collaborative service program” means a program developed by a school board and one or more public agencies or private, nonprofit community-based organizations that is designed to improve the academic achievement of pupils participating in the program, to increase efficiency in the delivery of services by reducing duplication of services and to foster cooperation among one or more schools, service providers, families and pupils.

(2) (a) A school board, in conjunction with one or more public agencies or private, nonprofit, community-based organizations, may submit an application to the state superintendent for a 3-year grant to develop and implement a collaborative service program for preschool or elementary-grade pupils, or both, and their families.

(b) A public agency or a private, nonprofit, community-based organization, in conjunction with a school board, may submit an application to the state superintendent for a 3-year grant to develop and implement a collaborative service program for preschool or elementary-grade pupils, or both, and their families.

(3) The application shall include all of the following:

(a) Evidence of the need for a collaborative service program.

(b) A plan for improving the academic achievement of the pupils participating in the program through more effective coordination of support services, staff development and parental involvement.

(c) The anticipated improvement in academic achievement among the pupils participating in the program.

(d) A method of evaluating the improvement in academic achievement of the pupils participating in the program.

(e) A description of the capacity of the program to be replicated by other school districts and to provide continuity of service to the pupils as they enter the high school grades.

(f) Evidence that an implementation team consisting of the director of each participating agency and organization, or his or her designee, the principal from each participating school, or his or her designee, at least one staff member from each participating school whose responsibilities include working with community-based organizations, parent representatives, pupils and other residents of the school district participated in the development of the application.

(g) An estimate of the costs associated with planning the program and an estimate of the amount that will be spent on providing direct services under the program.

(h) Copies of the agreements between the participating agencies and organizations specifying the duties of each.

(4) (a) The state superintendent and the secretary of health and social services shall provide technical assistance to and consult with applicants regarding the preparation of their applications.

(b) The state superintendent and the secretary of health and social services shall review the applications and jointly determine the grant recipients and the amount of each grant. A grant may not be awarded to a school board, agency or organization unless the percentage of the participating school district’s membership in the previous school year for whom aid to families with dependent children was being received under s. 49.19 was greater than 5%. In this paragraph, “membership” has the meaning given in s. 121.004 (5).

(c) The state superintendent and the secretary of health and social services shall give preference in awarding grants under this section to all of the following:

1. Programs that involve a school district that, in the previous school year, had a high proportion of pupils for whom aid to families with dependent children was being received under s. 49.19, a high proportion of pupils who were children at risk, as defined under s. 118.153 (1) (a), or a high proportion of dropouts, as defined under s. 118.153 (1) (b).

2. Programs that involve more than 2 agencies or organizations.

3. Programs that provide cooperative case management services.

(d) Grants under this section shall be paid from the appropriation under s. 20.255 (2) (eg). A grant shall
constitute no more than 50% of the costs of the program and may not be used to supplant funds otherwise available for the program.

(5) (a) A recipient of a grant under this section shall use the funds to develop and implement a collaborative service program for pupils and their families. The program may not supplant existing educational and support services provided by school district staff and shall be integrated with existing school district educational and support services. The grant recipient may use no more than 30% of the funds for planning the program. The program shall be designed to provide pupils and their families with greater access to community-based support services, such as health and mental health services, counseling, alcohol and other drug abuse prevention and intervention programs, extracurricular enrichment programs, before-school and after-school day care, tutoring, recreation, parent education and involvement activities and job training and placement. The recipient may employ staff to perform such services or contract for such services.

(b) A collaborative service program may also be designed to do one or more of the following:
1. Improve communication and the sharing of information between the school district and other local agencies.
2. Design, implement and evaluate unified procedures to determine eligibility for various services.
3. Provide staff development.
4. Provide pupils and their families with a variety of services at one location.

(6) The state superintendent shall include in the department’s biennial report under s. 15.04 (1) (d) information on the programs funded under this section.

Vetoed in Part

SECTION 626r. 115.45 (3m) (b) of the statutes is amended to read:
115.45 (3m) (b) (intro.) The state superintendent shall give priority in awarding grants under this section to all of the following programs:
1. Programs in existence on August 9, 1989, that have proven successful.
2. Programs established in school districts with a high number of dropouts and low-income pupils.

Vetoed in Part

SECTION 626t. 115.45 (3m) (b) 3 of the statutes is created to read:
115.45 (3m) (b) 3. Programs established in school districts which in the previous school year had at least 2,000 low-income pupils enrolled and in which

Vetoed in Part

SECTION 627r. 115.88 (2) of the statutes is amended to read:
115.88 (2) TRANSPORTATION AID. If upon receipt of the report under s. 115.84 the state superintendent is satisfied that the transportation of children with exceptional educational needs has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils 63% of the amount expended for such transportation. Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriations under s. 20.255 (2) (b) and (u). This subsection applies to any child with exceptional educational needs who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with exceptional educational needs attending regular or special classes who
does not require any special or additional transportation.

SECTION 627y. 115.882 of the statutes is amended to read:

**115.882 Proration of state aid.** If the appropriation sum of the appropriations under s. 20.255 (2) (b) and (u) in any one year is insufficient to pay the full amount of aid under ss. 115.88 and 118.255, state aid payments shall be prorated among the counties, school districts and cooperative educational service agencies entitled thereto.

SECTION 628. 115.91 (intro.) and (1) of the statutes are consolidated, renumbered 115.91 and amended to read:

**115.91 (title) Definition.** In this subchapter—(4) "School, "school age parent" means any person under the age of 21 who is not a high school graduate and is a parent, an expectant parent or a person who has been pregnant within the immediately preceding 120 days.

SECTION 629. 115.91 (2) of the statutes is repealed.

**SECTION 630.** 115.93 (1m) of the statutes is amended to read:

115.93 (2) If the appropriation under s. 20.255 (2) (b) in any year is insufficient to pay the full amount of aid under sub. (1) and (4m), state aid payments shall be prorated among the entitled school districts.

SECTION 631m. 117.132 (1m) (a) of the statutes is amended to read:

117.132 (1m) (a) "Annexed" means annexed or attached under s. 66.021, 66.022, 66.023, 66.024, 66.025 or 66.027.

SECTION 632m. 118.013 of the statutes is created to read:

**118.013 Management restructuring programs.** (1) (a) 1. The school board and the school administrators shall each appoint representatives, and the teachers of each school and the parents of pupils enrolled in each school shall each elect representatives, to participate in the development of a management restructuring program designed to decentralize school board powers and duties and to foster shared decision making.

2. If the school includes high school grades, a pupil enrolled in those grades, selected as determined by the school board, shall participate in the development of the program under sub. 1 as a nonvoting member.

(b) During the 1992-93 school year, the state superintendent shall hold a training session on management restructuring programs in the territory of each cooperative educational service agency. The representatives chosen under par. (a) shall participate in the training sessions.

(2) During the 1993-94 school year, if the representatives chosen under sub. (1) (a) agree, they shall meet to develop a management restructuring program that addresses all of the school's educational practices except those that are mandatory subjects of collective bargaining under subch. IV of ch. 111. The representatives may agree to allow members of other groups to participate in the meetings. The meetings shall be by school, except that if a principal supervises more than one school, the meetings shall be by the group of schools that he or she supervises.

(3) (a) A school board on its own initiative or upon receipt of an application from the principal of a school located in the school district may apply to the state superintendent for a grant to assist in developing or implementing a management restructuring program. The state superintendent shall appoint a 12-member council under s. 15.04 (1) (c) to review the applications and make recommendations to the state superintendent. The council shall consist of the governor or his or her designee and at least one member representing school boards, one member representing school administrators, one member representing parents of pupils enrolled in the school district and one member representing teachers. The state superintendent may also appoint members representing other groups.

(c) No grants may be awarded under this subsection after June 30, 1994.

SECTION 633m. 118.30 of the statutes is repealed and recreated to read:

**118.30 Pupil assessment.** (1) (a) The state superintendent shall adopt or approve examinations that are designed to measure pupil attainment of knowledge in the 8th and 10th grades and make them available to school districts at no charge beginning in the 1992-93 school year. Except as otherwise provided in this section, beginning in the 1993-94 school year, the school board shall administer the examinations annually to all pupils enrolled in the school district in the 8th and 10th grades.

(b) Upon the request of a pupil, parent or guardian, the school board shall excuse the pupil from taking an examination administered under this subsection.

(c) A school board may apply to the state superintendent for a waiver from the requirements under par. (b). The state superintendent shall promulgate rule establishing criteria for granting such waivers. If the state superintendent grants a waiver, the school board nevertheless requires the school board to administer
Examinations under this section may not be administered after June 30, 1998.

(2) (a) To the extent possible, all examinations under this section shall be free of bias.

(b) 1. The school board may determine not to administer an examination under this section to a pupil enrolled in a special education program under subch. V of ch. 115. The school board may modify the format and administration of an examination for a pupil enrolled in such a program.

2. According to criteria established by the state superintendent by rule, the school board may determine not to administer an examination under this section to a limited-English speaking pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language or may modify the format and administration of an examination for such pupils.

(c) The results of examinations under this section may not be used to evaluate teacher performance, to discharge, suspend or formally discipline a teacher or as the reason for the nonrenewal of a teacher's contract.

(d) The results of examinations under this section may not be used in determining general or categorical aids to school districts.

(3) The state superintendent shall make available upon request, within 90 days after the date of administration, any examination required to be administered under this section. This subsection does not apply while the examination is being developed or validated.

SECTION 635m. 118.33 (1) (c) of the statutes is created to read:

118.33 (1) (c) A school board may require a pupil to participate in community service activities in order to receive a high school diploma.

SECTION 635m. 118.37 (3) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (3) (b) If the pupil specifies in the notice under par. (a) that he or she intends to take a course at an institution of higher education for high school credit, the school board shall determine whether the course is comparable to a course offered in the school district, and whether the course satisfies any of the high school graduation requirements under s. 118.33 and the number of high school credits to award the pupil for the course, if any. The state superintendent shall develop guidelines to assist school districts in making the determinations. The school board shall notify the pupil of its determinations, in writing, before the end of the semester in which it received the notice under par. (a). If the pupil disagrees with the school board's decision regarding comparability of courses, satisfaction of high school graduation requirements or the number of high school credits to be awarded, the pupil may appeal the school board's decision to the state superintendent within 30 days after the decision. The state superintendent's decision shall be final and is not subject to review under subch. III of ch. 227.

SECTION 635p. 118.37 (3m) of the statutes is created to read:

118.37 (3m) SCHOOL DISTRICT DUTY TO OFFER COMPARABLE COURSE. (a) Except as provided under par. (b), if in the current school year the number of pupils attending an institution of higher education under this section and enrolled in a course that is not comparable to a course offered in the school district is equal to or greater than the number of pupils normally required for the school board to offer a course, as determined by the school board, and the school board expects the situation to continue in the next school year, the school board shall offer the course in the next school year.

(b) The state superintendent may waive the requirement under par. (a) if he or she determines that the requirement would impose too great a cost because of the lack of equipment or space.

SECTION 636m. 118.37 (5) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (5) PAYMENT. (intro.) Within 30 days after the end of the semester, the school board of the school district in which a pupil attending an institution of higher education under this section is enrolled shall pay the institution of higher education, on behalf of the pupil, the following amount for any course that is taken for high school credit and that is not comparable to a course offered in the school district:

SECTION 637m. 118.37 (6) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (6) (a) A pupil taking a course at an institution of higher education for high school credit under this section is not responsible for any portion of the tuition and fees for the course if the school board, or the state superintendent on appeal under sub. (3) (b), has determined that the course is not comparable to a course offered in the school district.

SECTION 638m. 118.37 (6) (b) of the statutes is created to read:

118.37 (6) (b) A pupil taking a course at an institution of higher education for high school credit under this section is responsible for any portion of the tuition and fees for the course if the school board has determined that the course is comparable to a course offered in the school district, unless the state superintendent reverses the school board's decision on appeal under sub. (3) (b).
transporting the pupil between the high school in which the pupil is enrolled and the institution of higher education that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cw). The state superintendent shall give preference under this subsection to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

SECTION 640m. 119.04 (1) of the statutes, as affected by 1991 Wisconsin Acts 39 and 42, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28 (45), 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.364, 115.366, 115.38 (2), 115.40, 115.45, 118.01 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19, 118.20, 118.24 (2) (c) to (f), 118.255, 118.258, 118.30 to 118.35, 118.37, 120.12 (5), and (15), (16), (17), (18), (19), (20) and (21) to (23), 120.125 and 120.13 (1), (2) b) to (g), (3), (14), (17) to (19), (26) and (34) are applicable to a 1st class city school district and board.

SECTION 641m. 119.10 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

119.10 (1) The board is a continuing body. Any unfinished business before the board or any of its standing or special committees on the 4th Monday in April date of the annual meeting under sub. (2) shall be considered as pending before the board newly organized on such date. At its annual April meeting, after the election of the new board president and the designation of the clerk, the clerk shall report to the board items of business pending before the board as a whole. After the annual April meeting, unless otherwise directed by the board, the clerk shall report items of business which had been pending before committees of the board to the corresponding committees of the board appointed by the new president. Matters thus reported may be acted upon by the board in the same manner and with the same effect as if the board had not been newly organized.

SECTION 642m. 119.10 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

119.10 (2) Annually on no earlier than the 4th Monday in April, or on the next day if the 4th Monday is a legal holiday and no later than the first Monday in May, the board shall hold its organizational meeting, shall elect a president from among its members to serve for one year and until a successor is chosen and shall designate an individual to serve as clerk. In the absence or during the disability of the board president, the board shall elect an acting president. The board president shall appoint standing committees to serve for one year.

SECTION 647. 119.72 (2) (c) of the statutes is amended to read:

119.72 (2) (c) Children with a parent who is a school age parent, as defined under s. 115.91 (4).

SECTION 647m. 119.84 of the statutes is created to read:

119.84 Professional development. Annually, the state superintendent shall pay the amount appropriated in that fiscal year under s. 20.255 (2) (de) to the board. The board shall use 67% of the funds to provide a mentor teacher program for inexperienced teachers and a peer coaching program for experienced teachers. The board shall use the balance of the funds for school administrator assessment and development.

SECTION 649m. 120.12 (22) of the statutes is created to read:

120.12 (22) Advanced placement examinations. Pay the costs of advanced placement examinations taken by pupils enrolled in the school district who are eligible for free or reduced-price lunches in the federal school lunch program under 42 USC 1758.

SECTION 650m. 120.12 (23) of the statutes is created to read:

120.12 (23) Pupil participation in school activities. Annually, adopt a policy on access to extracurricular and recreational school programs and activities that encourages full participation by all elementary grade pupils in these programs and activities. This subsection does not apply to the school board of a union high school district.

SECTION 650q. 120.13 (1) (b) of the statutes is amended to read:

120.13 (1) (b) The school district administrator or any principal or teacher designated by the school district administrator also may make rules, with the consent of the school board, and may suspend a pupil for not more than 3 school days or, if a notice of expulsion hearing has been sent under par. (c) or (e) of s. 119.25, for not more than a total of 49 15 consecutive school days for noncompliance with such rules or school board rules, or for knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, or for conduct by the pupil while at school or while under the supervision of a school authority which endangers the property, health or safety of others, or for conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority. Prior to any suspension, the pupil shall be advised of the reason for the proposed suspension. The pupil may be suspended if it is determined that the pupil is guilty of noncompliance with such rule, or of the conduct charged, and that the
superintendent shall audit each school district at least once every 5 to 10 years but may not audit a school district more than once every 3 to 6 years. The state superintendent shall ensure that the audit process involves school board members, school district administrators, teachers, pupils, parents of pupils and other residents of the school district. Nothing in this subsection prohibits the state superintendent from conducting an inquiry into compliance with the standards upon receipt of a complaint.

Vetoed in Part

SECTION 657g. 121.07 (1) (a) of the statutes is amended to read:

121.07 (1) (a) The membership and teacher-pupil ratio of the school district in the previous school year shall be used in computing general aid. If a school district has a state trust fund loan as a result of s. 24.61 (3) (c), the school district's debt service costs shall be based upon current school year costs for the term of the loan and for one additional school year.

Vetoed in Part

SECTION 658g. 121.07 (6) (e) of the statutes is amended to read:

121.07 (6) (e) For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 2 to 4 school years, the amounts under pars. (a) and (b) shall be multiplied by 0.951 and rounded to the next lowest dollar.

Vetoed in Part

SECTION 659g. 121.07 (7) (e) of the statutes is amended to read:

121.07 (7) (e) For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 2 to 4 school years, the amounts under pars. (a) and (b) shall be multiplied by 0.951 and rounded to the next lowest dollar.

Vetoed in Part

SECTION 661c. 120.13 (2) (g) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (5), 632.895 (9) and 632.896.

Vetoed in Part

SECTION 662m. 121.034 (1) (b) of the statutes is amended to read:

121.034 (1) (b) A student enrolled in a day care center under s. 119.72 shall be counted as provided under par. (a). A student enrolled in a day care center under s. 119.72 shall be counted as one child pupil.

Vetoed in Part

SECTION 665g. 121.02 (1) (a) of the statutes is amended to read:

121.02 (1) (a) Annually distribute the performance disclosure report under s. 115.38 (2). The school board may include additional information in the report.

Vetoed in Part

SECTION 665r. 121.02 (1) (s) of the statutes is amended to read:

121.02 (1) (s) Beginning in the 1993-94 school year, administer the examinations required by the state superintendent under s. 118.30. A school board may administer additional examinations only if they are aligned with the school district's curriculum.

Vetoed in Part

SECTION 665m. 121.02 (2) of the statutes is amended to read:

121.02 (2) In order to ensure compliance with the standards under sub. (1), the state superintendent shall annually conduct a general on-site audit of at least 30% of all school districts, selected by means of a stratified, random sample. The state superintendent shall audit each school district at least once every 5 to 10 years but may not audit a school district more than once every 3 to 6 years. The state superintendent shall ensure that the audit process involves school board members, school district administrators, teachers, pupils, parents of pupils and other residents of the school district. Nothing in this subsection prohibits the state superintendent from conducting an inquiry into compliance with the standards upon receipt of a complaint.

Vetoed in Part

SECTION 665m. 121.08 (2) of the statutes is amended to read:

121.08 (2) Financial hardship assistance general aid adjustment. (1) For each school district that has been awarded a grant under s. 24.61 (2), the state superintendent shall not distribute from the appropriation...
SECTION 660m. 121.105 (3) of the statutes is amended to read:

121.105 (3) In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the consolidated school district's state aid shall be an amount that is not less than the aggregate state aid 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) (ba).

SECTION 662. 121.41 (1) of the statutes is amended to read:

121.41 (1) STATE AID. To promote a uniformly effective driver education program among high school and vocational, technical and adult education school pupils, each school district operating high school grades, each county handicapped children’s education board which provides the substantial equivalent of a high school education and each vocational, technical and adult education district shall receive SSA $100 for each pupil of high school age who completes a course in driver education approved by the department, but in no case may the state aid exceed the actual cost of instruction. If the appropriation under s. 20.255 (2) (r) is inadequate in any year to provide $50 $100 per pupil, the state aid shall be prorated after the appropriation for administration is deducted. Such state aid shall be paid from the appropriation under s. 121.08 is paid.

SECTION 662a. 125.07 (3) (a) 12. An underage person who enters and remains on premises for which a temporary Class “B” license is issued under s. 125.26 (6) if the licensee is authorized by the official or body of the municipality that issued the license to permit underage persons to be on the premises under s. 125.26 (6) and if the licensee permits underage persons to be on the premises.

SECTION 665g. 125.17 (5) (a) of the statutes is amended to read:

125.17 (5) (a) A municipal governing body may by ordinance authorize the issuance of that issues operators’ licenses shall issue provisional operators’ licenses. The municipal governing body may by ordinance shall establish standards under which provisional licenses shall be issued and shall by ordinance designate the municipal official having authority to issue them.

SECTION 665h. 125.26 (6) of the statutes, as created by 1989 Wisconsin Act 253, is amended to read:

125.26 (6) Temporary Class “B” licenses may be issued to bona fide clubs, to county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least 6 months before the date of application and to posts of veterans’ organizations authorizing the sale of fermented malt beverages at a particular picnic or similar gathering, at a meeting of the post, or during a fair conducted by the fair association or agricultural society. The amount of the fee for the license shall be determined by the municipal governing body issuing the license but may not exceed $10. An official or body authorized by a municipal governing body to issue temporary Class “B” licenses may, upon issuance of any temporary Class “B” license, authorize the licensee to permit underage persons to be on the premises for which the license is issued. A license issued to a county or district fair licenses the entire fairgrounds where the fair is being conducted and all persons engaging in retail sales of fermented malt beverages from the stands while the fair is being held.
127.06 (4) Department means the department of agriculture, trade and consumer protection.

SECTION 665m. 127.06 (3) of the statutes is amended to read:

127.06 (3) (title) ACCESS TO STATEMENT. A financial statement is not a public record subject to s. 19.35, and the department may keep a financial statement closed to the public notwithstanding s. 19.35, although the department may utilize and release a financial statement in an enforcement action, administrative hearing or court proceeding.

SECTION 666. 127.07 (6) (c) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

127.07 (6) (c) Amount of bond; grain dealers. The amount of a grain dealer's bond filed with the department under this section shall be in a principal amount, to the next highest $1,000, equal to 10% of the aggregate dollar amount paid by the grain dealer to producers for grain purchased from them during the grain dealer's last completed fiscal year or, in the case of a grain dealer that has been engaged in business as a grain dealer for less than one year or that has not previously engaged in business as a grain dealer, 10% of the dollar amount estimated by the department to be paid by the grain dealer to producers for grain purchased from them during the next year. The bond may not be less than $25,000 and is not required to be more than $500,000.

SECTION 667. 127.07 (7) (c) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

127.07 (7) (c) Amount of security; grain dealers. The amount of a grain dealer's security filed with the department under this section shall be in a principal amount, to the next highest $1,000, equal to 10% of the aggregate dollar amount paid by the grain dealer to producers for grain purchased from them during the grain dealer's last completed fiscal year or, in the case of a grain dealer that has been engaged in business as a grain dealer for less than one year or that has not previously engaged in business as a grain dealer, 10% of the dollar amount estimated by the department to be paid by the grain dealer to producers for grain purchased from them during the next year. The security may not be less than $25,000 and is not required to be more than $500,000.

SECTION 668. Chapter 13 of the statutes is created to read:

Chapter 130
Consumer Protection

SECTION 668a. 130.01 of the statutes is created to read:

130.01 Definitions. In this chapter:
(1) "Business" includes any business, except that of banks, savings and loan associations, insurance companies and public utilities other than public utilities or portions of public utility businesses whose associated trade and advertising practices are exempt from regulation by the public service commission under...
Vetoed in Part

the state or municipality or any document. No person shall accept through judicial process, unless or absent any order of the judge or any other order of the department of the person requiring the same, except as directed by the department. Any person affected by such order may demand a public hearing to determine the validity of the department's order. The hearing shall be held at the place designated by the department, and the time and place of the hearing shall be noticed in the manner prescribed by the department. The order pending at the time shall be entered in the same record specified under sub. (3).

(3) The department shall serve a copy of each order on any person affected by the order. The order shall be served by registered mail, by the person, or by a process server designated by the department, or served in any other manner designated by the department.

(4) The department shall make a report and special order, in such form as the department, or the department, in its discretion, may determine, of the facts and determinations in the case, to the court. The department shall make a report and special order, in such form as the department, or the department, in its discretion, may determine, of the facts and determinations in the case, to the court.

130.49 Methods of competition and trade practices

(1) In this section, "business" does not include agricultural business as defined in s. 166.20 (1).

(2) Methods of competition in business and trade practices in business shall be fair. No person may use a method of competition in business or an unfair trade practice in business that is unfair.

(3) It is unfair for a person to use a method of competition in business or an unfair trade practice in business that is unfair.
Vetoed in Part

Vetoed in Part

5EC: 11UN 668. 132.13 (1) of the statutes is renumbered 132.13 (1) (a).

SECTION 669. 132.13 (1) (b) of the statutes is created to read:

132.13 (1) (b) Paragraph (a) does not apply to goods, wares and merchandise made under a contract under s. 303.06 (2).

If you do not see text of the Act, SCROLL DOWN.
SECTION 669ke. 134.71 (5) (introd.) of the statutes is repealed and recreated to read:

134.71 (5) LICENSE APPLICATION. (introd.) A person wishing to operate as a secondhand article dealer or a secondhand jewelry dealer and have a principal place of business in a municipality shall apply for a license to the clerk of that municipality. A person wishing to operate as a secondhand article dealer or a secondhand jewelry dealer and have a principal place of business in a town shall apply for a license to the clerk of the county in which that town is located. A person wishing to operate as a pawnbroker in a municipality shall apply for a license to the clerk of the municipality. A person wishing to operate as a pawnbroker in a town shall apply for a license to the clerk of the county in which the town is located. The clerk shall furnish application forms under sub. (12) that shall require all of the following:

- The name and address of the applicant.
- The name and address of the place of business.
- The name and address of the place of residence of the applicant.
- The date of birth of the applicant.
- The Social Security number of the applicant.
- A description of the business to be conducted.
- A description of the equipment and fixtures to be used in the business.
- A description of the storage facilities to be used in the business.
- The amount of capital to be invested in the business.
- The amount of insurance to be carried by the applicant.
- The amount of compensation to be paid to employees.
- The amount of license fees to be paid by the applicant.
- A statement of the experience and qualifications of the applicant.
- A statement of the financial resources of the applicant.
- A statement of the creditworthiness of the applicant.
- A statement of the character and reputation of the applicant.
- A statement of the honesty and integrity of the applicant.
- A statement of the ability of the applicant to carry on the business.
- A statement of the financial responsibility of the applicant.
- A statement of the financial responsibility of the sureties, if any.
- A statement of the financial responsibility of the guarantors, if any.
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- A statement of the financial responsibility of the guarantors, if any.
(b) 1. “Prize notice” means a notice given to an individual in this state that satisfies all of the following:
   a. Is or contains a representation that the individual has been selected or may be eligible to receive a prize.
   b. Conditions receipt of a prize on a payment from the individual or requires or invites the individual to make a contact to learn how to receive the prize or to obtain other information related to the notice.
   2. “Prize notice” does not include any of the following:
      a. A notice given at the request of the individual.
      b. A notice informing the individual that he or she has been awarded a prize as a result of his or her actual prior entry in a game, drawing, sweepstakes or other contest, if the individual is awarded the prize stated in the notice.
   c. A notice given in the form of an in-pack chance promotion if it meets the requirements of s. 100.16 (2).
   d. A notice given at the request of the individual.
   e. A notice given in the form of a chance promotion if it meets the requirements of s. 100.16 (2).
   f. A notice given in the form of an in-pack chance promotion if it meets the requirements of s. 100.16 (2).

Vetoed in Part

2. The verifiable retail value of each prize the individual has been selected or may be eligible to receive.
3. If the notice lists more than one prize that the individual has been selected or may be eligible to receive, a statement of the odds the individual has of receiving each prize.
4. Any requirement or invitation for the individual to view, hear or attend a sales presentation in order to claim a prize, the approximate length of the sales presentation and a description of the property or service that is the subject of the sales presentation.
5. Any requirement that the individual pay shipping or handling fees or any other charges to obtain or use a prize.
6. If receipt of the prize is subject to a restriction, a statement that a restriction applies, a description of the restriction and a statement containing the location in the notice where the restriction is described.
7. Any requirements that the individual pay shipping or handling fees or any other charges to obtain or use a prize.

(c) “Solicitor” means a person who represents to an individual that the individual has been selected or may be eligible to receive a prize.
(d) “Sponsor” means a person on whose behalf a solicitor gives a prize notice.
(e) “Verifiable retail value” of a prize means:
   1. A price at which the solicitor or sponsor can demonstrate that a substantial number of the prizes have been sold by a person other than the solicitor or sponsor in the trade area in which the prize notice is given.
   2. If the solicitor or sponsor is unable to satisfy subd. 1, no more than 1.5 times the amount the solicitor or sponsor paid for the prize.
   (2) **Written Prize Notice Required.** If a solicitor represents to an individual that the individual has been selected or may be eligible to receive a prize, the solicitor may not request, and the solicitor or sponsor may not accept, a payment from the individual in any form before the individual receives a written prize notice that contains all of the information required under sub. (3) (a) presented in the manner required under sub. (3) (b) to (f).
   (3) **Delivery and Contents of Written Prize Notices.** (a) A written prize notice shall contain all of the following information presented in the manner required under pars. (b) to (f):
      1. The name and address of the solicitor and sponsor.
reasonable person to believe that it originates from a
government agency, public utility, insurance com-
pany, consumer reporting agency, debt collector or
law firm unless the written prize notice originates from
that source.

3. Represent directly or by implication that the
number of individuals eligible for the prize is limited
or that an individual has been selected to receive a par-
ticular prize unless the representation is true.

(4) SALES PRESENTATIONS. If a prize notice requires
or invites an individual to view, hear or attend a sales
presentation in order to claim a prize, the sales presen-
tation may not begin until the solicitor does all of the
following:

(a) Informs the individual of the prize, if any, that
has been awarded to the individual.

(b) If the individual has been awarded a prize,
delivers to the individual the prize or the item selected
by the individual under sub. (5) if the prize is not
available.

(5) PRIZE AWARD REQUIRED; OPTIONS IF PRIZE NOT
AVAILABLE. (a) A solicitor who represents to an indi-
vidual in a written prize notice that the individual has
been awarded a prize shall provide the prize to the
individual unless the prize is not available. If the prize
is not available, the solicitor shall provide the individual
with any one of the following items selected by the
individual:

1. Any other prize listed in the written prize notice
that is available and that is of equal or greater value.

2. The verifiable retail value of the prize in the form
of cash, a money order or a certified check.

3. A voucher, certificate or other evidence of obli-
gation stating that the prize will be shipped to the indi-
vidual within 30 days at no cost to the individual.

(b) If a voucher, certificate or other evidence of
obligation delivered under par. (a) is not honored
within 30 days, the solicitor shall deliver to the indi-
vidual the verifiable retail value of the prize in the
form of cash, a money order or a certified check. The
sponsor shall make the payment to the individual if
the solicitor fails to do so.

(6) COMPLIANCE WITH OTHER LAWS. Nothing in this
section shall be construed to permit an activity pro-
hibited by s. 945.02 (3).

(7) PENALTIES. (a) Whoever violates this section
may be required to forfeit not less than $100 nor more
than $5,000 for each violation.

(b) Whoever intentionally violates this section may
be fined not more than $10,000 or imprisoned for not
more than 2 years or both. A person intentionally vio-
lates this section if the violation occurs after the
department of justice or a district attorney has noti-
fied the person by certified mail that the person is in
violation of this section.

(8) ENFORCEMENT. The department of justice shall
investigate violations of this section. The department
of justice or any district attorney may on behalf of the
state:

(a) Bring an action for temporary or permanent
injunctive or other relief in any court of competent
jurisdiction for any violation of this section. The
court may, upon entry of final judgment, award resti-
tution when appropriate to any person suffering loss
because of a violation of this section if proof of such
loss is submitted to the satisfaction of the court.

(b) Bring an action in any court of competent jur-
sisdiction for the penalties authorized under sub. (6).

(9) PRIVATE ACTION. In addition to any other reme-
dies, a person suffering pecuniary loss because of a
violation by another person of this section may bring
an action in any court of competent jurisdiction and
shall recover all of the following:

(a) The greater of $500 or twice the amount of the
pecuniary loss.

(b) Costs and reasonable attorney fees, notwith-
standing s. 814.04.
SECTION 669rm. 136.001 (3) (a) of the statutes is created to read:

136.001 (3) (a) Give the customer the right to cancel the future service contract within at least the first 30 days of the future service contract.

SECTION 669rs. 136.001 (3) (b) of the statutes is created to read:

136.001 (3) (b) Require the contractor to refund all customer fees, all money received for services not provided to the customer and all money received for goods returned to the contractor other than shipping, handling or trial period fees not exceeding a total of $10 if the customer cancels the future service contract within the cancellation period permitted under the future service contract.

SECTION 699rv. 136.001 (3) (c) of the statutes is created to read:

136.001 (3) (c) Impose a customer fee of not more than $75 for a 12-month period.

Vetoed in Part

SECTION 669. 139.31 (1) (b) of the statutes is amended to read:

139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, 38 mills on each cigarette.

SECTION 670ag. 140.05 (16) (f) of the statutes is amended to read:

140.05 (16) (f) The department shall provide the vaccines without charge, if federal or state funds are available for the vaccines, upon request of the governing body of a county, city, village or town or of the school board. The department shall provide the necessary professional consultant services to carry out an immunization program, under the requirements of par. (fm), in the requesting county, municipality or school district. Persons immunized may not be charged for vaccines furnished by the department.

SECTION 670ah. 140.05 (16) (fm) of the statutes is created to read:

140.05 (16) (fm) 1. An immunization program under par. (f) shall be supervised by a physician, as defined in s. 448.01 (5), selected by the county, city, village or town or school board, who shall issue written orders for the administration of immunizations that are in accordance with written protocols issued by the department. Persons licensed who are licensed under ss. 448.40 and 448.41 shall continue to be immunized.

2. If the physician under subd. 1 is not an employee of the county, city, village, town or school district, receives no compensation for his or her services under subd. 1 and acts under subd. 1 in accordance with written protocols issued by the department, he or she is a state agent of the department for the purposes of ss. 165.25 (6), 893.82 (3) and 895.46.

3. The department may disapprove the selection made under subd. 1 or may require the removal of a physician under subd. 2.

Vetoed in Part

SECTION 670. 138.89 (7) (f) of the statutes is amended by 1991 Wisconsin Act 30, as amended to read:

138.89 (7) (f) An amount sufficient to cover the fee for filing the petition statement required by this section shall be paid by or on behalf of the petitioner other than a nonprofit political committee.
SECTION 670gm. 143.07 (5m) of the statutes is created to read:

143.07 (5m) A health care professional, as defined in s. 968.38 (1) (a), acting under an order of a court under s. 968.38 (4) may, without first obtaining informed consent to the testing, subject a defendant to a test or a series of tests to ascertain whether the defendant is infected with a sexually transmitted disease. No sample used for performance of a test under this subsection may disclose the name of the test subject.

SECTION 670gm. 143.07 (7) of the statutes is amended to read:

143.07 (7) Reports, examinations and inspections and all records concerning sexually transmitted diseases are confidential and not open to public inspection, and shall not be divulged except as may be necessary for the preservation of the public health or in the course of commitment proceedings under sub. (5) or as provided under s. 968.38 (4). If a physician has reported a case of sexually transmitted disease to the department under sub. (4), information regarding the presence of the disease and treatment is not privileged when the patient or physician is called upon to testify to the facts before any court of record.

SECTION 670gm. 144.025 (2) (b) of the statutes is amended to read:

144.025 (2) (b) Under the procedure specified in par. (a), the department, in consultation with the department of agriculture, trade and consumer protection, may order or cause the abatement of pollution which the department has determined to be significant and caused by a nonpoint source as defined in 144.02 (2) (b), including pollution which causes the violation of a water quality standard, pollution which significantly impairs aquatic habitat or populations, pollution which restricts navigation due to sedimentation, pollution which is deleterious to human health or pollution which otherwise significantly impairs water quality but not including any pollution caused primarily by animal waste.

SECTION 670gm. 144.025 (2) (y) of the statutes is amended to read:

144.025 (2) (y) 1. If the department determines under par. (a) that significant pollution is caused by a nonpoint source, the department shall send a written notice of intent to issue an order to abate the pollution to the person who owns or operates such a nonpoint source or to the person or agency who owns or operates such a nonpoint source.
Vetoed in Part

SECTION 670jfb. 144.21 (3) (c) of the statutes is amended to read:

144.21 (3) (c) All municipalities and school districts are eligible for agreements under sub. (6) (a) and (b) based on the criteria in this paragraph. The criteria shall consider the health hazards of existing conditions, the extent and nature of pollution, per capita costs of the project, property valuation of the municipalities or school districts as equalized by the state, income of the residents in the municipalities or school districts, the availability of federal funds for the project, soil conditions, the feasibility and practicality of the project, the borrowing capacity of the municipality or school district and any other factors which the department considers important. Municipalities or school districts commencing projects but not completed prior to January 18, 1970, shall be deemed eligible for agreements under sub. (6) (a) and (b). School district projects are not eligible if the project is located within the corporate limits of a city or of a village with an operating municipal sewage system.

SECTION 670jfc. 144.21 (6) (a) and (c) of the statutes are repealed.

SECTION 670jfd. 144.21 (8) of the statutes is amended to read:

144.21 (8) After June 30, 1979, the department may not enter into any agreements or contracts under sub. (6) (a) or (b), but the department shall continue to make payments on existing agreements and contracts until the terms of the agreements and contracts are fully satisfied.

Vetoed in Part

SECTION 670jf. 144.24 (1) (c) of the statutes is amended to read:

144.24 (1) (c) "Municipality" means any city, town, village, county, special utility district established under s. 60.07, urban sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district, federally recognized American Indian tribe or band in this state.

Vetoed in Part

SECTION 670jf. 144.25 (4) (a) of the statutes is amended to read:

144.25 (4) (a) Consult with the department of agriculture, trade and consumer protection in developing any federal grant applications under par. (c) and (d). The department shall include the proposed regulations of paragraph (d) in the grant application. The department shall also consult with the department of agriculture, trade and consumer protection in developing the regulations for unfinanced projects under this section. Consultation with the department of agriculture, trade and consumer protection under this paragraph does not affect the approval of federal grants or loans under this section.

SECTION 670jf. 144.25 (4) (c) of the statutes is amended to read:

144.25 (4) (c) Through the continuing planning process under s. 144.25, identify these priority water
Amended to read:

144.253 (3) (a) Eligible recipients; to consist of counties, cities, towns, villages, qualified lake associations, town sanitary districts, public inland lake protection and rehabilitation districts and other local governmental units as defined in s. 66.299 (1) (a), that are established for the purpose of lake management.

SECTION 670. 144.30 (22rm) of the statutes is amended to read:

144.25 (8) (c) The department shall submit a copy of any plan it completes under this subsection to any county needed to or containing any watershed which is a subject of the plan and to the department of agriculture, trade and consumer protection.

Vetoed in Part
144.30 (22rm) "Regulated pollutant" means any of the following, except for carbon monoxide:
(a) A volatile organic compound.
(b) An oxide of nitrogen.
(c) A pollutant regulated under 42 USC 7411 or 7412.
(d) A pollutant for which a national primary ambient air quality standard has been promulgated under 42 USC 7409.

SECTION 753. 144.399 (1) (a) of the statutes is amended to read:
144.399 (1) (a) Application for permit. Reviewing and acting upon any application for an air pollution control construction permit.

SECTION 754. 144.399 (1) (b) of the statutes is repealed.

SECTION 755c. 144.399 (2) of the statutes is repealed and recreated to read:
144.399 (2) Fees for persons required to have operation permits. (a) The department shall promulgate rules for the payment and collection of fees by the owner or operator of a stationary source for which an operation permit is required. The rules shall provide all of the following:
1. That fees collected in a year are based on actual emissions of all regulated pollutants and any other air contaminant specified by the department in the rules in the preceding year.
2. Except as provided under par. (c), that the fees collected in 1993 are $18 per ton of each regulated pollutant.
2g. Except as provided under par. (c), that the fees collected in 1994 are $25 per ton increased by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), for 1993 exceeds the consumer price index for 1989.
2r. That the fees collected in each year after 1994 are calculated by increasing the fees collected in the preceding year by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), increased in the preceding year.
3. That fees are not based on emissions by an air contaminant source in excess of 4,000 tons per year of each regulated pollutant, except that, subject to par. (am), this limitation does not apply to a major utility, as defined in s. 144.385 (2) (b), that owns or operates a phase I affected unit as listed in Table A of 42 USC 7651c.
4. That during 1995 to 1999, no fee is required to be paid under this subsection for emissions from any affected unit under 42 USC 7651c.

(a) The department may not charge a major utility fees on emissions in excess of 4,000 tons per year of each regulated pollutant beyond the amount necessary to recover the fees that would have been charged for any phase I affected unit under 42 USC 7651c owned by that major utility if the prohibition in par. (a) 4 did not exist.

(b) The fees collected under par. (a) shall be credited to the appropriations under s. 20.370 (2) (bg) and (8) (mg) for the following:
1. The costs of reviewing and acting upon applications for operation permits; implementing and enforcing operation permits except for court costs or other costs associated with an enforcement action; monitoring emissions and ambient air quality; preparing rules and materials to assist persons who are subject to the operation permit program; ambient air quality modeling; preparing and maintaining emission inventories; and any other direct and indirect costs of the operation permit program.
2. Costs of any other activities related to stationary sources of air contaminants.

(c) The department may promulgate a rule reducing any operation permit fee required to be paid under par. (a) by small business stationary sources to take into account the financial resources of small business stationary sources.

SECTION 756c. 144.399 (3) of the statutes is repealed.

SECTION 757c. 144.399 (4) of the statutes is amended to read:
144.399 (4) Information on fees. In promulgating rules under sub. subs. (1) and (2), the department shall provide information on the costs upon which the proposed fees are based.

SECTION 758. 144.399 (6) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:
144.399 (6) (title) Use of certain fees. The department shall use moneys collected under this section subs. (1) and (5) for the purposes specified in sub. subs. (1) (a) to (c) subs. (1) and (5). If moneys collected under this section subs. (1) and (5) exceed the amounts necessary for the purposes specified in sub. subs. (1) (a) to (c) subs. (1) and (5), the department may use the excess for other activities to control air pollution in this state.

SECTION 759c. 144.399 (7) of the statutes is amended to read:
144.399 (7) Requirements for permits. The requirements for permits under par. (a) 1. and 2. and par. (b) of sub. (1) are not required to be met if the person or entity subject to the requirements is exempt from the requirements under s. 31.39 (1) or the person or entity subject to the requirements is exempt from the requirements under s. 67.345 (8) (b) (3) (B) (v).

SECTION 760c. 144.399 (8) of the statutes is amended to read:
144.399 (8) Fees for persons required to have operation permits. (a) The department shall promulgate rules for the payment and collection of fees by the owner or operator of a stationary source for which an operation permit is required. The rules shall provide all of the following:
1. That fees collected in a year are based on actual emissions of all regulated pollutants and any other air contaminant specified by the department in the rules in the preceding year.
2. Except as provided under par. (c), that the fees collected in 1993 are $18 per ton of each regulated pollutant.
2g. Except as provided under par. (c), that the fees collected in 1994 are $25 per ton increased by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), for 1993 exceeds the consumer price index for 1989.
2r. That the fees collected in each year after 1994 are calculated by increasing the fees collected in the preceding year by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), increased in the preceding year.
3. That fees are not based on emissions by an air contaminant source in excess of 4,000 tons per year of each regulated pollutant, except that, subject to par. (am), this limitation does not apply to a major utility, as defined in s. 144.385 (2) (b), that owns or operates a phase I affected unit as listed in Table A of 42 USC 7651c.
4. That during 1995 to 1999, no fee is required to be paid under this subsection for emissions from any affected unit under 42 USC 7651c.

(a) The department may not charge a major utility fees on emissions in excess of 4,000 tons per year of each regulated pollutant beyond the amount necessary to recover the fees that would have been charged for any phase I affected unit under 42 USC 7651c owned by that major utility if the prohibition in par. (a) 4 did not exist.

(b) The fees collected under par. (a) shall be credited to the appropriations under s. 20.370 (2) (bg) and (8) (mg) for the following:
1. The costs of reviewing and acting upon applications for operation permits; implementing and enforcing operation permits except for court costs or other costs associated with an enforcement action; monitoring emissions and ambient air quality; preparing rules and materials to assist persons who are subject to the operation permit program; ambient air quality modeling; preparing and maintaining emission inventories; and any other direct and indirect costs of the operation permit program.
2. Costs of any other activities related to stationary sources of air contaminants.

(c) The department may promulgate a rule reducing any operation permit fee required to be paid under par. (a) by small business stationary sources to take into account the financial resources of small business stationary sources.

SECTION 761c. 144.399 (9) of the statutes is amended to read:
144.399 (9) Information on fees. In promulgating rules under sub. subs. (1) and (2), the department shall provide information on the costs upon which the proposed fees are based.

SECTION 762c. 144.399 (10) of the statutes is amended to read:
144.399 (10) Information on fees. In promulgating rules under sub. subs. (1) and (2), the department shall provide information on the costs upon which the proposed fees are based.

SECTION 763c. 144.399 (11) of the statutes is amended to read:
144.399 (11) Disposition. In this section, "ozone-depleting refrigerant" has the meaning given it in s. 104.42 (5).
of hazardous waste generated during the reporting
year.

SECTION 763d. 144.444 (5) (c) of the statutes is
amended to read:
144.444 (5) (c) All moneys received under this sub-
section shall be credited to the environmental fund for
environmental repairs and hazardous waste cleanup.

SECTION 763h. 144.455 (2) of the statutes is
amended to read:
144.455 (2) APPLICATION. A political subdivision
that closes a nonapproved facility which it owns or
operates may apply to the department for a cost-shar-
ing grant. The application shall include information
requested by the department. The department may
establish a deadline for applying for a cost-sharing
grant.

SECTION 764. 144.96 (3) (a) of the statutes is
amended to read:
144.96 (3) (a) There is established an annual air
contaminant environmental fee to be paid by each
person required to report under sub. (1). The fee shall
be based on an administrative fee of $100 plus an
additional fee, to be set by the department by rule and
to be based on the concentration or quantity or both
of air contaminants discharged in relation to the
parameters established under sub. (2) (a). A person
may not be required to pay fees on emissions under
this subsection for any year for which that person is
required to pay fees on those same emissions under s.
144.399 (2) (a).

SECTION 765. 144.96 (3) (d) of the statutes, as
affected by 1991 Wisconsin Act 39, is amended to
read:
144.96 (3) (d) The annual environmental fees under
this section shall be paid for each plant at which pollu-
tants are discharged. In any one year the annual air
contaminant environmental fee under par. (a) shall be
reduced for a plant which is a stationary source and
which has paid fees under s. 144.399 by the amount of
those fees.

SECTION 765cb. 146.024 (1) (a) of the statutes, as
affected by 1991 Wisconsin Act 32 and 1991 Wiscon-
sin Act 39, section 2626r, is renumbered 146.024 (1)
ar and amended to read:
146.024 (1) (ar) "Health care provider" means a
nurse licensed under ch. 441, a chiropractor licensed
under ch. 446, a dentist licensed under ch. 447, a phy-
sician, podiatrist or physical therapist licensed or an
occupational therapist or occupational therapy assis-
tant certified under ch. 448, an optometrist licensed
under ch. 449, a psychologist licensed under ch. 455, a
speech-language pathologist or audiologist registered
under subch. III of ch. 459, a speech and language
pathologist licensed by the department of public
instruction, an employee or agent thereof, a partner-
ship thereof, a corporation thereof that provides
health care services, an operational cooperative sick-
ness care plan organized under ss. 185.981 to 185.985
that directly provides services through salaried
employees in its own facility, an emergency medical
technician—paramedic or an emergency medical
technician—basic technician licensed under s. 146.50
(5).

SECTION 765cc. 146.024 (1) (a) of the statutes, as
affected by 1991 Wisconsin Act 39, section 2626s, is
renumbered 146.024 (1) (ar) and amended to read:
146.024 (1) (ar) "Health care provider" means a
nurse licensed under ch. 441, a chiropractor licensed
under ch. 446, a dentist licensed under ch. 447, a phy-
sician, podiatrist or physical therapist licensed or an
occupational therapist or occupational therapy assist-
tant certified under ch. 448, an optometrist licensed
under ch. 449, a psychologist licensed under ch. 455, a
speech-language pathologist or audiologist registered
under subch. III of ch. 459, a speech and language
pathologist licensed by the department of public
instruction, an employee or agent thereof, a partner-
ship thereof, a corporation thereof that provides
health care services, an operational cooperative sick-
ness care plan organized under ss. 185.981 to 185.985
that directly provides services through salaried
employees in its own facility, an emergency medical
technician—paramedic or an emergency medical
clinician licensed under s. 146.35 or an ambulance attendants
clinician licensed under s. 146.50 (5).

SECTION 765cd. 146.024 (1) (ad) of the statutes is
created to read:
146.024 (1) (ad) "Correctional officer" has the
meaning given in s. 301.28 (1).

SECTION 765ce. 146.024 (1) (am) of the statutes is
created to read:
146.024 (1) (am) "Fire fighter" has the meaning
given in s. 102.475 (8) (b).

SECTION 765cf. 146.024 (1) (e) and (f) of the stat-
utes are created to read:
146.024 (1) (e) "Peace officer" means a sheriff,
undersheriff, deputy sheriff, police officer, constable,
marshal or deputy marshal.
(f) "State patrol officer" means an officer of the
state traffic patrol under s. 110.07 (1) (a).

SECTION 765cg. 146.024 (2) (intro.) of the stat-
utes is amended to read:
146.024 (2) (intro.) No health care provider, peace
officer, fire fighter, correctional officer, state patrol
officer, home health agency or inpatient health care
facility or person who has access to a validated test
result, as defined in s. 146.025 (1) (g), may do any of
the following with respect to an individual who has
acquired immunodeficiency syndrome or has a posi-
tive test for the presence of HIV, antigen or nonan-

Underscored, stricken, and vetoed text may not be searchable.
If you do not see text of the Act, SCROLL DOWN.
body fluid into a body orifice that is visibly contaminated with blood.

2. Exchange of blood, during the accidental or intentional infliction of a penetrating wound, including a needle puncture, of blood; semen; vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other body fluid that is visibly contaminated with blood.

3. Blood or other body-fluid exchange Exchange into an eye, an open wound, an oozing lesion, or where a significant breakdown in the epidermal barrier has occurred, of blood; semen; vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other body fluid that is visibly contaminated with blood.

SECTION 765cm. 146.025 (1) (em) 1 and 2 of the statutes are repealed.

SECTION 765cm. 146.025 (1) (em) 4 and 5 of the statutes are repealed.

SECTION 765cm. 146.025 (1) (em) 1 to 3 of the statutes are created to read:

146.025 (1) (em) 1. Transmission, into a body orifice or onto mucous membrane, of blood; semen; vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other body fluid into a body orifice that is visibly contaminated with blood.

SECTION 765cm. 146.025 (1) (em) 6 of the statutes is created to read:

146.025 (1) (em) 6. A health care provider who procures, processes, distributes or uses human sperm or ovum donated as specified under s. 157.06 (6) (a) or (b), shall, prior to the procurement, processing, distribution or use and with informed consent under the requirements of par. (b), test the proposed donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV.

SECTION 765cm. 146.025 (2) (a) 1 of the statutes is renumbered 146.025 (2) (am) 1 and amended to read:

146.025 (2) (am) 1. A health care provider who procures, processes, distributes or uses human sperm or ovum donated as specified under s. 157.06 (6) (a) or (b), shall, prior to the procurement, processing, distribution or use and with informed consent under the requirements of par. (b), test the proposed donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV.
that is not less than 90 180 days from the date of initial testing. If the donor continues after the date of the 2nd test to donate sperm or ova, the health care provider shall test the donor at least every 3 months from the date the procurement of the sperm. No person may use the donated sperm until the health care provider has obtained the results of the 2nd test. If any validated test result of the donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV is positive, the sperm or ova donated for use may not be used and, if donated, shall be destroyed.

SECTION 765cr. 146.025 (2) (a) 5. a. of the statutes is amended to read:

146.025 (2) (a) 5. a. The health care provider or employee uses universal precautions against significant exposure, and was using universal precautions at the time he or she was significantly exposed, except in those emergency circumstances in which the time necessary for use of the universal precautions would endanger the life of the patient.

Vetoed in Part

SECTION 765cv. 146.025 (2) (a) 5m of the statutes is amended to read:

146.025 (2) (a) 5m. The results of a test of a patient under subd. 5 may be disclosed only to the patient, if the patient so consents, to anyone authorized by the patient and to the health care provider or employee of a health care provider who was significantly exposed. A record may be retained of the results of the test only if the record does not reveal the patient’s identity. If the health care provider or employee knows the identity of the patient whose blood was tested, he or she may not disclose the identity to any other person except for the purpose of having the test performed.

SECTION 765cw. 146.025 (2) (a) 6 of the statutes is created to read:

146.025 (2) (a) 6. A health care professional acting under an order of the court under subd. 7 or s. 968.38 (4) may, without first obtaining consent to the testing, subject an individual to a test or a series of tests to detect the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV. A health care professional may administer a test of a health care provider or employee under subd. 5m. No sample used for laboratory test purposes under this subdi-
sample used for laboratory test purposes under this subd. 7. c. may disclose the name of any other donor testing the test subject.

d. The court is not required to order the individual to submit to a test under subd. 7. c. if the court finds substantial reason relating to the life or health of the individual not to do so and states the reason on the record.

SECTION 765cvn. 146.025 (2) (am) 2 of the statutes is created to read:

146.025 (2) (am) 2. a. A health care provider who procures, processes, distributes or uses human ova donated as specified under s. 157.06 (6) (a) or (b) shall, prior to the distribution or use and with informed consent under the requirements of par. (b), test the proposed donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV in order to assure medical acceptability of the gift for the purpose intended, only if the state epidemiologist finds that use of donated human ova provides a significant risk of transmitting HIV to a donee and if, notwithstanding ss. 227.01 (13) and 227.10 (1), the secretary of health and social services issues an order specifying the requirements for the testing.

b. A health care provider shall comply with any order issued under subd. 2. a.

SECTION 765cvn. 146.025 (2) (b) (intro.) of the statutes is amended to read:

146.025 (2) (b) (intro.) The health care provider, blood bank, blood center or plasma center that subjects a person to a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV under par. pars. (a) and (am) shall, in instances under that paragraph those paragraphs in which consent is required, provide the potential test subject with an informed consent form for testing or disclosure that shall contain the following information and on the form shall obtain the potential test subject's signature or may, if the potential test subject has executed a power of attorney for health care instrument under ch. 155 and has been found to be incapacitated under s. 155.05 (2), instead obtain the signature of the health care agent:

SECTION 765cw. 146.025 (2) (b) 2 of the statutes is amended to read:

146.025 (2) (b) 2. A statement of explanation to the potential test subject that the test results may be disclosed as specified under sub. (5) (a) and either a listing that duplicates the persons or circumstances specified under sub. (5) (a) 2 to $45 18 or a statement that the listing is available upon request.

SECTION 765cx. 146.025 (2) (bm) 2 of the statutes is amended to read:

146.025 (2) (bm) 2. A statement of explanation that the test results may be disclosed as specified under sub. (5) (a) and either a listing that duplicates the persons or circumstances specified under sub. (5) (a) 2 to $45 18 or a statement that the listing is available upon request.

SECTION 765cy. 146.025 (4) (c) of the statutes is amended to read:

146.025 (4) (c) Maintain a record of the test results obtained. A record that is made under the circumstances described in sub. (2) (a) 5m may not reveal the identity of the test subject.

SECTION 765db. 146.025 (5) (a) (intro.) of the statutes is amended to read:

146.025 (5) (a) (intro.) The results of An individual who is the subject of a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV; except a test under sub. (2) (a) 5m may be disclosed only to the individual's health care agent, if the individual has executed a power of attorney for health care instrument under ch. 155 and has been found to be incapacitated under s. 155.05 (2), may disclose the results of the individual's test to anyone. A person who is neither the individual nor the individual's health care agent may not, unless he or she is specifically authorized by the individual to do so, disclose the individual's test results except to the following persons or under the following circumstances, except that the person who receives a test or, if the person has executed a power of attorney for health care instrument under ch. 155 and has been found to be incapacitated under s. 155.05 (2), the health care agent may under sub. (2) (b) or (3) authorize disclosure to anyone:

SECTION 765dc. 146.025 (5) (a) 16 of the statutes is created to read:

146.025 (5) (a) 16. To the health care provider or employee under sub. (2) (a) 5m.

SECTION 765de. 146.025 (5) (a) 17 of the statutes is created to read:

146.025 (5) (a) 17. To an alleged victim or victim, to a health care professional, upon request as specified in s. 968.38 (4), who provides care to the alleged victim or victim and, if the alleged victim or victim is a minor, to the parent or guardian of the alleged victim or victim, under s. 968.38 (4).

SECTION 765df. 146.025 (5) (a) 18 of the statutes is created to read:

146.025 (5) (a) 18. To an emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer, under sub. (2) (a) 7.

SECTION 765g. 146.0275 (2) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.0275 (2) BREAST CANCER SCREENING PROGRAM. (intro.) From the appropriation under s. 20.435 (1) (ee) (cd), the department shall, in each fiscal year, administer a breast cancer screening program and allocate up to:

(a) At least $422,600 as grants for provision of mammography services to women who are aged 40 years or older and who reside in Adams, Clark, Dunn, Iron, Kewaunee, Langlade, Marquette, Oconto, Price, Taylor, Trempealeau or Wood county the 12 rural
counties that the department specifies by rule as having the highest incidence in the state of late-stage breast cancer. 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 subsection paragraph and that is selected by the department under procedures established by the department. Payment for services provided under a grant shall be as follows:

SECTION 765h. 146.0275 (2) (a) to (c) of the statutes, as affected by 1991 Wisconsin Act 39, are renumbered 146.0275 (2) (a) 1 to 3.

SECTION 765i. 146.0275 (2) (b) of the statutes is created to read:

146.0275 (2) (b) At least $20,000 for the development and provision by the department, of media announcements and of educational materials concerning the need for and availability of breast cancer screening program services for women in areas served under grants under par. (a).

SECTION 765j. 146.0275 (3) of the statutes is created to read:

146.0275 (3) RULES. The department shall promulgate rules that specify the 12 rural counties having the highest incidence in the state of late-stage breast cancer.

146.125 Powers of villages, cities and towns. Section 95.72 shall not be construed to deprive any city or village from passing any ordinance prohibiting the rendering of dead animals within the city or village specified in subdivision 1 or section 95.93. As adding any existing law prohibiting the rendering of dead animals within any city or village shall not be prohibitive of rendering dead animals for humane, scientific, research and testing and providing the opportunity and transporting dead animals under sanitary conditions no less stringent than provided by this section and the rules of the department of agriculture, trade and consumer protection and any such previous and regulation shall be construed as supplementary to the provisions of this section and the rules of the department shall not be construed as conflicting or prohibiting any failure or failure to comply with the section and the rules of the department. Section 95.72 shall be expressly construed as amending the powers granted to towns and any city, village or town is empowered to take any action to be taken under s. 146.12 and to institute and maintain court proceedings to prevent, stop, or enforce any rule as the under and to institute and maintain any action under ss. 823.01, 823.03 and 823.37.

146.19 Cooperative American Indian health projects. (a) "Inter-tribal organization" means an organization composed of tribes or tribal agencies.
SECTION 769. 146.55 (3) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.55 (3) (b) Review the annual budget prepared by the department for the expenditures under s. 20.435 (1) (r) (rm).

SECTION 770. 146.55 (4) (a) of the statutes as affected by 1991 Wisconsin Act 39, is amended to read:

146.55 (4) (a) From the appropriation under s. 20.435 (1) (r) (rm), the department shall annually allocate funds for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel to an ambulance service provider that is a public agency, a volunteer fire department or a nonprofit corporation, under a funding formula consisting of an identical base amount for each ambulance service provider plus a supplemental amount based on the population of the ambulance service provider’s primary service or contract area, as established under s. 146.50 (5).

SECTION 771. 146.55 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.55 (5) EMERGENCY MEDICAL TECHNICIAN TRAINING AND EXAMINATION AID. From the appropriation under s. 20.435 (1) (r) (rm), the department shall annually allocate funds to entities, including vocational, technical and adult education districts, whose courses or instructional programs are approved by the department under s. 146.50 (9), to assist the entities in providing the training required for licensure and renewal of licensure as an emergency medical technician — basic under s. 146.50 (6) and to fund each examination administered by the entity for licensure or renewal of licensure as an emergency medical technician — basic under s. 146.50 (6) (a) 3 and (b) 1.

SECTION 772. 146.60 (1) (c) of the statutes is amended to read:

146.60 (1) (c) "Department" means the department of agriculture, trade and consumer protection and the department of natural resources.

SECTION 773. 146.60 (2) (h) of the statutes is amended to read:

146.60 (2) (h) The department of agriculture, trade and consumer protection shall be the reviewing department for any regulation relating to any federal requirement in the coordinated framework, except a requirement under subds. 15 DCF 2601 to 2620.

SECTION 774. 146.60 (3) (c) 1 of the statutes is amended to read:

146.60 (3) (c) 1. If the department of agriculture, trade and consumer protection receives any information under this subsection or subd. 14 (c), it shall provide the department of natural resources with a copy of the information.

SECTION 775. 146.60 (4) (a) of the statutes is amended to read:

146.60 (4) (a) The department of agriculture, trade and consumer protection shall provide the department of natural resources with a copy of the information.

SECTION 776. 146.70 (3) (b) of the statutes is amended to read:

146.70 (3) (b) a. Forty cents each month for each exchange access line or its equivalent in the county, plus a supplemental amount based on the population of the county, as established under s. 146.70 (1) (d) 1.

SECTION 777. 146.81 (2) (b) and (c) of the statutes are created to read:

146.81 (2) (b) A county may not require occupants of an exchange for which a city, town or village previously established a basic system or sophisticated system to be billed for the nonrecurring costs of a system established by the county. This paragraph does not prohibit a county from requiring such service users to be billed for the nonrecurring costs of a county system upgrade.

SECTION 778. 146.81 (2) (c) of the statutes is amended to read:

146.81 (2) (c) A county may not require occupants of an exchange for which a city, town or village previously established a basic system or sophisticated system to be billed for the nonrecurring costs of a system established by the county. This paragraph does not prohibit a county from requiring such service users to be billed for the nonrecurring costs of a county system upgrade.

SECTION 779. 146.81 (2) (c) of the statutes is amended to read:

146.81 (2) (c) A county may not require occupants of an exchange for which a city, town or village previously established a basic system or sophisticated system to be billed for the nonrecurring costs of a system established by the county. This paragraph does not prohibit a county from requiring such service users to be billed for the nonrecurring costs of a county system upgrade.

SECTION 780. 146.81 (2) (c) of the statutes is amended to read:

146.81 (2) (c) A county may not require occupants of an exchange for which a city, town or village previously established a basic system or sophisticated system to be billed for the nonrecurring costs of a system established by the county. This paragraph does not prohibit a county from requiring such service users to be billed for the nonrecurring costs of a county system upgrade.
146.81 (2) (b) The type of information to be disclosed.
(c) The types of health care providers making the disclosure.

SECTION 772g. 146.81 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.81 (4) “Patient health care records” means all records related to the health of a patient prepared by or under the supervision of a health care provider, including the records required under s. 146.82 (2) (d) and (3) (c), but not those records subject to s. 51.30, reports collected under s. 69.186, records of tests administered under s. 146.025 (2) (a) 546.454 (2), 343.305 or 968.38 (4), fetal monitor tracings, as defined under s. 146.817 (1), or a pupil’s physical health records maintained by a school under s. 118.125.

SECTION 772gg. 146.819 of the statutes is created to read:

146.819 Preservation or destruction of patient health care records. (1) Except as provided in sub. (4), any health care provider who ceases practice or business as a health care provider or the personal representative of a deceased health care provider who was an independent practitioner shall do one of the following for all patient health care records in the possession of the health care provider when the health care provider ceased business or practice or died:

(a) Provide for the maintenance of the patient health care records by a person who states, in writing, that the records will be maintained in compliance with ss. 146.81 to 146.835.

(b) Provide for the deletion or destruction of the patient health care records.

(c) Provide for the maintenance of some of the patient health care records, as specified in par. (a), and for the deletion or destruction of some of the records, as specified in par. (b).

(2) If the health care provider or personal representative provides for the maintenance of any of the patient health care records under sub. (1), the health care provider or personal representative shall also do at least one of the following:

(a) Provide written notice, by 1st class mail, to each patient or person authorized by the patient whose records will be maintained, at the last-known address of the patient or person, describing where and by whom the records shall be maintained.

(b) Publish, under ch. 985, a class 3 notice in a newspaper that is published in the county in which the health care provider’s or decedent’s health care practice was located, specifying the date on which the records will be deleted or destroyed, unless the patient or person retrieves them before that date, and the location where, and the dates and times when, the records may be retrieved by the patient or person.

(3) If the health care provider or personal representative provides for the deletion or destruction of any of the patient health care records under sub. (1), the health care provider or personal representative shall also do at least one of the following:

(a) Provide notice to each patient or person authorized by the patient whose records will be deleted or destroyed, that the records pertaining to the patient will be deleted or destroyed. The notice shall be provided at least 35 days prior to deleting or destroying the records, shall be in writing and shall be sent, by 1st class mail, to the last-known address of the patient to whom the records pertain or the last-known address of the person authorized by the patient. The notice shall inform the patient or person authorized by the patient of the date on which the records will be deleted or destroyed, unless the patient or person retrieves them before that date, and the location where, and the dates and times when, the records may be retrieved by the patient or person.

(b) Publish, under ch. 985, a class 3 notice in a newspaper that is published in the county in which the health care provider’s or decedent’s health care practice was located, specifying the date on which the records will be deleted or destroyed, unless the patient or person retrieves them before that date, and the location where, and the dates and times when, the records may be retrieved by the patient or person.

(4) This section does not apply to a health care provider that is any of the following:

(a) A community-based residential facility or nursing home licensed under s. 50.03.

(b) A hospital approved under s. 50.35.

(c) A hospice licensed under s. 50.92.

(d) A home health agency licensed under s. 141.15 (4).

(e) A tuberculosis sanatorium approved under s. 149.03.

(f) A public health agency, as defined in s. 140.03 (1) (c), that ceases practice or business and transfers the patient health care records in its possession to a successor public health agency.

SECTION 772h. 146.88 (3) (i) of the statutes is repealed.

SECTION 772i. 146.88 (4) (a) of the statutes is amended to read:

146.88 (4) (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 48 29 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).

SECTION 772j. 146.882 of the statutes is created to read:

146.882 Medical leave premium subsidies. (1) DEFINITIONS. In this section:

(a) “Group health plan” has the meaning given in s. 146.88 (1) (b).
(b) “HIV” has the meaning given in s. 146.88 (1) (c).
(c) “HIV infection” has the meaning given in s. 146.88 (1) (d).
(d) “Medical leave” means medical leave under s. 103.10.
(e) “Residence” has the meaning given in s. 146.88 (1) (e).

(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 coverage under a group health plan that are paid by an individual who has HIV infection and who is on unpaid medical leave from his or her employment 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 is on unpaid medical leave from his or her employment because of an illness or medical condition arising from or related to the individual’s HIV infection or because of medical treatment or supervision for such an illness or medical condition.
3. Is covered under a group health plan through his or her employment and pays part or all of the premium for that coverage, including any premium for coverage of the individual’s spouse and dependents.

(d) Authorizes the department, in writing, to do all of the following:

1. Contact the individual’s employer or the administrator of the group health plan under which the individual is covered, to verify the individual’s medical leave, group health plan 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 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 par. (d).
2. A group health plan that offers a substantial reduction in covered health care services from the group health plan under subd. 1.
3. 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. (d).
4. Is not eligible for medicare under 42 USC 1395 to 1395zz.

(i) Does not have escrowed under s. 103.10 (9) (c) an amount sufficient to pay the individual’s required contribution to his or her premium payments.

(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 amount of each premium payment for coverage under the group health plan under sub. (3) (d) that is due from the individual 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 the individual’s contribution to each premium payment because the coverage that is provided 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 unpaid medical leave ends, when the individual no longer satisfies sub. (3) or upon the expiration of 29 months after the unpaid medical leave began, whichever occurs first.

(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) If an individual who satisfies sub. (3) has an amount escrowed under s. 103.10 (9) (c) that is insufficient to pay the individual’s required contribution to his or her premium payments, the amount paid under par. (a) may not exceed the individual’s required contribution for the duration of the payments under this section as determined under par. (a) minus the amount escrowed.

(5) APPLICATION PROCESS. The department may establish, by rule, a procedure under which an individual who does not satisfy sub. (3) (b) or (c) 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 pay-
ments in a timely manner once the individual satisfies each requirement of sub. (3). If an application is submitted by an 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 contact the individual's employer 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)(h) Establish a procedure for making payments under this section that ensures that the payments are actually used to pay premiums for group health plan coverage available to individuals who satisfy sub. (3).

SECTION 772n. 146.89 (5) of the statutes is created to read:

(a) The volunteer health care provider shall provide services under par. (b) without charge in Milwaukee county at the nonprofit agency whose joint application with the volunteer health care provider is approved under sub. (2).

(b) The volunteer health care provider may, within the limitations of his or her licensed scope of practice, provide the health care services that are specified under sub. (3) (b) 1 to 7.

(c) The volunteer health care provider may not provide emergency medical services, hospitalization or surgery.

(d) The volunteer health care provider shall provide health care services primarily to low-income persons who are uninsured and who are not recipients of any of the programs specified in sub. (3) (d) 1 to 4.

SECTION 772s. 146.89 (5) of the statutes is created to read:

146.89 (5) (a) In this subsection, "volunteer health care provider" means an individual who is licensed as a physician under ch. 448 or licensed as a registered nurse or a licensed practical nurse under ch. 441 and who receives no income from the practice of that profession when practicing at the clinic specified in par. (b).

(b) Volunteer health care providers who provide uncompensated health care services at the medical clinic that is operated by the Salvation Army in Outagamie county in this state are, for the provision of those services, state agents of the department of health and social services for purposes of ss. 165.25 (6), 893.82 (3) and 895.46.

SECTION 773. 146.99 of the statutes is amended to read:

146.99 Assessments. The department shall, within 90 days after the commencement of each fiscal year, estimate the total amount of expenditures and the department shall assess the estimated total amount under s. 20.435 (1) (gp) and (gq) to hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross private-pay patient revenues during the hospital's most recently concluded entire fiscal year. Each hospital shall pay its assessment on or before December 1 for the fiscal year. All payments of assessments shall be deposited in the appropriation under s. 20.435 (1) (gp).

SECTION 774. 153.05 (6m) of the statutes is created to read:

153.05 (6m) If the requirements of s. 153.07 (2) are first met, the office may contract with the group insurance board for the provision of data collection and analysis services related to health maintenance organizations and insurance companies that provide health insurance for state employees or the department shall provide the services under s. 153.07 (2). The office shall establish contract fees for the provision of the services. All moneys collected under this subsection shall be credited to the appropriation under s. 20.435 (1) (kx).
pursuant to s. 153.05 (6) or (6m). If the board deter-

amended to read:

close of each existing contract.

decides to bid the contract for services under s. 153.05 (1). In the alternative, the

board may direct the office to have the department

specifications for a contract including the length of the

contract and the standards for determining potential

contractor conflicts with the purposes of the office as

specified under s. 153.05 (1). In the alternative, the

board may direct the office to have the department

provide the services under s. 153.05 (6) or (6m). The

board may subsequently determine to contract for

these services in subsequent years. If the board

decides to bid the contract for services under s. 153.05

(6) or (6m), the department may offer a bid as would

any other potential contractor. The board shall evalu-

ate a contractor’s performance 6 months prior to the

close of each existing contract.

SECTION 775c. 155.20 (2) (a) 2 of the statutes is

amended to read:

155.20 (2) (a) 2. An intermediate care facility for the

mentally retarded, as defined in s. 46.278 (1m) (a) (am).

SECTION 775gd. 157.061 (6) of the statutes, as

created by 1989 Wisconsin Act 307, is repealed.

SECTION 775ge. 157.062 (1) and (2) of the stat-

utes, as affected by 1989 Wisconsin Act 307, are

amended to read:

157.062 Cemetery associations; creation; powers and
duties. (1) ORGANIZATION. Seven or more residents of

the same county may form a cemetery association. They

shall meet, select a chairperson and secretary, choose a

name, fix the annual meeting date, and elect

by ballot not less than 3 nor more than 9 trustees

whom the chairperson and secretary shall immediately

divide by lot into 3 classes, who shall hold their offices

for 1, 2 and 3 years, respectively. Within 3 days, the

chairperson and secretary shall certify the corporate

name, the names, home addresses and business

addresses of the organizers and of the trustees, and

their classification, and the annual meeting date

acknowledged by them, and, except as provided in

sub. (9), deliver the certification to the secretary of

state. The association then has the powers of a

corporation.

(2) AMENDMENTS. The association may change its

name, the number of trustees or the annual meeting
date by resolution at an annual meeting, or special

meeting called for such purpose, by a majority vote of

the members present, and, except as provided in sub.

(9), by delivering to the secretary of state a copy of the

resolution, with the date of adoption, certified by the

president and secretary or corresponding officers.

SECTION 775gf. 157.062 (6) (b) of the statutes, as

affected by 1989 Wisconsin Act 307, is amended to

read:

157.062 (6) (b) If an association that has been dis-
solved under par. (a), or any group that was never

properly organized as a cemetery association, has

cemetery grounds and human remains are buried in

the cemetery grounds, 5 or more members, or persons

interested as determined by order of the circuit judge

under par. (c), may publish a class 3 notice, under ch. 985,
in the municipality in which the cemetery is

located, of the time, place and object of the meeting,

assemble and reorganize by the election of trustees

and divide them into classes as provided in sub. (1),

the commencement of the terms to be computed from

the next annual meeting date. The secretary shall

enter the proceedings of the meeting on the records.

The association is reorganized upon delivery of a copy

of the proceedings to the secretary of state, except as

provided in sub. (9). Upon reorganization, the title to

the cemetery grounds, trust funds and all other prop-

erty of the association or group vests in the reorga-

nized association, under the control of the trustees.

The reorganized association may continue the name

of the dissolved association or may adopt a new name.

SECTION 775gg. 157.062 (9) of the statutes is cre-

ated to read:

157.062 (9) EXEMPTIONS FOR CERTAIN NONPROFIT
CEMETERIES. In lieu of delivering a certification, reso-

lution or copy of proceedings to the secretary of state

under sub. (1), (2) or (6) (b), a cemetery association

that is not required to be registered under s. 440.91 (1)

and that is not organized or conducted for pecuniary

profit shall deliver the certification, resolution or copy

of proceedings to the office of the register of deeds of

the county in which the cemetery is located.

SECTION 775gh. 157.08 (1) of the statutes, as

affected by 1989 Wisconsin Act 307, is amended to

read:

157.08 (1) After the plat or map is recorded under s.

157.07 and, if the land is dedicated on or after Novem-

ber 1, 1991, the cemetery authority receives a written
determination under s. 15.713 (1) (a) that the land

qualifies as an endowment-care cemetery, the ceme-
tery authority may sell and convey cemetery lots.

Conveyances shall be signed by the chief officer of the

cemetery authority, and by the secretary or clerk of the

cemetery authority, if any. Before delivering the

conveyance to the grantee, the cemetery authority

shall enter on records kept for that purpose, the date

and consideration and the name and residence of the

grantee. The conveyances may be recorded with the

register of deeds.

SECTION 775gp. 157.08 (2) (d) of the statutes, as

affected by 1989 Wisconsin Act 307, is renumbered

157.11 (9g) (c) and amended to read:

157.11 (9g) (c) Any Except as provided in sub. (11),

any cemetery authority that sells a cemetery lot on or

after November 1, 1991, shall deposit 15% of each

payment of principal into a care fund under par. (a)

within 30 days after the last day of the month in which

the payment is received, except as provided in s-

157.11 sub. (7) (d) and s. 157.115 (2) (f). The total

amount deposited must equal 15% of the total
amount of all payments of principal that have been received, but not less than $25.

SECTION 775gt. 157.08 (5) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.08 (5) Subsections (1) and (2) (b) do not apply, but subds. (2) (a), (c) and (d) and (3) do apply, to a religious society organized under ch. 187, and sub. (2) (b) does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775h. 157.09 of the statutes, as affected by 1989 Wisconsin Act 307, is repealed.

SECTION 775ic. 157.11 (title) of the statutes is amended to read:

157.11 (title) Improvement and care of cemetery lots and grounds.

SECTION 775ie. 157.11 (9) (b) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9g) (a) 1, (intro.) and amended to read:

157.11 (9g) (a) 1, (intro.) Except as provided in ss. 66.04 (2) (c), care funds and 157.19 (5) (b), funds that are received by a cemetery authority for the care of a cemetery lot shall be invested in one or more of the following manners:

a. Deposited and invested as provided in s. 157.19; or the funds may be deposited,

b. Deposited with the treasurer of the county or city in which the cemetery is located, if the governing body of the county or city may determine to accept such deposits.

2. The manner in which the care funds are invested may not permit the cemetery authority to withdraw the care fund's principal amount. The income from the investment of a care fund for the care of cemetery lots and grounds, except that if the amount of income exceeds the amount necessary to maintain the cemetery lots or grounds properly, the excess amount may be used to maintain any other portion of the cemetery, including mausoleums. If the care funds are deposited with a city or county, or previously deposited with a village, there shall be paid to the cemetery authority annually interest on funds so deposited of not less than 2% per year. The governing body of any city or county, or any village or town in the case of previous deposits, may determine to return all or a part of any funds deposited by a cemetery authority, and that cemetery authority shall accept the returned funds within 30 days after receiving written notice of that action. If the cemetery authority is dissolved or becomes inoperative, the county or city shall use the interest on the funds for the care and upkeep of the cemetery. Deposit shall be made and the income paid over from time to time, not less frequently than once each year, and receipts in triplicate shall be given, one filed with the county clerk, one with the cemetery authority and one given to the person making the deposit. Deposits shall be in the amount of $5 or a multiple thereof. Records and receipts shall specify the cemetery lot for the care of which the deposit is made. Reports of money received for care and of money and property received as gifts shall be made annually as provided in s. 157.62 (2). All funds received by a cemetery authority for care and now held by the treasurer or trustees of the cemetery authority may be transferred to the county or city treasurer.

SECTION 775ig. 157.11 (9) (e) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9g) (b) and amended to read:

157.11 (9g) (b) Anyone having in custody or control any care fund trust fund received other than by testament shall, upon demand, deliver it to the cemetery authority to be handled as provided in this section subsection.

SECTION 775ik. 157.11 (9) (f) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9m).

SECTION 775im. 157.11 (9) (g) of the statutes is renumbered 157.11 (9r) and amended to read:

157.11 (9r) (title) Tax and other exemptions. Gifts and trusts hereunder under this section shall be exempt from taxation and the law against perpetuities, accumulations and mortmain.

SECTION 775ip. 157.11 (9g) (title) of the statutes is created to read:

157.11 (9g) (title) Care fund for cemetery lots.

SECTION 775ir. 157.11 (9g) (a) 1, c. of the statutes is created to read:

157.11 (9g) (a) 1, c. If not invested as provided in subd. 1, a. or b., otherwise deposited by the cemetery authority in an investment approved by the department if the care funds are segregated and invested separately from all other moneys held by the cemetery authority.

SECTION 775is. 157.11 (9m) (title) of the statutes is created to read:

157.11 (9m) (title) Action by district attorney.

SECTION 775it. 157.11 (10) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.11 (10) Exemption for religious societies. This section does not apply Subsections (1) to (9), (9g) (a) and (b), (9m) and (9r) do not apply, but sub. (9g) (c) does apply, to a religious society organized under ch. 187.

SECTION 775iv. 157.11 (11) of the statutes is created to read:

157.11 (11) Exemption for certain nonprofit cemeteries. Subsection (9g) does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775iw. 157.12 (2) (c) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.12 (2) (c) 1 and amended to read:
157.12 (2) (c) 1. No person may establish or use a public mausoleum unless the mausoleum is located inside a cemetery of 20 acres or more that has been in existence for 10 years or more.

SECTION 775ix. 157.12 (2) (c) 2 of the statutes is created to read:

157.12 (2) (c) 2. A person may establish or use a public mausoleum in a cemetery consisting of less than 20 acres in a municipality that has enacted an ordinance under s. 66.057 (2) if the cemetery meets the minimum acreage requirement specified in that ordinance.

SECTION 775j. 157.12 (3) (title) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

157.12 (3) (title) Care fund for mausoleums.

SECTION 775kd. 157.128 (title) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.128 (title) Minimum acreage requirement for cemetery established on or after November 1, 1991.

SECTION 775kh. 157.128 (1) (a) of the statutes, as created by 1989 Wisconsin Act 307, is renumbered 157.128 (1) and amended to read:

157.128 (1) Except as provided in par. (b) subds. (2) and (3), no cemetery may be dedicated on or after November 1, 1991, unless the cemetery consists of at least 20 contiguous acres.

SECTION 775kp. 157.128 (1) (b) of the statutes, as created by 1989 Wisconsin Act 307, is renumbered 157.128 (2).

SECTION 775kt. 157.128 (2) of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775kw. 157.128 (3) of the statutes is created to read:

157.128 (3) (a) A cemetery consisting of less than 20 contiguous acres may be dedicated in a municipality that has enacted an ordinance under s. 66.057 if the cemetery meets the minimum acreage requirement specified in that ordinance.

(b) A cemetery consisting of less than 20 contiguous acres may be dedicated by a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775L. 157.13 of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775m. 157.15 of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775pd. 157.19 (2) (a) of the statutes, as affected by 1991 Wisconsin Act 74, is amended to read:

157.19 (2) (a) Except as provided in sub. (5) and the rules promulgated under sub. (4), the cemetery authority shall may deposit care funds under s. 157.11 (9g) (a) and s. 157.12 (3) and 157.13 and preneed trust funds under s. 440.92, with a financial institution located in this state. The financial institution shall be the trustee of the care funds and preneed trust funds. A bank need not comply with s. 221.04 (6) or ch. 223 to accept or disburse deposits under this section. The trustee shall invest the care funds and preneed trust funds as provided under s. 881.01, except as provided in sub. (5) and the rules promulgated under sub. (4).

SECTION 775ph. 157.19 (2) (b) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.19 (2) (b) The cemetery authority may not change the trustee of a care fund under s. 157.11 (9g) that is deposited under this section or of a care fund under s. 157.12 (3), and the financial institution may not release any portion of the principal amount of the care fund, without the department's written approval.

SECTION 775pp. 157.19 (5) of the statutes, as created by 1989 Wisconsin Act 307, is renumbered 157.19 (5) (a) and amended to read:

157.19 (5) (a) This section does not apply to care funds under s. 157.11 (9g) (b) (9g) that are deposited with a city or county as provided under s. 157.11 (9g) (b) (9g) (a), to care funds of a cemetery for which a certification under s. 157.63 is effective for preneed trust funds of a cemetery for which a certification under s. 440.92 (9) is effective, or to care funds or preneed trust funds of a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775pt. 157.19 (5) (b) of the statutes is created to read:

157.19 (5) (b) If the department determines that care funds under s. 157.11 (9g) that have not been deposited with a city or county as provided in s. 157.11 (9g) (a) are not properly segregated from other moneys held by the cemetery authority or that those care funds are not being properly invested as required in s. 157.11 (9g) (a), the department may require the cemetery authority to deposit those care funds with a financial institution for investment under this section.

SECTION 775pw. 157.19 (6) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.19 (6) Nothing in this section prevents a cemetery authority from combining its care funds and preneed trust funds for investment purposes under this section if the cemetery authority maintains separate accountings for each fund.

SECTION 775py. 157.19 (7) of the statutes is created to read:

157.19 (7) Except as provided in sub. (5) (a), this section applies to every care fund and every preneed trust fund of a cemetery authority, regardless of when the care fund or preneed trust fund was established.

SECTION 775rd. 157.62 (1) (a) (intro.) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (1) (a) (intro.) Except as provided in par. (b) and s. 157.625, every cemetery association shall file...
an annual report with the secretary of state. The report shall be made on a calendar-year basis unless the secretary of state, by rule, provides for other reporting periods. The report is due on the 60th day after the last day of the reporting period. The annual report shall include all of the following:

SECTION 775rg. 157.62 (2) (a) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (2) (a) Except as provided in ss. 157.625 and 157.63 (1), every cemetery authority shall file an annual report with the department. The report shall be made on a form prescribed and furnished by the department. The report shall be made on a calendar-year basis unless the department, by rule, provides for other reporting periods. The report is due on the 60th day after the last day of the reporting period.

SECTION 775rr. 157.62 (2) (b) 4 of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (2) (b) 4. An accounting of amounts deposited in, amounts withdrawn from, other income accruing to and the balance at the end of the reporting period of care funds of the cemetery, including the funds in ss. 157.11 (9) (b) (9g) (a), 157.12 (3) and 157.125 and 157.13.

SECTION 775rrx. 157.62 (6) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (6) AUDIT. Except as provided in ss. 157.625, 157.63 (5) and 440.92 (9) (e), the department may audit, at reasonable times and frequency, the records, trust funds and accounts of any cemetery authority, including records, trust funds and accounts pertaining to services provided by a cemetery authority which are not otherwise subject to the requirements under this chapter. The department may conduct audits under this subsection on a random basis, and shall conduct all audits under this subsection without providing prior notice to the cemetery authority.

SECTION 775s. 157.625 of the statutes is created to read:

157.625 Reporting exemption for certain cemeteries. (1) A cemetery authority that is not required under this chapter or under s. 440.92 to maintain any care funds or preneed trust funds is not required to file an annual report under s. 157.62 (2).

(2) A cemetery authority whose annual operating budget for the cemetery is $2,500 or less is not required to file an annual report under s. 157.62 (2).

(3) Section 157.62 does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775te. 157.63 (2) (b) and (3) of the statutes, as created by 1989 Wisconsin Act 307, are amended to read:

157.63 (2) (b) A notarized statement of a person who is legally authorized to act on behalf of the religious society under this section that, during the reporting period under s. 157.62, each cemetery and the cemetery authority of each cemetery specified under par. (a) have either fully complied or have substantially complied with ss. 157.08 (2) (d), 157.11 (9g) and 157.12 (3) and 157.13 (4) (e) to (e) and (3) to (5).

(3) If the statement under sub. (2) (b) includes a statement of substantial compliance, the statement under sub. (2) (b) must also specify those instances when the cemetery or cemetery authority did not fully comply with ss. 157.08 (2) (d), 157.11 (9g) or 157.12 (3) or 157.13 (4) (e) to (e) or (3) to (5).

SECTION 775tm. 157.63 (4) and (6) of the statutes, as created by 1989 Wisconsin Act 307, are amended to read:

157.63 (4) A certification under this section is effective for the 12-month period immediately following the reporting period under s. 157.62 (2) for which the cemetery authority is certified under this section to have fully or substantially complied with ss. 157.08 (2) (d), 157.11 (9g) and 157.12 (3) and 157.13 (4) (e) to (e) and (3) to (5).

(6) The religious society that is affiliated with a cemetery to which a certification under this section applies is liable for the damages of any person that result from the failure of the cemetery or cemetery authority to fully comply with ss. 157.08 (2) (d), 157.11 (9g) or 157.12 (3) during the reporting period under s. 157.62 (2) for which such compliance has been certified under this section.

SECTION 775ts. 157.625 of the statutes is created to read:

157.625 Reporting exemption for certain cemeteries. (1) A cemetery authority that is not required under this chapter or under s. 440.92 to maintain any care funds or preneed trust funds is not required to file an annual report under s. 157.62 (2).

(2) A cemetery authority whose annual operating budget for the cemetery is $2,500 or less is not required to file an annual report under s. 157.62 (2).

(3) Section 157.62 does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.
SECTION 775vp. 159.07 (2) of the statutes is amended to read:

159.07 (2) YARD WASTE. Beginning on January 3, 1993, no person may dispose of yard waste in a solid waste disposal facility, except in a land spreading facility approved in accordance with ss. 144.43 to 144.47, or burn yard waste without energy recovery in a solid waste facility in this state.

SECTION 775vd. 159.01 (2m) of the statutes is created to read:

159.01 (2m) "Land spreading facility" means a solid waste disposal facility in which solid waste is placed in thin layers onto the surface of the land or incorporated into the surface layers of the soil.

SECTION 775ve. 159.01 (6) of the statutes is amended to read:

159.01 (6) Plastic containers made of plastic, identified as defined in s. 144.43 (1) (a), that are subject to the label notice in s. 144.43 (3) (a) are exempt from the label notice in s. 144.43 (3) (a).

SECTION 775vf. 159.35 of the statutes is amended to read:

159.35 Interstate Agreement on Product and Package Labeling. (1) In general. The department, on behalf of the state, may enter into an agreement with agencies of any other state to create a program on product and package labeling that establishes uniform rules and regulations based on the voluntary cooperation of manufacturers, distributors, and retailers of durable products and the packages associated with those products in order to protect consumers from environmental harm that the products and packages may cause and that are environmentally preferred products and packages.

(2) Procedures. The department may enter into such an agreement pursuant to sub. (1) if the agreement is consistent with sub. (1) and if it guides the following procedures:

Vetoed in Part
SECTION 779p. Chapter 163 (title) of the statutes is renumbered chapter 563 (title).

SECTION 779q. Subchapter I (title) of chapter 163 of the statutes is renumbered subchapter I (title) of chapter 563.

SECTION 779r. 163.02 of the statutes is renumbered 563.02.

SECTION 779s. 163.03 (intro.) and (1) to (3) of the statutes are renumbered 563.03 (intro.) and (1) to (3).

SECTION 779t. 163.03 (4) of the statutes is repealed.

SECTION 779u. 163.03 (4e) to (4s) of the statutes are renumbered 563.03 (4e) to (4s).

SECTION 779v. 163.03 (5) of the statutes is repealed.

SECTION 779w. 163.03 (6) to (16) of the statutes are renumbered 563.03 (6) to (16).

SECTION 779x. Subchapter 11 (title) of chapter 163 of the statutes is renumbered subchapter Ii (title) of chapter 563 and amended to read:

CHAPTER 563
SUBCHAPTER II
BINGO CONTROL BOARD DUTIES AND POWERS OF COMMISSION
(to precede s. 563.04)

SECTION 780d. 163.04 (intro.) of the statutes is renumbered 563.04 (intro.) and amended to read:

563.04 (title) General duties of the commission.
(intro.) The board commission shall:

SECTION 780h. 163.04 (1) of the statutes is repealed.

SECTION 780p. 163.04 (2) to (5) of the statutes are renumbered 563.04 (2) to (5).

SECTION 780l. 163.05 (title) and (1) (intro.) of the statutes are repealed.

SECTION 781c. 163.05 (1) (a) to (e) of the statutes are renumbered 563.04 (6) to (8).

SECTION 781f. 163.05 (1) (d) of the statutes is repealed.

SECTION 781k. 163.05 (1) (e) and (f) of the statutes are renumbered 563.04 (10) and (11).

SECTION 781m. 163.05 (1) (g) of the statutes is repealed.

SECTION 781p. 163.05 (1) (h) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 563.04 (13).

SECTION 782ad. 163.05 (2) of the statutes is renumbered 563.05 (2) and amended to read:
563.05 (2) The department commission may promulgate rules requiring holders of licenses issued under this chapter to post a notice in a conspicuous place where a bingo occasion or raffle drawing is conducted describing the procedures for filing a complaint against the holder.

SECTION 782ah. 163.05 (3) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 563.05 (3) and amended to read:

563.05 (3) The department commission may promulgate rules specifying the number of business days within which the board commission must review and make a determination on an application for a permit, as defined in s. 560.41 (2), that is issued under this chapter.

SECTION 782ap. 163.055 of the statutes is renumbered 563.055, and 563.055 (1), (2) (intro.), (3) and (5), as renumbered, are amended to read:

563.055 (1) If the holder of a license issued under this chapter pays a fee required under s. 163.14 563.13 (4), 163.22 563.22 (2) or 163.92 563.92 (1) by check and the check is not paid by the bank upon which the check is drawn, the department commission may cancel the license on or after the 60th day after the department commission receives the notice from the bank, subject to sub. (2).

(2) (intro.) At least 20 days before canceling a license, the department commission shall mail a notice to the holder informing the holder that the check was not paid by the bank and that the holder’s license may be canceled on the date determined under sub. (1) unless the holder does all of the following before that date:

(3) Nothing in sub. (1) or (2) prohibits the department commission from extending the date for cancellation to allow the holder additional time to comply with sub. (2) (a) and (b).

(5) The department commission may reinstate a license that has been canceled under this section only if the previous holder complies with sub. (2) (a) and (b) and pays a $30 reinstatement fee.

SECTION 782at. 163.10 of the statutes is renumbered 563.10 and amended to read:

563.10 Rules governing commingling of receipts restricted. Notwithstanding ss. 163.04 (3), 227.11 (2) and 227.24 (1) (a) and 563.04 (3), the board commission may not adopt promulgate any emergency rule relating to the commingling of bingo and raffle receipts unless it can clearly establish that commingling will occur without such rule and that the rule will effectively prevent commingling. The board commission shall set forth any such finding in its proposed rule. If upon review under s. 227.40, the court finds that the finding of fact upon which any emergency rule relating to such commingling is based is unsupported by clear and convincing evidence, the rule is invalid.

SECTION 782bd. Subchapter III (title) of chapter 163 of the statutes is renumbered subchapter III (title) of chapter 563.

SECTION 782bh. 163.11 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.11.

SECTION 782cd. 163.12 of the statutes is renumbered 563.12, and 563.12 (intro.) and (2), as renumbered, are amended to read:

563.12 Bingo license application. (intro.) Each applicant for a license to conduct bingo shall file with the department commission an application on a form prescribed by the department commission. Except as provided in s. 163.135 563.135, the application shall include:

(2) Sufficient facts relating to the incorporation or organization of the applicant to enable the board commission to determine if the applicant is eligible for a license under this subchapter.

SECTION 782ch. 163.13 of the statutes is renumbered 563.13, and 563.13 (intro.) and (2), as renumbered, are amended to read:

563.13 Affidavits and fees. (intro.) Except as provided in s. 163.135 563.135, an application for a license to conduct bingo shall be accompanied by:

(2) A sworn statement by the member designated as responsible for the proper utilization of gross receipts that no commission, or other fee, salary, profits, compensation, reward or recompense will be paid to any person or organization and that all profits will be spent as provided under s. 463.54 563.31 (8).

SECTION 782cp. 163.135 of the statutes is renumbered 563.135, and 563.135 (intro.), as renumbered, is amended to read:

563.135 Bingo license application; community-based residential facilities, senior citizen community centers and adult family homes. (intro.) An application for a license to conduct bingo for an organization listed under s. 463.11 563.11 (1) (b) to (d) shall be accompanied by a $5 license fee and a sworn statement by the owner or operator of the organization that:

SECTION 782ct. 163.14 of the statutes is renumbered 563.14, and 563.14 (intro.), (1) and (6), as renumbered, are amended to read:

563.14 (title) Commission determinations. (intro.) Upon receipt of an application for a license to conduct bingo, the department commission shall investigate the qualifications of the applicant and the merits of the application and before issuing a license shall determine that:

(1) The applicant is eligible to be licensed to conduct bingo under s. 463.11 563.11.

(6) The profits from all bingo games conducted by the applicant organization are proposed to be used as provided under s. 463.54 563.31 (8).

SECTION 782dd. 163.15 (title) of the statutes is renumbered 563.15 (title).
SECTION 782dh. 163.15 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.15 (1) and amended to read:

563.15 (1) After making the determinations under s. 163.14 563.14, the department commission shall either notify the applicant organization in writing why a license is not being issued or issue a license to such applicant organization authorizing it to conduct bingo at the times and places set forth in the license. Except as provided in sub. (1m), a license issued under this subsection shall be effective for one year from the first day of the month of the first occasion listed on the license and may be renewed annually, except that an applicant organization may request that the license expire on the first day of any month within the one-year licensure period.

SECTION 782dp. 163.16 (1m) and (3) of the statutes are renumbered 563.16 (1m) and (3), and 563.15 (1m), as renumbered, is amended to read:

563.16 (1m) A license issued under sub. (1) to an organization listed under s. 163.14 563.14 (1) (b) to (d) shall remain in effect unless it is canceled, suspended or revoked by the department commission or withdrawn by the organization.

SECTION 782dt. 163.16 of the statutes is renumbered 563.16 and amended to read:

563.16 Amendment of license to conduct bingo. Upon application by a licensed organization, a license may be amended, if the subject matter of the amendment properly and lawfully could have been included in the original license. An application for an amendment to a license shall be filed and processed in the same manner as an original application. An application for the amendment of a license shall be accompanied by a $3 fee. If any application for amendment seeks approval of additional bingo occasions or designates a new member responsible for the proper utilization of gross receipts, the appropriate fee under s. 163.13 563.13 (4) also shall be paid. If the department commission approves an application for an amendment to a license, a copy of the amendment shall be sent to the applicant who shall attach it to the original license.

SECTION 782ed. 163.17 of the statutes is renumbered 563.17 and amended to read:

563.17 Denial of application; hearing. If the department commission denies a license to conduct bingo, within 30 days after receiving written notification of such denial, an applicant may demand in writing a hearing before the board commission upon the applicant’s qualifications and the merit of the application. At the hearing, the burden of proof shall be on the applicant to establish his or her eligibility for a license. If, after the hearing, the board commission enters an order denying the application, the order shall set forth in detail the reasons for the denial. Upon entry of such an order or upon the expiration of the 30-day period during which a hearing may be demanded, the applicant’s license fee shall be refunded less reasonable administrative costs. If the board commission approves the application, the department commission shall issue the license within 14 days after approval.

SECTION 782eh. 163.18 of the statutes is renumbered 563.18, and 563.18 (1) to (4), as renumbered, are amended to read:

563.18 (1) Proceedings to suspend or revoke a supplier’s license or a license to conduct bingo shall be initiated by the board commission pursuant to the rules promulgated under s. 440.03 (4) 563.05 (4).

(3) The board’s commission’s decision under this section shall be subject to judicial review under ch. 227.

(4) When a license under this subchapter is suspended or revoked by the board commission, the licensee shall immediately surrender the license to the board commission. A licensee whose license has been revoked may reapply for a license one year after the effective date of the revocation. If a license has been suspended under sub. (3), the department commission shall reinstate the license at the end of the period of suspension.

SECTION 782ep. 163.21 of the statutes is renumbered 563.21 and amended to read:

563.21 Supplier’s license. Any person intending to sell or distribute bingo supplies or equipment to a licensed organization shall apply to the department commission for a supplier’s license.

SECTION 782et. 163.22 of the statutes is renumbered 563.22, and 563.22 (1) (intro.) and (g), as renumbered, are amended to read:

563.22 (1) (intro.) An application for a supplier’s license shall be filed with the department commission on a form prescribed by the department commission. The application shall include:

(g) If the applicant business is organized outside of this state, the name and address of a resident agent who is authorized to be served legal documents and receive notices, orders and directives of the department or of the board commission.

SECTION 782fd. 163.24 of the statutes is renumbered 563.24 and amended to read:

563.24 Issuance of supplier’s license. Upon receiving an application for a supplier’s license, the department commission may require the applicant, or if the applicant is a corporation or partnership, its officers, directors and stockholders, to appear and testify under oath on the contents of the application. If the department commission determines that the supplier’s license applicant possesses the requisite qualifications, a license shall be issued to the bingo supplier. A license issued under this section shall be effective for one year from the first day of the month of its issuance, and may be renewed annually. If the application is not approved, the department shall notify the applicant in writing of such action. Within 10 days after receipt of such notification, the applicant may demand a hearing before the board commission. At the hearing, the burden of proof shall be on the appli-
cant to establish his or her qualifications and the merit of the application. The fee, less reasonable administrative costs, shall be refunded to the applicant upon entry of an order denying an application after hearing, or upon expiration of the period during which a hearing may be demanded.

SECTION 782fh. 163.25 of the statutes is renumbered 563.25 and amended to read:

563.25 (title) Supplier to notify commission of changes. During the pendency of an application for a supplier's license, the applicant shall immediately notify the department commission in writing of any change in any item in the application, in the change in the facts set forth in the application, including any change in any item in the application, in the organization, structure or mode of operation of the supplier's business and in the identity of persons named or required to be named in the application or the nature or extent of their interests. Within 10 days after any such change which occurs after the issuance of the license, the change shall be reported to the department commission. Failure to notify the department commission of such change shall constitute sufficient cause for denial of a pending license application or for suspension or revocation of a license which has been granted.

SECTION 782fp. 163.26 of the statutes is renumbered 563.26 and amended to read:

563.26 Maintenance of supplier's books and records. Each licensed supplier shall maintain his or her books and records in such manner as to enable the board commission to determine the gross sales of bingo supplies and equipment to licensed organizations. Invoices for the sale of bingo supplies and equipment shall include the name and license number of the organization to which the supplies were sold, the date and amount of the sale and an enumeration of the items sold. Each licensed supplier and formerly licensed supplier shall maintain his or her books and records for not less than 4 years and shall make them available at reasonable times for examination by the board commission or its authorized representatives.

SECTION 782ft. 163.27 of the statutes is renumbered 563.27.

SECTION 782gd. 163.29 of the statutes is renumbered 563.29, and 563.29 (3), as renumbered, is amended to read:

563.29 (3) No licensed supplier shall sell or distribute to a licensed organization any card unless it is identified in the standard set of bingo cards prescribed by the board commission.

SECTION 782gh. Subchapter IV (title) of chapter 163 of the statutes is renumbered subchapter IV (title) of chapter 563.

SECTION 782gp. 163.51 of the statutes is renumbered 563.51, and 563.51 (1) and (26), as renumbered, are amended to read:

563.51 (1) Who conducts. Only a person licensed under s. 463.15 563.15 shall conduct bingo.

(26) LIMIT ON HOURS OF BINGO. No bingo game may commence before 7 a.m. or after 12 midnight, except as provided in s. 463.55 563.55.

SECTION 782hd. 163.52 of the statutes is renumbered 563.52.

SECTION 782hh. 163.53 of the statutes is renumbered 563.53, and 563.53 (1), as renumbered, is amended to read:

563.53 (1) All special bingo cards shall be in a form approved by the board commission.

SECTION 782hp. 163.55 of the statutes is renumbered 563.55 and amended to read:

563.55 Local ordinances. Any political subdivision of this state may enact an ordinance that extends the hours during which bingo may be played under s. 463.54 563.51 (26).

SECTION 782ht. Subchapter V (title) of chapter 163 of the statutes is renumbered subchapter V (title) of chapter 563.

SECTION 782id. 163.61 of the statutes is renumbered 563.61, and 563.61 (1) (intro.) and (3), as renumbered, are amended to read:

563.61 (1) (intro.) Each licensed organization shall file with the department commission, on a form prescribed by the department commission, a semiannual report of bingo operations for each 6-month period beginning on the date on which the organization's license is issued. The report is due on the 60th day after the last day of the reporting period. The report shall be accompanied by the payment of the gross receipts tax due. The licensed organization shall retain a copy of the report for its permanent records. The report shall include:

(3) If no bingo games are held on a date when a license authorizes them to be held, a report to that effect shall be filed with the board commission.

SECTION 782ih. 163.62 of the statutes is renumbered 563.62 and amended to read:

563.62 Reports improperly filed. The department commission may refuse to renew a license of an organization found to be delinquent in filing its financial statement or found to have filed an incomplete statement of bingo operations.

(2) If a licensed organization fails to file a financial statement of bingo operations within 5 days after notification by the department commission of the delinquency, the department commission may suspend the license, pending the filing of the financial statement.

(3) If the financial statement filed by a licensed organization is not fully, accurately and truthfully completed, the department commission may refuse to renew a license or may suspend a license until such time as a statement in proper form has been filed.

SECTION 782ip. 163.63 of the statutes is renumbered 563.63.

SECTION 782it. 163.64 of the statutes is renumbered 563.64, and 563.64 (2), as renumbered, is amended to read:
563.64 (2) The columnar book, deposit books, canceled checks, records of share drafts, check books, records of share accounts, records of negotiable orders of withdrawal, deposit slips, bank statements and copies of financial statements of bingo operations and all other books and accounts shall be maintained for not less than 4 years and shall be available at reasonable times for examination by the board commission or its authorized representative. The department commission may require the licensed organization to obtain microfilm copies of share drafts to the extent necessary for examination purposes. All documents supporting the entries made in the books of accounts shall be kept by the licensed organization for a period of not less than 4 years. Such documents shall include, but are not limited to, bank statements, canceled checks, records of share drafts, deposit slips and invoices for all expenditures.

SECTION 782jd. 163.65 of the statutes is renumbered 563.65 and amended to read:

563.65 Proper and legitimate expenditures; reimbursement and waiver. If a financial audit of a licensed organization shows that an expenditure of bingo funds was not a proper and legitimate expenditure and the department commission requests that the licensed organization reimburse the appropriate bingo account in an amount equal to the amount so expended, the licensed organization may appeal the request to the board commission. The board commission may waive or reduce the amount of any such reimbursement if the licensed organization presents evidence satisfactory to the board commission that the licensed organization acted in good faith and by mistake or inadvertently in so expending the funds.

SECTION 782jh. 163.66 of the statutes is renumbered 563.66.

SECTION 782jk. 163.68 of the statutes is renumbered 563.68, and 563.68 (1) and (2), as renumbered, are amended to read:

563.68 (1) As provided under s. 163.5-563.51 (8) within one year after the cessation of the conduct of bingo.

(2) In accordance with a plan of expenditure approved in advance by the board commission.

SECTION 782jp. 163.69 of the statutes is renumbered 563.69 and amended to read:

563.69 Exemptions; community-based residential facilities, senior citizen community centers and adult family homes. This subchapter does not apply to an organization listed under s. 163.44 563.11 (1) (b) to (d).

SECTION 782jt. Subchapter VI (title) of chapter 163 of the statutes is renumbered subchapter VI (title) of chapter 563.

SECTION 782kd. 163.71 of the statutes is renumbered 563.71.

SECTION 782kh. 163.72 of the statutes is renumbered 563.72 and amended to read:

563.72 Inspection for enforcement. Any peace officer or district attorney, within their respective jurisdictions, or an authorized employee of the department commission, may, at all reasonable hours, enter the premises where a bingo occasion is being conducted and examine the books, papers and records of the licensed organization to determine if all proper taxes or fees imposed have been paid. Any refusal to permit such examination of the premises by the licensed organization, its agent or an employee of the person in charge of the premises to which the bingo license relates, constitutes sufficient grounds for the suspension or revocation of a license, and is punishable under s. 163.73 563.73 (2). In addition, such refusal constitutes sufficient grounds for any peace officer or other persons authorized under this subsection within their respective jurisdictions or authority to employ whatever reasonable action is necessary to conduct inspections permitted by this section.

SECTION 782kp. 163.73 of the statutes is renumbered 563.73, and 563.73 (1) and (4), as renumbered, are amended to read:

563.73 (1) Whoever violates s. 163.54 563.51 (1), (8) to (10), (12), (15) or (26) may be fined not more than $10,000 or imprisoned not more than 9 months or both.

(4) The department of justice, the board commission or the district attorney of a county of an actual or potential violation, after informing the department of justice, may commence an action in the circuit court in the name of the state to restrain any violation of any provision of this chapter. The court may, prior to entry of final judgment, make such an order or judgment as necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the violation, provided proof thereof is submitted to the court. The department of justice may subpoena persons, require the production of books and other documents and request the board to exercise its authority to aid in the investigation of alleged violations of this section.

SECTION 782kt. Subchapter VII (title) of chapter 163 of the statutes is renumbered subchapter VII (title) of chapter 563.

SECTION 782Ld. 163.80 of the statutes is renumbered 563.80.

SECTION 782Lh. Subchapter VIII (title) of chapter 163 of the statutes is renumbered subchapter VIII (title) of chapter 563.

SECTION 782Lp. 163.90 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.90 and amended to read:

563.90 Qualified organizations. Any local religious, charitable, service, fraternal or veterans organization or any organization to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, which has been in existence for one year immediately preceding its appli-
SECTION 782nt. 163.97 of the statutes is renumbered 563.97 and amended to read:

563.97 Records. Each organization licensed to conduct raffles shall maintain a list of the names and addresses of all persons winning prizes with a retail value of $100 or more, and the prizes won, for at least 12 months after each raffle is conducted. The list shall be available at reasonable times for public examination and shall be provided to the department commission upon request.

SECTION 782pd. 163.98 of the statutes is renumbered 563.98, and 563.98 (1) (intro.), (1c), (1m) and (2), as renumbered, are amended to read:

563.98 (1) (intro.) Each organization licensed under this subchapter shall, on or before the last day of the 12th month beginning after the date on which the license is issued and on or before that same date in each subsequent year, report the following information in writing to the department commission regarding the raffles which it has conducted:

(1c) Upon request of any organization that conducts a raffle during the month in which the report under sub. (1) is due, the department commission may extend by not more than 30 days the deadline for submitting the report.

(1m) Any organization that reports to the department commission under sub. (1) and that had total receipts from the conduct of raffles of more than $50,000 during the reporting period shall include in its report a list of the names and addresses of all persons winning prizes with a retail value of $100 or more, and the prizes won, during the reporting period.

(2) If a copy of the financial report is not filed or is not fully, accurately and truthfully completed, or if the fee specified in sub. (1g) is not paid, the department commission may refuse to renew a license or may suspend a license until the report in proper form has been filed or the fee is paid.

SECTION 782ph. 163.99 of the statutes is renumbered 563.99.
SECTION 787. 165.97 (4) (a) 2 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (b) and amended to read:

165.97 (4) (b) For Milwaukee county, $228,100 in each fiscal year 1991-92, $136,900 in fiscal year 1992-93, $82,100 in fiscal year 1993-94 and $49,300 in fiscal year 1994-95.

SECTION 788. 165.97 (4) (a) 3 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (c) and amended to read:

165.97 (4) (c) For Walworth county, $41,300 in each fiscal year 1991-92, $24,800 in fiscal year 1992-93, $14,900 in fiscal year 1993-94 and $8,900 in fiscal year 1994-95.

SECTION 789. 165.97 (4) (a) 4 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (d) and amended to read:


SECTION 790. 165.97 (4) (b) of the statutes is repealed.

SECTION 791. 165.97 (5) of the statutes is amended to read:

165.97 (5) This section does not apply after June 30, 1993 1995.

SECTION 791m. 167.26 (1) of the statutes is renumbered 167.26 (1) (intro.) and amended to read:

167.26 (1) (intro.) Any person who shall remove ice or cause its removal from any stream, pond or lake shall place around the margin of the opening made by such removal a fence, by setting posts of not less than 2 by 4 in size and with a any of the following fencings:

(a) A fence board thoroughly nailed thereto attached not less than 3 1/2 feet above the surface of the ice on said the stream, pond or lake.

SECTION 791n. 167.26 (1) (b) of the statutes is created to read:

167.26 (1) (b) Colored plastic construction roll fencing attached to the posts.

SECTION 793am. 168.12 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

168.12 (1) The department shall demand and receive within 2 weeks after demand, from the owner or other person for whom it inspects any petroleum product, an inspection fee. Before July 1, 1994, the fee is 2 cents for each gallon from which the sample was taken. Beginning on July 1, 1994, the fee is 1.665 cents for each gallon from which the sample was taken. Subject to sub. (1g), the department shall distribute the fee as follows:

(a) An amount equal to 1.4 cents per gallon to the petroleum environmental cleanup fund.
From the fee imposed before July 1, 1994, an amount equal to 0.335 cent per gallon to the appropriation under s. 20.370 (4) (cg).  

(bm) An amount equal to 0.025 cent per gallon to the appropriations under s. 20.370 (2) (bh) and (bi), (4) (ig) and (8) (mh).

(c) An amount equal to 0.0025 cent per gallon, as a well compensation fee, to the environmental fund for environmental repair.

(d) An amount equal to 0.2375 cent per gallon to the appropriation under s. 20.445 (1) (j).

SECTION 793gb. 168.12 (1g) of the statutes is created to read:

168.12 (1g) During a fiscal year, the department may distribute moneys received under sub. (1) in different proportions than those specified in sub. (1) (a) to (d) if program needs, as estimated by the departments administering the programs funded with the moneys, so require. However, the distribution shall comply with the proportions in sub. (1) (a) to (d) for each fiscal year as a whole.

SECTION 793gk. 168.12 (1m) of the statutes is repealed.

SECTION 793gp. 168.12 (1r) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 793gt. 168.12 (is) of the statutes is Vetoed in Part.

SECTION 794gb. 180.0122 (1) (j) of the statutes is amended to read:

180.0122 (1) (j) Domestic Subject to sub. (3) (c), domestic corporation’s or foreign corporation’s statement of change of registered agent or registered office, $10.

SECTION 794gd. 180.0122 (3) (c) of the statutes is created to read:

180.0122 (3) (c) Filing a domestic corporation’s or a foreign corporation’s statement of change of registered office if the only change is to an address and all of the following apply:

1. The new address is the result of a change in the way a county, city, village, town or the U.S. postal service describes the physical location of the registered office.

2. A copy of the notice indicating the new address is submitted to the county clerk, a report of the investigation, the examination and the amount of damages suffered by the owner of the livestock or man.
180.0123 (1) (a) (intro.) Except as provided in sub. (2) and or s. 180.0124 (3), 180.1622 (5) or 180.1921 (4), a document filed by the secretary of state under this chapter is effective on the date that it is received by the office of the secretary of state for filing and at any of the following times on that date:

SECTION 794ib. 180.0502 (1) (c) of the statutes is created to read:

180.0502 (1) (c) If a domestic corporation, including the name of its registered agent and the street address of its registered office, as changed, in its annual report under s. 180.1622 or 180.1921. A change under this paragraph is effective on the date the annual report is filed by the office of the secretary of state.

SECTION 794id. 180.0502 (2) (a) of the statutes is amended to read:

180.0502 (2) (a) The name of the corporation and, if applicable, a statement that the corporation is incorporated under this chapter.

SECTION 794ife. 180.0502 (2) (b) of the statutes is repealed.

SECTION 794ih. 180.0502 (2) (c) of the statutes is repealed.

SECTION 794ij. 180.0502 (2) (d) of the statutes is amended to read:

180.0502 (2) (d) The name of its current registered agent, as changed.

SECTION 794im. 180.0502 (2) (e) of the statutes is amended to read:

180.0502 (2) (e) If the current street address of its registered agent is to be, as changed, the name of the new registered agent.

SECTION 794pb. 180.1508 (1) (a) of the statutes is amended to read:

180.1508 (1) (a) The name of the foreign corporation and the name of the state or country under whose law it is incorporated.

SECTION 794pd. 180.1508 (1) (b) of the statutes is amended to read:

180.1508 (1) (b) The street address of its current registered office, as changed.

SECTION 794ph. 180.1508 (1) (c) of the statutes is amended to read:

180.1508 (1) (d) The name of its current registered agent, as changed.

SECTION 794pj. 180.1508 (1) (e) of the statutes is repealed.

SECTION 794pm. 180.1531 (2) (c) of the statutes is created to read:

180.1531 (2) (c) 1. If a foreign corporation obtained its certificate of authority within 24 months before the effective date of a certificate of revocation under par. (b), the secretary of state shall reinstate the certificate of authority of the foreign corporation if the foreign corporation does all of the following within 6 months after the effective date of the certificate of revocation:

a. Corrects each ground for revocation.

b. Pays any fees or penalties due the secretary of state under this chapter or $5,000, whichever is less.

2. A reinstatement under this paragraph shall relate back to and take effect as of the effective date of the revocation, and the foreign corporation may resume carrying on its business as if the revocation never occurred.

SECTION 794po. 180.1622 (5) of the statutes is created to read:

180.1622 (5) An annual report is effective on the date that it is filed by the office of the secretary of state.

SECTION 794pu. 180.1708 (8) (b) of the statutes is amended to read:

180.1708 (8) (b) Sections 180.1530 (2) and 180.1531 (2) (b) and (3) to (5) apply to a judicial revocation under s. 946.87 of which the secretary of state is notified under s. 180.1530 (2) on or after January 1, 1991. Section 180.1531 (2) (c) applies to a revocation based on grounds arising before, on or after January 1, 1991.

SECTION 794sd. 180.1921 (4) of the statutes is created to read:

180.1921 (4) An annual report is effective on the date that it is filed by the office of the secretary of state.

SECTION 797ag. 184.10 (3) of the statutes is amended to read:

184.10 (3) Whenever the commission deems it necessary to make an investigation of the books, accounts and practices or to make an appraisal of the property of any public service corporation which has filed an application for authority to issue any securities to which this chapter is applicable, such public service corporation shall pay all expenses reasonably attributable to such special investigation, or to such an appraisal of the property. For the purpose of calculating investigative and appraisal expenses of the public service commission, 90% of the costs determined shall be costs of the public service commission and 10% of the costs determined shall be costs of state government operations. The procedure set up by s. 195.60 or 196.85, whichever is appropriate, for the rendering and collection of bills shall be in all ways applicable to the rendering and collection of bills under this section. All Ninety percent of the amounts paid to the public service commission under authority of this subsection shall be credited to the appropriation made in account under s. 20.155 (1) (g).

SECTION 798gh. 185.981 (4t) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:
SECTION 798g. 185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 146.024 (2), 631.89 and 632.87 (2m), (3) and (5) and ch. 155.

SECTION 798h. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), section 798h, is repealed and recreated to read:

185.983 (1) (intro.) Every such voluntary non-profit 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), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 645, 646, but the sponsoring association shall:

SECTION 798hg. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and 1991 Wisconsin Act 39, is amended to read:

185.983 (1) (intro.) Every such voluntary non-profit 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), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 645, 646, but the sponsoring association shall:

SECTION 798hj. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), section 798h, is repealed and recreated to read:

185.983 (1) (intro.) Every such voluntary non-profit 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), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 645, 646, but the sponsoring association shall:

SECTION 798k. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), section 798h, is repealed and recreated to read:

185.983 (1) (intro.) Every such voluntary non-profit 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), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 645, 646, but the sponsoring association shall:

SECTION 798l. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and .... (this act), section 798h, is repealed and recreated to read:

185.983 (1) (intro.) Every such voluntary non-profit 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), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 645, 646, but the sponsoring association shall:

SECTION 798m. 186.113 (19) of the statutes is amended to read:

186.113 (19) Maintain real estate broker trust accounts under s. 452.13 for brokers otherwise eligible for membership in the credit union and attorney trust accounts under s. 757.293 for attorneys otherwise eligible for membership in the credit union and collection agency trust accounts under s. 218.04 (9g) for persons otherwise eligible for membership in the credit union.

SECTION 890m. 195.001 (2m) of the statutes is amended to read:

195.001 (2m) "Railroad historical society" means a nonprofit historical society that operates railroad locomotives and rolling stock on railroad tracks for the purpose of historic preservation and is not a common carrier.

SECTION 939. 195.28 (1) of the statutes is amended to read:

195.28 (1) Petition; hearing; order. Upon petition of the department, city council, village board, member of town board, superintendent of highways or by 5 or more freeholders in any town, village or city, or of any railroad corporation or railroad historical society to determine whether a public highway and railroad grade crossing protects and promotes public safety, the office may investigate and issue an appropriate order without a public hearing. If the petitioner, railroad, railroad historical society or any interested party objects to the order and requests a hearing within 20 days after the date the order is issued, the office shall proceed under s. 195.04. Notice of an investigation or hearing shall be served upon the department, which shall be an interested party, and any recommendation it may file with the office at or prior to a hearing, if there is one, regarding crossing protection shall be considered as evidence in the proceeding. The office shall determine whether the existing warning devices at such crossing are adequate to protect and promote public safety. If the office determines, either without or after a hearing, that protection is not adequate, it may order the railroad company or railroad historical society to keep a flagman at the crossing or to install automatic signals or other suitable safety device at specific locations at such crossing. The office may order the relocation of existing signals and devices to improve protection at a crossing. Any crossing protection installed or maintained as approved by the office, whether by order or otherwise, shall be deemed adequate and appropriate protection for such the crossing.

SECTION 939m. 195.28 (3) of the statutes is amended to read:

195.28 (3) Maintenance costs. Except as otherwise provided in this subsection, the cost of maintaining crossing protection devices ordered under sub. (1) shall be the responsibility of the railroad or railroad historical society. Any railroad company or railroad historical society that incurs expenses for maintenance of signals or other safety devices may file a claim for reimbursement with the department regardless of the date of installation of the signals or devices. At the close of each fiscal year the department shall reimburse claimants under this subsection for not less than the amount it determines, either without or after a hearing, to be adequate to fund maintenance reimbursement under this subsection. At the close of each fiscal year the department shall reimburse claimants under this subsection for not less than the amount it determines, either without or after a hearing, to be adequate to fund maintenance reimbursement under this subsection. At the close of each fiscal year the department shall reimburse claimants under this subsection for not less than the amount it determines, either without or after a hearing, to be adequate to fund maintenance reimbursement under this subsection.
SECTION 984d. 196.207 of the statutes is created to read:

196.207 Telephone caller identification services. (1) Definitions. In this section:

(a) "Inbound wide-area telecommunications service" means a telecommunications service that allows a subscriber to the service to receive telephone calls from selected service areas at no charge to the person originating the telephone call.

(b) "Information service" means a telecommunications service that permits simultaneous calling by a large number of callers to a single telephone number and for which the customer is assessed, on a per-call or a per-time-interval basis, a charge that is greater than or in addition to the charge for the transmission of the call. "Information service" does not include a directory assistance or conference call service that is offered by a telecommunications utility and does not include a telecommunications service for which the customer charge is dependent on the existence of a presubscription relationship.

(c) "Telephone caller identification service" means a telecommunications service offered by a telecommunications utility that identifies a telephone line identification for an access line that is used by a person to originate a telephone call to a subscriber to the service.

(d) "Telephone line identification" means the number of or other information associated with an access line that can be used to identify the access line or the subscriber to the line.

(2) Conditions for service. The commission may not approve a schedule or tariff that permits a telephone caller identification service to be offered in this state unless the schedule or tariff provides all of the following:

(a) For the 60-day period immediately preceding the first day on which a telephone caller identification service is operational in a geographical area, the telecommunications utility offering the service shall conduct an informational campaign to describe the telephone caller identification service to its access line customers within that area. The telecommunications utility informational campaign shall include all of the following:

1. That the utility is offering telephone caller identification service and the date on which the service becomes operational.
2. That an access line customer may choose not to have the customer's telephone line identification identified to telephone caller identification service subscribers on an individual call basis without charge.
3. Other information on the telephone caller identification service that is specified by the commission.

(b) A calling telephone line identification shall be identified to a telephone caller identification service subscriber unless the calling access line customer chooses to have the customer's telephone line identification withheld from identification on an individual call basis or unless the customer installs customer premises equipment that withholds the customer's telephone line identification for all calls originating from the customer's access line.

(c) The telecommunications utility may not charge an access line customer for withholding the customer's telephone line identification from identification on an individual call basis.

(d) An access line customer subscribing to the telephone caller identification service is not prohibited from using customer premises equipment that prevents the subscriber from receiving a call for which the calling telephone line identification is not identified.

(e) An access line customer who is any of the following may choose to have the customer's telephone line identification withheld from identification without charge for all calls originating from the customer's access line:

1. A victim of domestic violence protected by a court order.
2. A domestic violence victim's service program.
3. A battered women's shelter or other organization that provides a safe haven for victims of domestic violence.

(f) If the equipment is available, a telecommunications utility shall offer to access line customers in the geographical area in which telephone caller identification service is offered customer premises equipment produced by an authorized equipment manufacturer that permits a customer to withhold telephone line identification for all calls originating from the customer's access line and customer premises equipment produced by an authorized equipment manufacturer that prevents a telephone caller identification service subscriber from receiving a call for which the calling telephone line identification is not identified.

(2g) Blocking by business. The commission may prohibit business or commercial access line customers from withholding customer telephone line identifications from identification under any schedule or tariff that the commission approves.

(2m) Per line blocking. Under any schedule or tariff that the commission approves, the commission may require that a telecommunications utility that offers a telephone caller identification service to permit an access line customer to choose to withhold the customer's access line identification from identification for all calls originating from the customer's access line.

(3) Exceptions. The commission may not approve a schedule or tariff under sub. (2) if the schedule or tariff allows a customer to withhold the identity of a telephone line identification from any of the following:

(a) A public agency emergency system under s. 146.70.
(b) An identification service provided in connection with an inbound wide-area telecommunications service or an information service, unless the commission determines that the telecommunications utility pro-
Vetoed in Part

(2) A telephone caller identification service used for calls that are completed within a system that includes both the caller's telephone or other customer premises equipment and the call recipient's telephone or other customer premises equipment and are completed without being transmitted through a publicly switched network.

(e) A trap and trace device as authorized under ss. 968.34 to 968.37.

(4) Costs. Except for customer premises equipment offered under sub. (2) (f), a telecommunications utility shall charge all costs for caller identification services provided under this section, including all costs related to the options and services provided to access line customers under subs. (2) and (2m), to telephone caller identification service subscribers.

SECTION 984jd. 196.795 (9) of the statutes is amended to read:

196.795 (9) PROTECTION OF BUSINESS INFORMATION.

Notwithstanding s. 19.35, if the commission obtains business information from a holding company system which, if disclosed to the public, would put any nonutility affiliate in the holding company system at a material competitive disadvantage, the information is not subject to s. 19.35, and the commission shall protect such information from public disclosure as if it were a trade secret as defined in s. 134.90 (1) (c).

SECTION 984jg. 196.84 of the statutes is amended to read:

196.84 (title) Commission's holding company and nonutility affiliate regulation costs. Under rules promulgated by the commission, a holding company, as defined in s. 196.795 (1) (h) or a nonutility affiliate, as defined under s. 196.795 (1) (j), shall compensate the commission for the cost of any increase in regulation of any public utility affiliate, as defined under s. 196.795 (1) (L), which is with the holding company or nonutility affiliate in a holding company system as defined in s. 196.795 (1) (l), if the commission determines that the increase is reasonably required in order for the commission to implement and enforce s. 196.795. Such compensation may not be recovered directly or indirectly from any public utility affiliate. The commission shall assess such compensation using the procedure prescribed in s. 196.85, except that no advance payment of a remainder assessment under s. 196.85 (2) may be required for the first 2 fiscal years after November 28, 1985. No assessment for costs which are not reasonably required for the implement-

SECTION 984jn. 196.85 (1) and (2) of the statutes are amended to read:

196.85 (1) If the commission in a proceeding upon its own motion, on complaint, or upon an application to it deems it necessary in order to carry out the duties imposed upon it by law to investigate the books, accounts, practices and activities of, or make appraisals of the property of any public utility, power district or sewerage system or to render any engineering or accounting services to any public utility, power district or sewerage system, the public utility, power district or sewerage system shall pay the expenses attributable to the investigation, including the cost of litigation, appraisal or service. The commission shall mail a bill for the expenses to the public utility, power district or sewerage system either at the conclusion of the investigation, appraisal or services, or during its progress. The bill constitutes notice of the assessment and demand of payment. The public utility, power district or sewerage system shall, within 30 days after the mailing of the bill pay to the commission the amount of the special expense for which it is billed. The Ninety percent of the payment shall be credited to the appropriation to the commission in account under s. 20.155 (1) (g). The total amount in any one calendar year for which any public utility, power district or sewerage system is liable, by reason of costs incurred by the commission within the calendar year, including charges under s. 184.10 (3), may not exceed four-fifths of one percent of its gross operating revenues derived from intrastate operations in the last preceding calendar year. Nothing in this subsection shall prevent the commission from rendering bills in one calendar year for costs incurred within a previous year. For the purpose of calculating the costs of investigations, appraisals and other services under this subsection, 90% of the costs determined shall be costs of the commission and 10% of the costs determined shall be costs of state government operations.

Section 984jn. 196.85 (2) The commission shall annually, within 90 days of the commencement of each fiscal year, ascertain calculate the total of its expenditures during the prior fiscal year which are reasonably attributable to the performance of its duties relating to public utilities, sewerage systems and power districts under this chapter and chs. 66, 184 and 198 and expenditures of the state for state government operations to support the performance of such duties. For purposes of such cal-
Vetoed

SECTION 984m. 196.855 of the statutes is amended to read:

196.855 Assessment of costs against municipalities. Any expense incurred by the commission in making any appraisal or investigation of public utility property under ch. 197 shall be charged directly to the municipality making the application. The commission shall ascertain the expense, and shall render and review any bill under s. 196.85 insofar as applicable. For the purpose of calculating the expense, 90% of the costs determined shall be costs of the commission and 10% of the costs determined shall be costs of state government operations. If a bill under this section is not paid within the time required by s. 196.85, the bill shall bear interest at the rate of 6% per year and the amount of the bill and the interest shall be certified to the department of administration and shall be levied and collected as a special charge in the same manner as a state tax.

Vetoed

SECTION 985m. 215.13 (48) of the statutes is amended to read:

215.13 (48) TRUST ACCOUNTS. Maintain real estate broker trust accounts under s. 452.13 and attorney trust accounts under s. 757.293 and collection agency trust accounts under s. 218.04 (9g).

SECTION 991m. 218.01 (3) (a) 17 of the statutes is amended to read:

218.01 (3) (a) 17. Being a manufacturer, factory branch, distributor, field representative, officer, agent or any representative whatsoever of such motor vehicle manufacturer or factory branch, who has unfairly, without due regard to the equities of said dealer and or without just provocation, canceled or failed to renew the franchise of any motor vehicle dealer; or being a manufacturer, factory branch or importer, who unfairly, without due regard to the equities of a distributor and or without just provocation canceled or failed to renew the franchise of any distributor. All existing dealers’ franchises shall continue in full force and operation under a newly appointed distributor on the termination of an existing distributor unless a mutual agreement of cancellation is filed with the department between the newly appointed distributor and such dealer.

SECTION 1003g. 218.04 (9g) of the statutes is created to read:

218.04 (9g) TRUST ACCOUNTS. (a) In this section, “financial institution” has the meaning given in s. 705.01 (3).

(b) A licensee shall establish a trust account with a financial institution. The licensee shall notify the commissioner of the name of the financial institution that maintains the trust account. The commissioner may prohibit a licensee from establishing or maintaining a trust account in a financial institution if the commissioner believes that the financial institution is operating in an unsafe or unsound manner.

(c) Promptly after collection, a licensee shall deposit in the trust account sufficient funds to pay all money due any claimant or forwarder. A licensee may not use the trust account for any other purpose.

SECTION 1003gm. 218.04 (9m) (b) of the statutes is amended to read:

218.04 (9m) (b) In taking possession of the property and business of any such collection agency, the commissioner shall forthwith give notice to any and all banks or bank corporations other financial institutions holding or in possession of any bank balances or assets of such agency and thereafter such assets shall be held subject to the order of the commissioner.

SECTION 1005c. 218.10 (1g) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

SECTION 1005e. 218.10 (1t) of the statutes is created to read:
218.10 (1) “Licensors” means the administering department authorized under s. 218.101 to administer this subchapter.

SECTION 1005g. 218.10 (8m) of the statutes is created to read:
218.10 (8m) “Recreational vehicle” means a mobile home that does not exceed the statutory size under s. 348.07.

SECTION 1005i. 218.101 of the statutes is created to read:

**218.101 Administering department.** (1) The department of administration shall administer this subchapter as it relates to those mobile home dealers and mobile home salespersons engaged in the sale of primary housing units.

(2) The department of transportation shall administer this subchapter as it relates to those mobile home dealers and mobile home salespersons engaged in the sale of recreational vehicles.

SECTION 1005k. 218.11 (1) of the statutes is amended to read:
218.11 (1) No person may engage in the business of selling mobile homes to the ultimate consumer or to the retail market in this state unless first licensed to do so by the department licensor as herein provided.

SECTION 1005kc. 218.11 (2) (a), (b) and (d) of the statutes are amended to read:
218.11 (2) (a) Application for license and renewal license shall be made to the department licensor on forms prescribed and furnished by the department licensor, accompanied by the license fee required under par. (c) or (d).

(b) 1. The department licensor shall promulgate rules establishing the license period under this section.

2. The department licensor may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the department licensor issues a license under this section during the license period, the fee for the license shall equal $50 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

SECTION 1005kd. 218.11 (3) of the statutes is amended to read:
218.11 (3) A license shall be issued only to persons whose character, fitness and financial ability, in the opinion of the licensing agency licensor, is such as to justify the belief that they can and will deal with and serve the buying public fairly and honestly, will maintain a permanent office and place of business and an adequate service and parts department during the license year, and will abide by all the provisions of law and lawful orders of the department licensor.

SECTION 1005ke. 218.11 (6) (intro.) The department licensor may deny, suspend or revoke a license on the following grounds:
(d) Wilful failure to comply with any provision of this section or any rule promulgated by the department licensor under this section.

SECTION 1005kf. 218.11 (7) (a) and (b) of the statutes are amended to read:
218.11 (7) (a) The licensor may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. Within 30 days after such notice, the applicant may petition the office of the commissioner of transportation if the licensor is the department of transportation or the department of administration if that department is the licensor to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness.

(b) No license may be suspended or revoked except after a hearing thereon. The licensor shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, except that the licensor, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department licensor shall be heard and decided upon by the office of the commissioner of transportation if the licensor is the department of transportation or the department of administration if that department is the licensor.

SECTION 1005m. 218.12 (1) and (2) (a), (b) and (d) of the statutes are amended to read:
218.12 (1) No person may engage in the business of selling mobile homes to the ultimate consumer or to the retail market in this state without a license therefor from the department licensor. If a mobile home dealer acts as a mobile home salesperson the dealer shall secure a mobile home salesperson's license in addition to the license for engaging as a mobile home dealer.

2. The department licensor may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(a) Applications for mobile home salesperson's license and renewals thereof shall be made to the department licensor on such forms as the department licensor prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d).

The application shall require such pertinent information as the department licensor requires.

(b) 1. The department licensor shall promulgate rules establishing the license period under this section.

2. The department licensor may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the department licensor issues a license under this section during the license period, the fee for the
license shall equal $4 multiplied by the number of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

SECTION 1005q. 218.14 (1) (a), (b) and (d) of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:

218.14 (1) (a) That the primary housing unit meets those standards prescribed by law or administrative rule of the department of administration or of the department of industry, labor and human relations, which are in effect at the time of its manufacture.

(b) That the primary housing unit is free from defects in material and workmanship and is reasonably fit for human habitation if it receives reasonable care and maintenance as defined by rule of the department of administration.

(d) That if during any period of time after notification of a defect, the primary housing unit is uninhabitable, as defined by rule of the department of administration, that period of time shall not be considered part of the one-year warranty period.

SECTION 1005q. 218.16 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

218.16 (title) Rules. The department of administration shall promulgate rules and establish standards necessary to carry out the purposes of ss. 218.14 and 218.15.

SECTION 1005s. 218.17 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

218.17 (2) In any court action brought by the department licensor for violations of this subchapter, the department licensor may recover all costs of testing and investigation, in addition to costs otherwise recoverable, if it prevails in the action.

SECTION 1014d. 220.04 (6) (d) of the statutes is amended to read:

220.04 (6) (d) The commissioner of banking, with the approval of the banking review board, may establish rules regulating the kind and amount of foreign bonds or bonds and securities offered for sale by the international bank for reconstruction and development, the inter-American development bank, the international finance corporation, the African development bank and the Asian development bank which state banks, trust company banks and mutual savings banks may purchase, except that such rules shall not apply to bonds and securities of the Canadian government and Canadian provinces, which are payable in American funds.

SECTION 1014s. 222.13 (1) (b) of the statutes is amended to read:

222.13 (1) (b) In notes, securities and bonds of one or more federal home loan banks, securities of the banks for cooperatives, securities of one or more federal land banks, notes and securities of the federal national mortgage association, securities of the federal intermediate credit banks, but investment in any one of the aforesaid of the same class and issue shall not exceed 50% of the guaranty fund and undivided profits. Investment in bonds of the international bank for reconstruction and development, bonds of the inter-American development bank, bonds of the international finance corporation, bonds of the African development bank and bonds of the Asian development bank shall be limited to 10% of the guaranty fund and undivided profits; in bankers’ acceptances eligible for purchase by federal reserve banks, investment shall not exceed 50% of the guaranty fund and undivided profits; and in stock in a federal home loan bank or stock in a federal reserve bank, investment shall not exceed an amount that will qualify such mutual savings bank for membership in the federal home loan bank or federal reserve bank.

SECTION 1017e. 227.01 (13) (zd) of the statutes is amended to read:

227.01 (13) (zd) Establishes procedures for oil inspection fee collection and setting an additional oil inspection fee under ss. 101.143 and under s. 168.12 (4m).

SECTION 1027m. 227.45 (1) of the statutes is amended to read:

227.45 (1) Except as provided in ss. 19.52 (3) and 901.05, an agency or hearing examiner shall not be bound by common law or statutory rules of evidence. The agency or hearing examiner shall admit all testimony having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony or evidence that is inadmissible under s. 901.05. The agency or hearing examiner shall give effect to the rules of privilege recognized by law. Basic principles of relevancy, materiality and probative force shall govern the proof of all questions of fact. Objections to evidentiary offers and offers of proof of evidence not admitted may be made and shall be noted in the record.

SECTION 1031d. 230.04 (1m) of the statutes is amended to read:

230.04 (1m) The secretary may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the secretary finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the secretary determines that any agency is not performing such delegated function within prescribed standards, the secretary shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the secretary may order transferred to the department from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the department reduced staff or shifted staff to new responsibilities as a result of such delegation. Any delegatory action
taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be appealed to the personnel commission under s. 230.44 (1) (b). The secretary shall be a party in such an appeal.

Vetoed in Part -

SECTION 1031r. 230.08 (2) (e) 4m of the statutes is created to read:
230.08 (2) (e) 4m. Gaming commission — 4.

SECTION 1031s. 230.08 (2) (L) 5e of the statutes is repealed.

SECTION 1031t. 230.08 (2) (L) 5s of the statutes is repealed.

SECTION 1032m. 230.08 (2) (m) 2m of the statutes is created to read:
230.08 (2) (m) 2m. Gaming commission.

SECTION 1032p. 230.08 (2) (qm) of the statutes is repealed.

SECTION 1033q. 230.08 (2) (qr) of the statutes is repealed.

SECTION 1033. 230.08 (2) (s) of the statutes is amended to read:
230.08 (2) (s) The director, sales manager and 3 sales representatives of prison industries in the department of corrections.

SECTION 1034m. 230.13 of the statutes is renumbered 230.13 (1), and 230.13 (1) (intro.), as renumbered, is amended to read:
230.13 (1) (intro.) Except as provided in sub. (2) and s. 103.13, the secretary and the administrator may keep records of the following personnel matters closed to the public:

Vetoed in Part -

SECTION 1035. 230.33 (3) of the statutes is amended to read:
230.33 (3) Except for 3 sales representatives of prison industries and one sales manager of prison industries identified under s. 303.01 (10), an employee appointed to a position in the unclassified service shall be entitled to receive at least the same pay received in the classified position while serving in such unclassified position.

SECTION 1035m. 230.44 (1) (b) of the statutes is amended to read:
230.44 (1) (b) Decision made or delegated by secretary. Appeal of a personnel decision under s. 230.09 (2) (a) or (d) or 230.13 (1) made by the secretary or by an appointing authority under authority delegated by the secretary under s. 230.04 (1m).
rehabilitation loan, except a property tax deferral loan, the repayment of which is made in monthly or other periodic installments, may not exceed 15 years. Housing rehabilitation loans, except property tax deferral loans, include:

SECTION 1039g. 234.49 (1) (hm) of the statutes is created to read:

234.49 (1) (hm) "Property tax deferral loan" means a loan that originated under the property tax deferral program under subch. IV of ch. 77, 1989 stats., and for which application under s. 77.66 (3), 1989 stats., was made before July 1, 1992.

SECTION 1039h. 234.49 (2) (a) 10 of the statutes is created to read:

234.49 (2) (a) 10. To enter into contracts or agreements with the department of revenue to purchase property tax deferral loans under the housing rehabilitation loan program.

SECTION 1039j. 234.50 (1) of the statutes is amended to read:

234.50 (1) The authority may issue its negotiable bonds in such principal amount and of such length of maturity as, in the opinion of the authority, is necessary to provide sufficient funds for purchasing housing rehabilitation loans or for funding commitments for loans to lenders for housing rehabilitation loans; for purchasing property tax deferral loans under s. 234.49 (2) (a) 10; for the establishment of reserves to secure such bonds; and for all other expenditures of the authority incident to or necessary and convenient in connection therewith. The authority may, whenever it deems refunding expedient, refund any bonds by the issuance of new bonds whether the bonds to be refunded have or have not matured, and issue bonds partly to refund bonds then outstanding and partly for the purpose authorized by this section.

Vetoed in Part

SECTION 1040g. 234.92 (4) of the statutes is amended to read:

234.92 (4) "Department" means the department of agriculture, and trade and commerce created by 1931 Wisconsin Act 20.

Vetoed in Part

SECTION 1041h. 301.31 of the statutes is amended to read:

301.31 Wages to prisoners. The department may provide for assistance of prisoners on their discharge; for the support of their families while the prisoners are in confinement; or for the payment, either in full or ratably, of their obligations acknowledged by them in writing or which have been reduced to judgment by the allowance of moderate wages, to be paid from the operation, maintenance, farm and construction appropriations of the institution in which they are confined. Until the prisoner's final discharge, the funds arising from the wages shall be under the control of the officer in charge of the institution and shall be used for the benefit of the prisoner, the prisoner's family and other obligations specified in this section. Earnings by inmates working in the prison industries and the retention and distribution thereof shall be governed by ss. 303.01 (4) and (8) and 303.06 (2).

Vetoed in Part

SECTION 10420. 301.48 (2) of the statutes is amended to read:

301.48 (2) (a) Correctional officers serving under permanent appointments prior to July 1, 1987, are not required to meet any requirement under part (b) as a condition of continued employment. Failure of any such correctional officer to fulfill those requirements does not make that person ineligible for any promotional examination for which he or she is otherwise eligible. Those correctional officers may voluntarily participate in the program and must comply with any (b)

Vetoed in Part

301.48 (2) (b) (1) The board may be permanently appointed as a correctional officer if the person has satisfied the requirements of any examination required by law. Any correctional officer complying with the requirements of this section and appointed by the department is entitled to any benefits provided by the department for that correctional officer.

SECTION 10421. 301.24 (3) of the statutes is created to read:

301.24 (3) A person may continue as a correctional officer only if he or she completes, in each fiscal year, 48 hours of additional training approved by the department. A correctional officer shall test annually, with this subsection in the later of the following:


2. The fiscal year following the fiscal year in which he or she is permanently appointed as a correctional officer.

SECTION 10422. 301.25 of the statutes is amended to read:

301.25 In-service and work experience training. The department may conduct a program of in-service training and staff development and, in cooperation with educational institutions, may provide facilities for work experience for students, including subparts.

SECTION 10436. 301.41 of the statutes is created to read:

301.41 Unrated death investigations. (1) Definitions. In this section:

1. "Board" means the inmate death investigation board.

2. "Inmate" means any person confined in a state prison under s. 982.01, except it does not include any person confined under s. 982.04 (4) or confined in a Type II prison.

Vetoed in Part

301.41 (1) The department shall notify, as soon as practicable, the board chairperson when
Vetoed in Part

SECTION 1042. 302.33 (2) (a) 3 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

302.33 (2) (a) 3. After verification by the department, it shall reimburse the county at a rate of $36 per person per day prior to January 1, 1993, and $40 per person per day thereafter, subject to the conditions in subds. 1 and 2. If $1,330,700 for fiscal year 1991-92, $1,475,400 for fiscal year 1992-93 and $1,620,100 for any fiscal year thereafter is insufficient to provide complete reimbursement at that rate, the department shall prorate the payments to counties for that fiscal year. The department shall not reimburse a county unless that county informs the department of the amount of reimbursement to which it is entitled under this subsection no later than September 1 of the fiscal year following the fiscal year for which reimbursement is requested.

Vetoed in Part

SECTION 1044. 303.01 (8) of the statutes is amended to read:

303.01 (8) DISPOSITION OF EARNINGS. The department has the authority to determine how much, if any, of the earnings of an inmate may be spent and for what purposes they may be spent within the confines of the prison. The department shall distribute earnings for the support of the inmate’s dependents and for other obligations either acknowledged by the inmate in writing or which have been reduced to judgment that may be satisfied according to law.

Vetoed in Part

SECTION 1046. 303.06 (2) of the statutes is amended to read:

303.06 (2) The department may enter into or renew a contract with a manufacturer or distributor to have

an ambulance or other transportation in connection with medical or hospital care for the inmate. If the prisoner is unable to pay the costs, the county shall pay the costs in the case of persons held under the state criminal laws or for contempt of court and a municipality shall pay the costs in the case of persons held under municipal ordinance by the municipality.

Vetoed in Part

SECTION 1045. 303.01 (10) of the statutes is amended to read:

303.01 (10) SALES PERSONNEL. Three sales representative positions and one sales manager position to sell and manage the sale of goods and services produced by prison industries shall be in the unclassified civil service.
include a place for an applicant or registrant under this chapter who is a natural person to designate that the applicant's or registrant's name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection to reverse the designation.

Vetoed in Part

SECTION 1052. 341.17 (5) of the statutes is amended to read:

341.17 (5) Publis Except as provided in sub. (9) (e), public officers and agencies receiving free copies of registration lists under sub. (4) shall keep such lists current and open to public inspection.

Vetoed in Part

SECTION 1047p. 304.01 (58a) of the statutes is amended to read:

304.01 (58a) "Snowmobile" means any engine-driven vehicle of a type which utilizes sled type runners, or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horsepower or less and that are operated in sanctioned races, derbies, competitions or exhibitions or only on private property.

SECTION 1050. 341.08 (1m) of the statutes is created to read:

341.08 (1m) The forms for application for original registration and for renewal of registration under sub. (1) or another form provided by the department shall include a place for an applicant or registrant under this chapter who is a natural person to designate that the applicant's or registrant's name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection to reverse the designation.

Vetoed in Part

SECTION 1051p. 341.10 (1f) of the statutes is amended to read:

341.10 (1f) A inmate industries provide products, components or services if at the time that the contract is originally entered into the products, components or services have been supplied to the manufacturer or distributor for the previous 12 months by a facility outside the United States. The department shall collect not less than 5% nor more than 20% of the gross wages of inmates earned under such a contract to be credited to the appropriation under s. 20.455 (5) (i).

Vetoed in Part

SECTION 1048m. 340.01 (58a) of the statutes is amended to read:

340.01 (58a) “Snowmobile” means any engine-driven vehicle of a type which utilizes sled type runners, or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horsepower or less and that are operated in sanctioned races, derbies, competitions or exhibitions or only on private property.
facturer, if the person uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) or 342.06 (1) (i) for vehicle recalls.

(d) 1. The department shall establish by rule a reasonable period for the processing of a designation under s. 341.08 (1m) or 342.06 (1) (i) and for complying with a designation under par. (b).

2. If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under subd. 1, the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.

(e) Any person who has received under par. (d) a personal identifier of any person who has made a designation under s. 341.08 (1m) or 342.06 (1) (i) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under par. (c).

(f) 1. Any person who wilfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than $500 for each violation.

2. Any person who wilfully requests or obtains a personal identifier from the department under this subsection under false pretenses may be required to forfeit not more than $500 for each violation.

3. Subdivisions 1 and 2 do not apply to a legal custodian under s. 19.33 of the department of children and families.

SECTION 1053g. 341.36 (1) of the statutes is amended to read:

341.36 (1) Except as provided in sub. (2), the department shall charge a fee of $25 to reinstate a registration previously suspended or revoked under this chapter or ch. 344. The fee under this subsection is in addition to any other fee required to complete the registration of the vehicle.

SECTION 1053i. 341.36 (1m) of the statutes is created to read:

341.36 (1m) Except as provided in sub. (2), the department shall charge a fee of $50 to reinstate a registration previously suspended or revoked under ch. 344. The fee under this subsection is in addition to any other fee required to complete the registration of the vehicle.

SECTION 1053k. 341.36 (2) of the statutes is amended to read:

341.36 (2) Subsection (4) does not apply to the reinstatement of a registration under s. 341.08 (1m) or 342.06 (1) (i) or to the reinstatement of a registration suspended or revoked as a result of an error by the department.

SECTION 1053m. 341.36 (3) of the statutes is amended to read:

341.36 (3) If the registrations of more than one vehicle owned by a person are suspended or revoked under ch. 344 as a result of the same occurrence, payment of one fee under sub. (4) (1m) applies to the reinstatement of the registrations of all of those vehicles.

SECTION 1054. 342.06 (1) (i) of the statutes is created to read:

342.06 (1) (i) A place for an applicant who is a natural person to designate that the applicant’s name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant who has made a designation under this paragraph to reverse the designation. The department may provide for these designations and statement on an alternative form.

SECTION 1056. 343.07 (1m) (a) of the statutes, as affected by 1991 Wisconsin Act 12, section 3, is amended to read:

343.07 (1m) (a) Except as provided in par. (am), the permittee may not operate a commercial motor vehicle or school bus unless accompanied by a qualified instructor or a licensed person at least 21 years of age or older with at least 2 years of licensed driving experience in a representative vehicle and a valid license authorizing the person to operate such vehicle, occupying the seating position nearest to the driver. No passengers are allowed in the vehicle, except that when the accompanying operator is a qualified instructor up to 3 other permittees also being trained may occupy seats in the vehicle. The permittee may operate a commercial motor vehicle carrying property under this paragraph.

SECTION 1057e. 343.10 (10) (am) of the statutes is created to read:

343.10 (10) (am) If the petitioner’s commercial driver license has been suspended or revoked under ch. 344, a petition seeking issuance of an occupational license authorizing operation of “Class A”, “Class B” or “Class C” vehicles may be filed directly with the department. The petition may not seek authorization to operate “Class D” or “Class M” vehicles.

SECTION 1058. 343.14 (2m) of the statutes is created to read:

343.14 (2m) The forms for application for a license identification card or for renewal thereof or another form provided by the department shall include a place for an applicant, licensee or identification card holder to designate that his or her name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 343.235 or 343.24 (4), a statement indicating the effect of making such a designation and a place for an applicant, licensee or identification card holder who has made a designation under this subsection to reverse the designation.

SECTION 1058g. 343.17 (3) (a) 12 of the statutes is created to read:
343.17 (3) (a) 12. If the person is not the legal drinking age, as defined in s. 125.02 (8m), at the time of issuance of the license, a distinctive background color for the license document designated by the department that clearly identifies to the public that the person was not the legal drinking age at the time of issuance of the license.

SECTION 1058m. 343.19 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

343.19 (1) If a license issued under this chapter or an identification card issued under s. 343.50 is lost or destroyed or the name or address named in the license or identification card is changed or the condition specified in s. 343.17 (3) (a) 12 no longer applies, the person to whom the license or identification card was issued may obtain a duplicate thereof or substitute therefor upon furnishing proof satisfactory to the department of name, date and place of birth and that the license or identification card has been lost or destroyed or that application for a duplicate license or identification card is being made for a change of address or name or because the condition specified in s. 343.17 (3) (a) 12 no longer applies. If the original license or identification card is found it shall immediately be transmitted to the department. Duplicates of nonphoto licenses shall be issued as nonphoto licenses.

SECTION 1059. 343.235 of the statutes is created to read:

343.235 Access to license and identification card records. (1) In this section:
(a) “Agent” means an authorized person who acts on behalf of or at the direction of another person.
(b) “Insurer” has the meaning given in s. 600.03 (27).
(c) “Personal identifier” means a name, street address, post-office box number or 9-digit extended zip code.
(d) “State authority” has the meaning given in s. 19.62 (8).
(2) In providing copies under s. 19.35 (1) (a) of any written information collected or prepared under this chapter which consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose a personal identifier of any person who has made a designation under s. 343.14 (2m) that his or her personal identifiers may not be disclosed as provided in this section.
(3) Subsection (2) does not apply to any of the following:
(a) A law enforcement agency, a state authority or a federal governmental agency to perform a legally authorized function.
(b) An insurer authorized to write property and casualty insurance in this state or an agent of the insurer, if the insurer or agent uses the personal identifiers for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim.
(4) (a) The department shall establish by rule a reasonable period for the processing of a designation under s. 343.14 (2m) or 343.51 (1m) and for complying with a designation under sub. (2).
(b) If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under par. (a), the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.
(5) Any person who has received under sub. (3) a personal identifier of any person who has made a designation under s. 343.14 (2m) or 343.51 (1m) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under sub. (3).
(6) (a) Any person who willfully discloses a personal identifier in violation of this section may be required to forfeit not more than $500 for each violation.
(b) Any person who willfully requests or obtains a personal identifier from the department under this section under false pretenses may be required to forfeit not more than $500 for each violation.
(c) Paragraphs (a) and (b) do not apply to a legal custodian under s. 19.33 of the department.

SECTION 1061. 343.24 (4) of the statutes is created to read:

343.24 (4) (a) In this subsection:
1. “Agent” means an authorized person who acts on behalf of or at the direction of another person.
2. “Insurer” has the meaning given in s. 600.03 (27).
3. “Personal identifier” means a name, street address, post-office box number or 9-digit extended zip code.
4. “State authority” has the meaning given in s. 19.62 (8).
(b) In furnishing 10 or more operating records to a person under sub. (1) or (2m), the department may not disclose a personal identifier of any person who has made a designation under s. 343.14 (2m) that his or
her personal identifiers may not be released as provided in this subsection.

(c) Paragraph (b) does not apply to any of the following:

1. A law enforcement agency, a state authority or a federal governmental agency to perform a legally authorized function.

2. An insurer authorized to write property and casualty insurance in this state or an agent of the insurer, if the insurer or agent uses the names or addresses for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim.

(d) 1. The department shall establish by rule a reasonable period for the processing of a designation under s. 343.14 (2m) and for complying with a designation under par. (b).

2. If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under subd. 1, the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.

(e) Any person who has received under par. (c) a personal identifier of any person who has made a designation under s. 343.14 (2m) and for complying with a designation under par. (b).

(f) 1. Any person who wilfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than $500 for each violation.

2. Any person who wilfully requests or obtains a personal identifier from the department under false pretenses may be required to forfeit not more than $500 for each violation.

3. Subdivisions 1 and 2 do not apply to a legal custodian under s. 19.33 of the department.

SECTION 1075e. 343.34 (intro.) of the statutes is amended to read:

343.34 Suspension of licenses. (intro.) In addition to suspensions authorized under ch. 344, the secretary may suspend operating privileges under this section under the following circumstances:

SECTION 1075m. 343.50 (3) of the statutes is amended to read:

343.50 (3) Design and contents of card. The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY". The information on the card shall be the same as specified under s. 343.17 (3). The card may serve as a document of gift under s. 157.06 (2) (b) and (c) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i). The card shall contain the holder's photograph and, if applicable, comply with the requirement of s. 343.17 (3) (a) 12.

SECTION 1076. 343.50 (4) of the statutes is amended to read:

343.50 (4) Application. The application for an identification card shall include the information required under s. 343.14 (2) (a) and (b) and (2m), such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card and, for applicants who are aged 65 years or older, material, as provided by the department, explaining the voluntary program that is specified in s. 71.55 (10) (b). The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations are punishable as provided in s. 343.14 (5).

SECTION 1077. 343.51 (1m) of the statutes is created to read:

343.51 (1m) The form for application for a special identification card under sub. (1) or another form provided by the department shall include a place for an applicant or special identification card holder who is a natural person to designate that his or her name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided under s. 343.235, a statement indicating the effect of making such a designation and a place for an applicant or special identification card holder who has made a designation under this subsection to reverse the designation.

SECTION 1079e. 344.02 (title) and (1) of the statutes are amended to read:

344.02 (title) Hearing on revocation or impoundment. (1) Whenever the department under s. 344.13 gives notice of the amount of security required to be deposited and that an order of suspension, revocation or impoundment will be made if such security is not deposited, it shall afford the person so notified an opportunity for a hearing on the proposed action. If written request for such hearing is received by the department prior to the date specified in such notice, or prior to the postponed effective date of suspension, revocation if postponement has been granted under s. 344.14 (1). Upon receipt of timely request for hearing, the department shall refer the matter to the office of the commissioner of transportation which shall fix the time and place of such hearing and give notice thereof to such person by regular mail. The scope of the hearing shall be limited to the matter set forth in s. 344.14 (2) (k) and to whether or not the person is the owner of the motor vehicle to be impounded. Any person who fails without reasonable cause to appear at the time and place specified in the notice shall forfeit the right to a hearing.
SECTION 1081c. 344.02 (3) of the statutes is amended to read:

344.02 (3) Upon completion of the hearing, the office of the commissioner of transportation shall make findings of fact, conclusions of law, and a decision, and shall either proceed to order suspension revocation of the person's operating privilege, or registrations, or both, and may also order the impoundment of the person's motor vehicle, in accordance with s. 344.14, or upon good cause appearing therefor, shall terminate the proceedings.

SECTION 1081g. 344.02 (4) of the statutes is amended to read:

344.02 (4) The time during which enforcement of an order of suspension revocation or impoundment is stayed pending completion of court review thereof shall not be included as part of the one-year period fixed by s. 344.18 (1) (d) for suspension revocation or the period fixed under s. 344.185 (2) (a) or (b) for impoundment.

SECTION 1083b. 344.04 of the statutes is amended to read:

344.04 (title) Power of court to stay revocation of registration or impoundment of vehicles. (1) Notwithstanding any other provision of this chapter, the secretary shall not revoke or suspend the registration of a vehicle when ordered not to do so by the court wherein the judgment for damages was had or, in a case not involving a judgment, when ordered not to do so by a court pursuant to petition of the registrant in accordance with sub. (2).

(2) Upon receiving information, other than of a judgment for damages in a court of this state, that would be cause for revocation of suspension of registration or impoundment of the vehicle, the secretary shall notify the registrant of the intention to revoke such registration or impound the vehicle. The registrant may thereafter petition any court of record in the registrant's county for an order enjoining the secretary's contemplated action, wherein the judge of such court shall grant an order restraining the secretary in the manner it deems appropriate. The reinstatement order has the same effect as an automatic reinstatement under s. 343.39.

(3) This section does not authorize a court to stay suspension or revocation of an operator's license.

SECTION 1083c. 344.08 of the statutes is amended to read:

344.08 (title) Revocation for failure to report accident. (1) The secretary may suspend revoke the operating privilege or registration of any person who fails to report an accident as required by s. 346.70 or to give correctly the information requested by the secretary in connection with such report unless, in the judgment of the secretary, there was excusable cause for such failure or unless the accident did not result in injury or damage to the person or property of anyone other than the person so required to report.

(2) Any operating privilege suspended revoked under this section, or suspended revoked under any other section for failure to report an accident, shall be reinstated in accordance with s. 344.09 at the end of one year following the effective date of the suspension revocation order if, during such one-year period, no notice of action instituted within one year from the date of the accident has been filed with the department in the manner specified in s. 344.18 (1) (d).

SECTION 1083cg. 344.08 (3) of the statutes is amended to read:

344.08 (3) The provisions of this chapter requiring revocation for failure to report an accident apply to any operating privilege suspended pursuant to s. 344.08, 1989 stats., for failure to report an accident.

SECTION 1083d. 344.09 of the statutes is amended to read:

344.09 (title) Reinstatement of revoked operating privilege and registration. (1) Whenever the secretary is satisfied that the reason for suspension revocation of an operating privilege under this chapter has been removed, including satisfaction of any of the requirements of s. 344.18, the secretary shall order reinstatement of the operating privilege. The department shall give notice of the reinstatement to the person whose operating privilege has been suspended revoked in the manner it deems appropriate. The reinstatement order has the same effect as an automatic reinstatement under s. 343.39.

(2) Whenever an operating privilege suspended revoked pursuant to this chapter is reinstated, any registration which was suspended revoked along with the operating privilege is automatically reinstated and the department shall return any surrendered and unexpired registration plate in its possession.

SECTION 1083e. 344.09 (3) of the statutes is amended to read:

344.09 (3) Nothing in this section exempts a person from the applicable reinstatement fees under s. 341.36 or 343.21 or from complying with applicable provisions of s. 343.38.

SECTION 1083f. 344.12 of the statutes is amended to read:

344.12 Applicability of provisions relating to deposit of security for past accidents. Subject to the exceptions contained in s. 344.14, the provisions of this chapter requiring deposit of security and requiring suspension revocation for failure to deposit security apply to the operator and owner of every motor vehicle which is in
any manner involved in an accident in this state which has resulted in bodily injury to or death of any person or damage to property of any other person in excess of $500.

SECTION 1083h. 344.13 of the statutes is amended to read:

344.13 Secretary to determine amount of security required following accident and to give notice thereof. (1) The secretary after receipt of a report of an accident of the type specified in s. 344.12 shall determine, with respect to such accident, the amount of security which is sufficient in the secretary’s judgment to satisfy any judgment for damages resulting from such accident which may be recovered against either operator or owner of the vehicles involved in such accident. Such determination shall be based upon the total property damage suffered by other persons whose property was involved in the accident, not including the vehicle a person was operating when such operation was with the owner’s permission, and on the extent of personal injuries, including deaths, involving other parties to the accident. The determination as to the amount of security required shall not be made with respect to operators or owners who are exempt from the requirements of security and suspension revocation under s. 344.14 (2).

(2) The secretary shall determine the amount of security required to be deposited by each person on the basis of the accident reports or other information submitted. In addition to the accident reports required by law, the secretary may request from any of the persons, including passengers and pedestrians, involved in such accident such further information, sworn statements or other evidence relating to property damage, personal injury or death in motor vehicle accidents as deemed necessary to aid in determining the amount to be deposited as security under s. 344.14. Failure of a person to comply with such request is grounds for suspending revoking such person’s operating privilege but no suspension revocation shall be made on such grounds until one follow-up request has been made and at least 20 days have elapsed since the mailing of the first request.

(3) The secretary within 90 days after receipt of a report of an accident of the type specified in s. 344.12 and upon determining the amount of security to be required of any person involved in such accident or to be required of the owner of any vehicle involved in such accident, shall give at least 10 days’ written notice to every such person of the amount of security required to be deposited by the person. The notice also shall state that an order of suspension revocation will be made as provided in s. 344.14, unless within such time security is deposited as required by the notice. The order of suspension revocation may be made a part of the notice, with a provision that it will take effect on the date specified in this subsection unless security is deposited prior to that date.

SECTION 1083i. 344.14 (title) and (1) of the statutes are amended to read:

344.14 (title) Revocation for failure to deposit security; impoundment of vehicle; exceptions. (1) If a person who was given notice pursuant to s. 344.13 (3) fails to deposit security in the amount and by the time specified in the notice, the secretary shall forthwith suspend revoke the person’s operating privilege if the person was the operator of a motor vehicle involved in the accident and all the person’s registrations if the person was the owner of a motor vehicle involved in the accident unless the person furnishes proof satisfactory to the secretary that the person comes within one of the exceptions set forth in sub. (2). If the owner and operator are separate persons, only one of them need deposit security or the 2 persons may cooperate in depositing security. Upon request of the owner or operator in question, the secretary may postpone the effective date of a suspension revocation under this section not to exceed 20 days.

SECTION 1083j. 344.14 (1g) of the statutes is created to read:

344.14 (1g) The secretary shall refuse registration of any vehicle owned by a person whose registration has been revoked under sub. (1).

SECTION 1083k. 344.14 (1m) (intro.) of the statutes is amended to read:

344.14 (1m) (intro.) In addition to the suspensions revocations under sub. (1), the secretary may order the impoundment of any motor vehicle which is:

SECTION 1083l. 344.14 (2) (h) of the statutes is amended to read:

344.14 (2) (h) To any person who would otherwise have to deposit security if, prior to the date the secretary would otherwise suspend revoke the person’s operating privilege and registrations under sub. (1) or order the impoundment of the motor vehicle under sub. (1m), there is filed with the secretary evidence satisfactory to the secretary that the person has been released from liability or has been finally adjudicated not to be liable or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in instalments with respect to all claims for injuries or damage resulting from the accident. The secretary may accept a release from liability executed by a parent or natural guardian on behalf of a minor child with respect to property damage or personal injuries sustained by the minor, provided that the total damages, including the cost of medical care, do not exceed $5,000 and that, in case of personal injury, the doctor’s certificate of injury filed with the department certifies that the minor received no permanent injury.

SECTION 1083Le. 344.14 (2) (k) of the statutes is amended to read:

344.14 (2) (k) To the operator or the owner of a vehicle involved in an accident when it appears to the satisfaction of the secretary that there does not exist a reasonable possibility of a judgment in the amount
claimed or in a lesser amount being rendered against such operator or owner as a result of the accident.

SECTION 1083m. 344.18 (title) and (1) of the statutes are amended to read:

344.18 (title) **Duration of revocation for failure to deposit security.** (1) Any operating privilege or registration suspended revoked as provided in s. 344.14 shall remain suspended revoked and shall not be renewed or reinstated until the applicable fee required under s. 341.36 (1m) or 343.21 (1) (j) has been paid and one of the following requirements has been met:

(a) The person whose operating privilege or registration was suspended revoked deposits the security required under s. 344.14.

(b) There is filed with the secretary evidence satisfactory to the secretary that the person whose operating privilege or registration was suspended revoked has been released from liability or has been finally adjudicated not to be liable. The secretary may accept a release executed by a parent on behalf of a minor child only if the release satisfies the requirements specified in s. 344.14 (2) (h).

(c) There is filed with the secretary evidence satisfactory to the secretary that the person whose operating privilege or registration was suspended revoked has executed a duly acknowledged written agreement in accordance with s. 344.14 (2) (h) and subject to sub. (3) of this section.

(d) One year has elapsed since the effective date of the suspension revocation order and, during such period, no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest within the one year period following the date of the accident or by service of counterclaim or cross-complaint within the 20-day answer period. If the action was commenced in a court of record, the notice required by this paragraph shall include a certified copy of the summons and complaint or counterclaim or cross-complaint and proof of service filed therein. In all cases of service under s. 345.09, an additional notice and service must be made under this chapter to avail oneself of the provisions of this chapter.

SECTION 1083mc. 344.18 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:

344.18 (1) (intro.) Any registration revoked as provided in s. 344.14 shall remain revoked and shall not be renewed or reinstated until the fee required under s. 341.36 (1m) has been paid, one of the requirements under pars. (a) to (d) has been met and the requirements of sub. (1m) are satisfied. Any operating privilege revoked as provided in s. 344.14 shall remain revoked and shall not be renewed or reinstated until the fee required under s. 343.21 (1) (j) has been paid, the applicable provisions of s. 343.38 have been complied with and one of the following requirements has been met:

SECTION 1083mf. 344.18 (1m) of the statutes is created to read:

344.18 (1m) (a) Unless 3 years have elapsed since the date that a requirement under sub. (1) (a), (b), (c) or (d) has been met, the person whose registration was suspended or revoked under sub. (1) or whose operating privilege or registration was suspended under s. 344.14, 1989 stats., shall file with the department proof of financial responsibility in the amount, form and manner specified in this chapter. The person shall maintain the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the registration while the registration of any vehicle owned by the person is in effect or, for suspension of operating privilege, for 3 years following reinstatement or renewal of the license while the license is in effect.

(b) This subsection applies as a condition precedent to renewal or reinstatement of an operating privilege or registration suspended under s. 344.14, 1989 stats.

SECTION 1083n. 344.18 (3) (intro.) of the statutes is amended to read:

344.18 (3) (intro.) If there is any default in the payment of any installment under a duly acknowledged written agreement, the secretary, upon notice of such default given in no event later than 30 days after the time for final installment, shall forthwith suspend revoke the operating privilege and registrations of the defaulting person, which suspension revocation shall remain in effect until the applicable fee required under s. 341.36 (1m) or 343.21 (1) (j) has been paid and one of the following requirements has been met:

SECTION 1083nc. 344.18 (3) (intro.) of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:

344.18 (3) (intro.) If there is any default in the payment of any installment under a duly acknowledged written agreement, the secretary, upon notice of such default given in no event later than 30 days after the time for final installment, shall forthwith suspend revoke the registrations of the defaulting person, which revocation shall remain in effect until the applicable fee required under s. 341.36 (1m) has been paid, the requirement under par. (a) or (b) has been met and the requirements of sub. (3m) are satisfied, and shall forthwith revoke the operating privilege of the defaulting person, which revocation shall remain in effect until the fee required in s. 343.21 (1) (j) has been paid, the applicable provisions of s. 343.38 have been complied with and one of the following requirements has been met:

SECTION 1083np. 344.18 (3) (b) of the statutes is amended to read:

344.18 (3) (b) One year has elapsed since the effective date of the suspension revocation order and, during such period, no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest within the one year period following the date when such security was required or by service of counterclaim or cross-complaint within the 20-day answer period. The notice
required by this paragraph shall comply with sub. (1) (d).

SECTION 1083pf. 344.18 (3m) of the statutes is created to read:

344.18 (3m) (a) Unless 3 years have elapsed since the date that a requirement under sub. (3) (a) or (b) has been met, the person whose registration was suspended or revoked under sub. (3) or whose operating privilege or registration was suspended under s. 344.18 (3), 1989 stats., shall file with the department proof of financial responsibility in the amount, form and manner specified in this chapter. The person shall maintain the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the registration while the registration of any vehicle owned by the person is in effect or, for suspension of operating privilege, for 3 years following reinstatement or renewal of the license while the license is in effect.

(b) This subsection applies as a condition precedent to renewal or reinstatement of an operating privilege or registration suspended under s. 344.18 (3), 1989 stats.

SECTION 1083ph. 344.18 (3r) of the statutes is created to read:

344.18 (3r) The secretary shall refuse registration of any vehicle owned by a person whose registration has been revoked under sub. (3).

SECTION 1083q. 344.18 (4) of the statutes is amended to read:

344.18 (4) The secretary shall not suspend revoke, as required by sub. (3), if the defaulting person has made payments to the extent specified in s. 344.15 (1) with reference to the acceptable limits of a policy or bond.

SECTION 1083r. 344.19 (2) of the statutes is amended to read:

344.19 (2) If the operating privilege or registration of a nonresident is suspended revoked pursuant to s. 344.14, the secretary shall transmit a certified copy of the record of such action to the administrator of the division of motor vehicles or equivalent official of the state in which that person resides if the law of the state in which that person resides provides for similar action by the administrator or equivalent official of that state in the event that a resident of this state has a nonresident's operating privilege or registration in that state suspended or revoked for failure to comply with the safety responsibility law of that state.

SECTION 1083s. 344.19 (3) of the statutes is amended to read:

344.19 (3) Upon receipt of such certification from another state to the effect that the operating privilege or registration of a resident of this state has been suspended or revoked in such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for payment of judgments arising out of a motor vehicle accident, under circumstances which would require the secretary to suspend revoke a nonresident's operating privilege or registration had the accident occurred in this state, the secretary shall suspend revoke the license of such resident if he was the operator and all of his registrations or security and suspension or revocation order, but shall not suspend revoke a resident's operating privilege or registration on the basis of such order until at least 30 days have elapsed since the time for depositing security in the other state expired. A suspension revocation under this section shall continue until such resident furnishes evidence of his compliance with the law of the other state relating to the deposit of security.

SECTION 1083sc. 344.19 (3) of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:

344.19 (3) Upon receipt of such certification from another state to the effect that the operating privilege or registration of a resident of this state has been suspended or revoked in such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for payment of judgments arising out of a motor vehicle accident, under circumstances which would require the secretary to revoke a nonresident's operating privilege or registration had the accident occurred in this state, the secretary shall revoke the license of such resident if he or she was the operator and all of his or her registrations or security and suspension or revocation order, but shall not revoke a resident's operating privilege or registration on the basis of such order until at least 30 days have elapsed since the time for depositing security in the other state expired. A revocation of operating privilege under this section shall continue until such resident furnishes evidence of his or her compliance with the law of the other state relating to the deposit of security, the fee required under s. 343.21 (1) (j) has been paid and the applicable provisions of s. 343.38 have been complied with. A revocation of registration under this section shall continue until such resident furnishes evidence of his or her compliance with the law of the other state relating to the deposit of security, the fee required under s. 341.36 (1m) has been paid and the requirements of sub. (3m) are satisfied.

SECTION 1083se. 344.19 (3g) of the statutes is created to read:

344.19 (3g) The secretary shall refuse registration of any vehicle owned by a person whose registration has been revoked under sub. (3).

SECTION 1083sg. 344.19 (3m) of the statutes is created to read:

344.19 (3m) (a) Unless 3 years have elapsed since compliance of the resident with the law of the other state relating to the deposit of security, the resident whose registration was suspended or revoked under
sub. (3) or whose operating privilege or registration was suspended under s. 344.19 (3), 1989 stats., shall file with the department proof of financial responsibility in the amount, form and manner specified in this chapter. The person shall maintain the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the registration while the registration of any vehicle owned by the resident is in effect or, for suspension of operating privilege, for 3 years following reinstatement or renewal of the license while the license is in effect.

(b) This subsection applies as a condition precedent to renewal or reinstatement of an operating privilege or registration suspended under s. 344.19 (3), 1989 stats.

SECTION 1083si. 344.20 (2) (a) of the statutes is amended to read:

344.20 (2) (a) The security may be applied to the payment of judgments for damages arising out of the accident in question rendered against either operator or owner for the damages resulting from such accident in an action at law begun not later than one year after the date of the accident or not later than one year after the date of deposit of any security under s. 344.18 (3).

Any party to such action in favor of whom a judgment was rendered may move to have the court order the secretary to transmit to the court for application to the payment of the judgment the money or securities available for such purpose, and the court may so order. The secretary shall transmit to the clerk of the court the money or securities in the amount authorized by par. (c) or in the amount specified in the court order if less than the amount so authorized. Securities transmitted shall be valued at the same amount as when received by the department. Any excess shall be returned by the court to the secretary to be held by the secretary subject to the provisions of this chapter.

SECTION 1083sm. 344.20 (3) (c) of the statutes is amended to read:

344.20 (3) (c) If the provisions of s. 344.18 (1) (b), (c) or (d) or (3) (b) are not applicable, the deposit or any balance thereof shall be returned when one year has elapsed from the date the deposit was made and during that period no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest within the one year period following the date of the accident or by service of counterclaim or cross complaint within the 20 day answer period. If the action was commenced in a court of record, the notice required by this paragraph shall include a certified copy of the summons and complaint or counterclaim or cross complaint and proof of service filed therein. In all cases of service under s. 345.09, an additional notice and service must be made under this chapter to avail oneself of the provisions of this chapter.

SECTION 1083t. 344.24 of the statutes is amended to read:

344.24 Applicability of sections relating to proof of financial responsibility for the future. Sections 344.29 to 344.41 are applicable in all cases in which a person is required to deposit proof of financial responsibility for the future, including those cases in which a person is required to deposit proof of financial responsibility for the future under ss. 344.25 to 344.27, those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to renewal or reinstatement of an operating privilege or registration suspended or revoked under s. 344.14, 344.18 (3) or 344.19 (3) and those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to issuance of an operator's license under s. 343.38 (4) or reinstatement of an operating privilege revoked pursuant to ch. 343.

SECTION 1083vg. 344.29 of the statutes is amended to read:

344.29 Proof of financial responsibility for the future required. Proof of financial responsibility for the future shall be furnished by any person required to give such proof under ss. 344.25 to 344.27, those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to renewal or reinstatement of an operating privilege or registration suspended or revoked under s. 344.14, 344.18 (3) or 344.19 (3) and in those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to issuance of an operator's license under s. 343.38 (4) or reinstatement of an operating privilege revoked under ch. 343.

SECTION 1083vg. 344.34 of the statutes is amended to read:

344.34 Notice of cancellation or termination of certified policy. When an insurer has certified a motor vehicle liability policy under s. 344.31 or a bond under s. 344.32 or a bond under s. 344.36, the insurance so certified shall not be canceled or terminated until at least 10 days after a notice of cancellation or termination of the insurance so certified has been filed in the office of the secretary. No insurance so certified may be canceled or terminated by the insurer prior to the expiration of 90 days from the effective date of the certification on the grounds of failure to pay a premium when due. Such a certified policy or bond subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified. Any certification or recertification filed by the same insurer following cancellation shall be accompanied by a fee of $3 payable by the insurer.

SECTION 1083vm. 344.40 (1) of the statutes is renumbered 344.40 (1) (a) and amended to read:

344.40 (1) (a) Whenever Except as provided in par. (b), whenever any person who has furnished proof of financial responsibility fails to maintain such proof at any time during the period when proof of financial responsibility is required, the secretary shall revoke such person's operating privilege for a period of time running from the date of revocation until such time as either satisfactory proof of financial responsi-
repealed and recreated to read:

**SECTION 1083vp. 344.40 (1) (b) of the statutes is amended to read:**

344.40 (1) (b) Whenever any person who has furnished proof of financial responsibility fails to maintain such proof at any time during the period when proof of financial responsibility is required under s. 344.18 (1m) or (3m) or 344.19 (3m), the secretary shall revoke all of the person’s registrations for a period of time running from the date of revocation until such time as either satisfactory proof of financial responsibility is again furnished or the period during which proof was required to be furnished has expired.

**SECTION 1083w. 344.40 (2) of the statutes is amended to read:**

344.40 (2) Whenever any proof of financial responsibility filed under this chapter no longer fulfills the purposes for which required, the secretary shall require other proof meeting the requirements of this chapter and shall suspend revoke the operating privilege pending the filing of such other proof.

**SECTION 1083wd. 344.40 (2) of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:**

344.40 (2) (a) Except as provided in par. (b), whenever any proof of financial responsibility filed under this chapter no longer fulfills the purposes for which required, the secretary shall require other proof meeting the requirements of this chapter and shall revoke the operating privilege pending the filing of such other proof.

(b) Whenever any proof of financial responsibility filed under s. 344.18 (1m) or (3m) or 344.19 (3m) no longer fulfills the purposes for which required, the secretary shall require other proof meeting the requirements of this chapter and shall revoke all of the person’s registrations pending the filing of such other proof.

**SECTION 1083we. 344.41 (1) (intro.) of the statutes is amended to read:**

344.41 (1) (intro.) Subject to the exceptions set forth in sub. (2), the secretary shall, upon request, consent to the immediate cancellation of any bond or certification of insurance, return to the person entitled thereto any money or securities deposited pursuant to this chapter as proof of financial responsibility and shall waive any requirement of the filing of proof of financial responsibility whenever, except as provided in sub. (1m), any of the following events has occurred:

**SECTION 1083wg. 344.41 (1m) of the statutes is created to read:**

344.41 (1m) Subject to the exceptions set forth in sub. (2), the secretary shall, upon request, consent to the immediate cancellation of any bond or certification of insurance, return to the person entitled thereto any money or securities deposited pursuant to this chapter as proof of financial responsibility and shall waive any requirement of the filing of proof of financial responsibility under s. 344.18 (1m) or (3m) or 344.19 (3m) whenever any of the following events has occurred:

(a) The period during which proof of financial responsibility is required has expired.

(b) The person who has given proof surrenders all of the person’s registrations to the secretary.

**SECTION 1083wi. 344.41 (3) of the statutes is renumbered 344.41 (3) (a) and amended to read:**

344.41 (3) (a) Whenever any person whose proof has been canceled or returned under sub. (1m) (b) desires reinstatement of his license prior to the expiration of the period during which proof of financial responsibility is required, he shall again furnish proof of financial responsibility. Thereupon his license is automatically reinstated as provided in s. 343.39 343.38.

**SECTION 1083wk. 344.41 (3) (b) of the statutes is created to read:**

344.41 (3) (b) Whenever any person whose proof has been canceled or returned under sub. (1m) (b) desires reinstatement of his or her registrations prior to the expiration of the period during which proof of financial responsibility is required, he or she shall again furnish proof of financial responsibility. Thereupon his or her registrations may be renewed or reinstated upon payment of the fee required under s. 341.36 (1m).

**SECTION 1083x. 344.46 (1) of the statutes is amended to read:**

344.46 (1) No owner of a motor vehicle involved in an accident in this state which is reportable under s. 346.70 shall transfer the ownership or registration of any vehicle whose registration is subject to suspension revocation under s. 344.14 until this chapter has been complied with or until the secretary is satisfied that such transfer is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this chapter.

**SECTION 1083y. 344.46 (3) of the statutes is amended to read:**

344.46 (3) This section does not apply to or affect the registration of any vehicle sold by a person who, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has reposessed such vehicle from a person whose registration has been suspended revoked pursuant to this chapter.

**SECTION 1084m. 345.54 (5) of the statutes, as created by 1991 Wisconsin Act 86, is amended to read:**

345.54 (5) This section applies after December 31, 1992 June 30, 1993.

**SECTION 1091. 347.48 (2m) (gm) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:**

347.48 (2m) (gm) Notwithstanding s. 349.02, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2) or a local ordinance in conformity with
this subsection or sub. (1) or (2). This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2) observed in the course of a stop or inspection made for other purposes, except that a law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2).

Vetoed in Part

SECTION 1094. 349.02 (2) (b) 4 of the statutes is created to read:

349.02 (2) (b) 4. Local ordinances enacted under s. 59.07 (107), 60.23 (21) or 66.051 (4).

Vetoed in Part

SECTION 1094c. 349.13 (1) of the statutes is amended to read:

349.13 (1) (a) The department with respect to state trunk highways outside of corporate limits and the local authorities with respect to highways under their jurisdiction, including state trunk highways or connecting highways within corporate limits, may, within the reasonable exercise of the police power, prohibit, limit the time of or otherwise restrict the stopping, standing or parking of vehicles beyond the prohibitions, limitations or restrictions imposed by ch. 346, except that they may not modify the exceptions set forth in s. 346.50.

(b) The department may also restrict or prohibit the stopping, standing or parking of vehicles on any part of a state trunk highway or connecting highway within corporate limits if the local authority having jurisdiction has not enacted any stopping, standing or parking regulation applicable to the highway or part thereof in question as provided under par. (a).

(c) The authority granted by this subsection may be delegated to a traffic officer or to the officer in charge of the maintenance of the highway in question, but no prohibition, limitation or restriction on parking imposed under this section is effective unless official traffic signs or markers or parking meters have been placed or erected indicating the particular prohibition, limitation or restriction except that parking regulations which prohibit, limit or restrict the parking of vehicles for any period longer than 24 consecutive hours, during any hours between 12 midnight and 7 a.m., or any portion thereof or during a snow emergency as determined by the city or village, shall be effective in cities and villages upon a two-thirds vote of their respective governing bodies notwithstanding this subsection and s. 346.02 (7) when official traffic signs have been placed or erected at or reasonably near the corporate limits of such city or village.

Vetoed in Part

SECTION 1094d. 350.11 (1) of the statutes is renumbered 350.11 (1) (a) and amended to read:

350.11 (1) (a) Except as provided in par. (b) and subs. (2) and (3), any person who violates any provision of this chapter shall forfeit not more than 3250.

Vetoed in Part

SECTION 1094db. 350.11 (1) (b) of the statutes is created to read:
350.11 (1) (b) Except as provided in subs. (2) and (3), any person who violates any provision of this chapter and who, within the last 2 years prior to the arrest for the current violation, was 2 or more times previously convicted for violating a provision of this chapter shall forfeit not more than $200.

SECTION 1094dd. 350.11 (2) of the statutes is renumbered 350.11 (2) (a) and amended to read:

- Any person who violates s. 350.07 or 350.08 shall forfeit not less than $400 nor more than $500.

SECTION 1094df. 350.11 (2) (b) of the statutes is created to read:

- Any person who violates s. 350.07 or 350.08 and who, within the last 2 years prior to the arrest for the current violation, was 2 or more times previously convicted for violating a provision of this chapter shall forfeit not more than $400.

SECTION 1094dh. 350.11 (3) (a) 1 of the statutes is amended to read:

- Except as provided under subs. 2 and 3, a person who violates s. 350.101 (1) (a) or (b) or s. 350.104 (5) shall forfeit not less than $450 nor more than $550.

SECTION 1094dj. 350.12 (4) (b) 1 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

- State aids and funds for maintenance costs shall be 100% of the actual cost of maintaining trail per year up to a $165 per mile per year maximum, except as provided in paras. (bg) to (br). Qualifying trails are trails approved by the board as snowmobile trails. State aid for the cost of the purchasing of land and the acquisition of easements, permits or other agreements may equal 100% of acquisition expense. Aids for major reconstruction or rehabilitation projects to improve bridges may equal 100% of eligible costs. Development shall begin the same year the land is acquired. Moneys available for development shall be distributed on a 100% grant basis, 75% at the time of approval but no later than January 1 and 25% upon completion of the project. A county application may include a request for purchasing or leasing land or acquiring easements, permits or other agreements for the use of land, and for aids for development or maintenance of trails, including the purchase of liability insurance. Trail routes, sizes and specifications shall be prescribed only by the board.

SECTION 1094dk. 350.12 (4) (bg) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

- Supplemental trail aid payments. Of the moneys appropriated under s. 20.370 (4) (bt), the department shall make available in fiscal year 1991-92 and 1992-93 and each fiscal year thereafter an amount equal to the amount calculated under s. 25.29 (1) (d) 2 to make payments to the department or a county under par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed the maximum specified under par. (b) 1 before expending any of the amount for the other purposes specified in par. (b).

SECTION 1094dm. 350.12 (4) (bm) 1 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

- The actual cost incurred by the department or the county in maintaining its trails that are qualified under par. (b) 1 or 4 in a the previous fiscal year exceeds the maximum of $165 per mile per year prior to par. (b) 1.

SECTION 1094dp. 350.18 (2) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

- Except as provided in s. 350.12 (1), any county, town, city or village may enact an ordinance that is in strict conformity with this chapter s. 350.02 to 350.05, 350.07 to 350.107, 350.11, 350.13, 350.135, 350.15 to 350.17, 350.19 and 350.99.

SECTION 1094dp. 350.403 (5) (a) 1 of the statutes is amended to read:

- The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement is $6 if the statement is in on the standard form prescribed by the secretary of state and otherwise is an additional $2 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), $1. The fee for each name more than one required to be indexed is $2. The secured party may show a trade name for any person and an extra indexing fee of $2 shall be paid with respect thereto is $16 if the statement is not on the standard form or if additional pages are attached to the standard form. The fee for filing an original financing statement subject to s. 409.402 (5) is $10 if the statement is on the standard form and is $20 if the statement is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094df. 409.403 (5) (a) 1m of the statutes is amended to read:

- If the fees under subd. 1 are paid, there is no fee for processing the termination statement.

SECTION 1094d1. 409.403 (5) (a) 2 of the statutes is amended to read:

- The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is $4 if the amendment or statement is in on the standard form prescribed by the secretary of state and otherwise is an additional $1 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), $1. The fee for each name more than one required to be indexed is $1. The secured party may show a trade name for any person and an extra indexing fee of $1 shall be paid with respect thereto is $10 if the amendment or state-
ment is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fh. 409.403 (5) (b) 1 of the statutes is amended to read:

409.403 (5) (b) 1. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement is $6 $8 if the statement is in on the standard form prescribed by the secretary of state and otherwise is an additional $2 per page. The fee for each name more than one required to be indexed is $2. The secured party may show a trade name for any person and an extra indexing fee of $2 shall be paid with respect thereto is $16 if the statement is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fj. 409.403 (5) (b) 1m of the statutes is amended to read:

409.403 (5) (b) 1m. If the fees under subd. 1 are paid, there is no fee for processing the termination statement.

SECTION 1094fm. 409.403 (5) (b) 2 of the statutes is amended to read:

409.403 (5) (b) 2. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is $4 $5 if the amendment or statement is in on the standard form prescribed by the secretary of state and otherwise is an additional $1 per page. The fee for each name more than one required to be indexed is $1. The secured party may show a trade name for any person and an extra indexing fee of $1 shall be paid with respect thereto is $10 if the amendment or statement is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fp. 409.404 (3) (a) of the statutes is amended to read:

409.404 (3) (a) Fees for filing a termination statement with the office of the register of deeds. There is no fee for a termination statement that is filed with the office of the register of deeds and there is no fee for indexing any name in connection with the termination process if fees are paid under s. 409.403 (5) (a) 1, or if the fees were paid under s. 409.405 (1) on or after September 1, 1985.

SECTION 1094fr. 409.404 (3) (b) of the statutes is amended to read:

409.404 (3) (b) Fees for filing a termination statement with the office of the secretary of state. There is no fee for a termination statement which is filed with the office of the secretary of state and there is no fee for indexing any name in connection with the termination process if fees are paid under s. 409.403 (5) (b) 1, or if the fees were paid under s. 409.405 (1) on or after January 1, 1978.

SECTION 1094ft. 409.404 (3) (c) of the statutes is repealed.

SECTION 1094fv. 409.405 (1) of the statutes is amended to read:

409.405 (1) An original financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in s. 409.403 (4). The fee for filing, indexing and stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement indicating an assignment is $6 $8 if the statement is in on the standard form prescribed by the secretary of state and otherwise is an additional $2 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), $1. The fee for each name more than one required to be indexed is $2. The secured party may show a trade name for any person if the secured party pays an additional indexing fee of $2 is $16 if the statement is not on the standard form or if additional pages are attached to the standard form. The fee for filing an original financing statement indicating an assignment and subject to s. 409.402 (5) is $10 if the statement is on the standard form and is $20 if the statement is not on the standard form or if additional pages are attached to the standard form. A register of deeds shall forward $2 to the office of the secretary of state for each original financing statement indicating an assignment of a security interest that is filed with the office of the register of deeds.

SECTION 1094fx. 409.405 (1m) of the statutes is amended to read:

409.405 (1m) If the fees under sub. (1) are paid, there is no fee for processing the termination statement.

SECTION 1094gb. 409.405 (2) of the statutes is amended to read:

409.405 (2) A secured party may assign of record all or part of his or her rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. The officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like, including oil and gas, or accounts subject to s. 409.103 (5), the officer shall index the assignment under the name of the assignor.
as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, the officer shall index the assignment of the financing statement under the name of the assignee. The fee for filing, indexing and furnishing filing data about such a separate statement of assignment is $4 if the statement is in on the standard form prescribed by the secretary of state and otherwise is $6. In each case an additional fee of $1 for each name more than one against which the statement of assignment is required to be indexed and for each statement of assignment filed in the office of the register of deeds subject to s. 409.402 (5) is $10 if the statement is not on the standard form or if additional pages are attached to the standard form. A register of deeds shall forward $2 to the office of the secretary of state for each statement of assignment filed with the office of the register of deeds. Notwithstanding this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing under s. 409.402 (6) may be made only by an assignment of the mortgage in the manner provided by the law of this state other than chs. 401 to 409.

SECTION 1094d. 409.406 of the statutes is amended to read:

409.406 Release of collateral; duties of filing officer; fees. A secured party of record may by his or her signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with s. 409.405 (2), including payment of the required fee. Upon presentation of such a statement of release to the filing officer, the officer shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. The fee for filing and noting such a statement of release is $4 if the statement is in on the standard form prescribed by the secretary of state and otherwise is $6. In each case an additional fee of $1 for each name more than one against which the statement of release is required to be indexed and for each statement of release filed in the office of the register of deeds subject to s. 409.402 (5) is $10 if the statement is not on the standard form or if additional pages are attached to the standard form. A register of deeds shall forward $2 to the office of the secretary of state for each statement of release filed with the office of the register of deeds.

SECTION 1094g. 409.407 (2) (a) of the statutes is amended to read:

409.407 (2) (a) Upon the oral request of any person, the filing officer shall disclose orally at the time of

the request or as soon thereafter as possible any presently effective statement naming a particular debtor and if there is such a statement, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The fee for such the information may not exceed $5, plus $1 for each statement disclosed is $10. Upon the further oral request for a copy of a statement disclosed orally, the filing officer shall furnish a copy for an additional copies for a fee of $1 per page.

SECTION 1094h. 409.407 (2) (b) of the statutes is amended to read:

409.407 (2) (b) Upon request of any person, the filing officer shall issue a certificate showing whether there is on file on the date and hour stated therein, any presently effective statement naming a particular debtor and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The uniform fee for such a certificate is $5, plus $1 for each statement reported therein is $10. Upon request the filing officer shall furnish a certified copy certificate and copies of any filed statement for a uniform fee of $1 for each page of the copied statement plus 50 cents for the certificate.

SECTION 1094i. 421.103 (4) of the statutes is amended to read:

421.103 (4) (a) Chapters 421 to 423 shall not preclude the administration or enforcement of ch. 106 or 130. Conduits prescribed under 422.201, 422.205, 426.103 or 426.110 may also constitute statutes of 409.32 or 409.407 (2).

SECTION 1095. 440.05 (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

440.05 Standard fees. (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.41, 440.51, 440.65, 442.06, 444.03, 444.05, 444.11, 449.17, 449.18, 459.33 and 459.46:

SECTION 1095f. 440.08 (2) (a) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.41, 440.51, 440.65, 442.04, 442.06, 444.03, 444.05, 444.11, 448.065, 449.17, 449.18, 459.24, 459.33 and 459.46, the renewal dates and renewal fees for credentials are as follows:

SECTION 1095g. 440.23 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.41 (2) (c), (5) or (7), 440.85 (2) (e), 444.03, 444.05, 444.11, 459.24 (5) or (6) (c), 459.28 (1), 459.32 (3) or 459.46 (2) (b) by check and the check is not paid by the bank upon which the check is drawn, the department may cancel the credential on or after the 60th day after the department receives the notice from the bank, subject to sub. (2).
SECTION 1095gm. 440.26 (5) of the statutes is amended to read:

440.26 (5) EXEMPTIONS; PRIVATE SECURITY PERMIT. This section does not apply to any person employed, directly or indirectly by the state or municipality as defined in s. 345.05 (1) (c), or to any employee of a railroad company under s. 192.47, or employees of commercial establishments, who operate exclusively on their premises. An employee of any licensed agency doing business in this state as a supplier of uniformed security personnel to patrol exclusively on the private property of industrial plants, business establishments, schools, colleges, hospitals, sports stadiums, exhibits and similar activities are exempt from the license requirements of this section while engaged in such employment, if the person obtains a private security permit under this section. The agency shall furnish upon request an up-to-date record of its employes to the chief of police or other local law enforcement official designated by the department for the municipality wherein such activities take place. Such record shall include the name, residence address, date of birth and a physical description of each such employee together with a recent photograph and 2 fingerprint cards bearing a complete set of fingerprints of the employe, and, subject to ss. 111.321, 111.322 and 111.335, no person shall be eligible for a private security permit who has been convicted in this state or elsewhere of a felony within 5 years preceding application. The agency shall notify the chief of police or other designated official in writing within 5 days of any change of the residence address or of the termination of employment of such person. A private security permit shall be issued or denied within 48 hours of application by the chief of police or other designated official. The permit shall remain valid unless for just cause revoked by the chief of police or other designated official issuing the permit for just cause. Upon denial or revocation of a permit, appeal may be taken to the department. For each application for a private security permit filed with the department, the agency shall file with the department commission, on application forms prescribed by the department commission and signed by the person, all of the following information:

(d) Upon receipt of the application and fee under pars. (b) and (c), the department commission shall, if the department commission considers the applicant qualified, issue a certificate of registration for the applicant and an identification number for each crane game for which registration is requested.

(f) Every person registered under this section shall notify the department commission of any change in the information required to be furnished by the person under par. (b), within 10 days following the change.

(3) (c) The department commission and licensing commission shall reimburse the department of justice for the services of the department of justice under this subsection.

(4) SEIZURE AND SALE. The department of justice may seize any crane game owned by a person who is convicted under sub. (5) and may sell the crane game in the name of the state. The department of justice and its agents are exempt from all liability to the owner of the crane game for the seizure or sale of the crane game. The department of regulation and licensing commission shall reimburse the department of justice for the services of the department of justice under this subsection.

SECTION 1095j. 440.91 (1) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

440.91 (1) Except as provided in sub. (6m), every cemetery authority that sells or solicits the sale of a total of 10 or more cemetery lots or mausoleum spaces during a calendar year and that pays any commission or other compensation to any person, including its officers, members or stockholders, for selling or soliciting the sale of its cemetery lots or mausoleum spaces shall register with the department. The registration shall be in writing and shall include the names of the officers of the cemetery authority.

SECTION 1095jm. 440.91 (2) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

440.91 (2) (intro.) Except as provided in subs. (7) and (10), every individual who sells or solicits the sale of, or who expects to sell or solicit the sale of, a total of 10 or more cemetery lots or mausoleum spaces during a calendar year shall register with the department. An individual may not be registered as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the fee specified in s. 440.05 (1). The cemetery authority shall certify in writing to the department that the individual is com-
petition to act as a cemetery salesperson. Within 10 days after the certification of any cemetery salesperson, the cemetery salesperson shall verify and furnish to the department, in such form as the department prescribes, all of the following information:

SECTION 1095k. 440.92 (1) (a) of the statutes is amended to read:

440.92 (1) (a) Except as authorized under provided in subs. (4) and, (9) (a) 1 and (10), every individual who sells or solicits the sale of cemetery merchandise or an undeveloped space under a preneed sales contract and, if the individual is employed by or acting as an agent for a cemetery authority or any other person, that cemetery authority or other person is required to be registered under this subsection.

SECTION 1093g. 440.92 (6) (d) of the statutes is amended to read:

440.92 (6) (d) All records described under pars. (6), (7) and (8) and maintained by the department are confidential and are not available for inspection of copying under s. 19.38 (1) (a).

SECTION 1095u. 440.92 (6) (j) of the statutes is amended to read:

440.92 (6) (j) Approval of a warehouse. The person who owns or operates a warehouse under sub. (6) shall be approved by the department. Upon application, the department shall approve a warehouse that is located in the state if the person who operates the warehouse is licensed as a public warehouse keeper by the department of agriculture and trade and that person meets all of the requirements of s. 440.92 (9) but may not approve a warehouse that is located outside the state unless the person so licensed. The department shall promulgate rules establishing the requirements for approval of warehouses that are located outside the state. The rules shall require warehouses that are located outside the state to be operated by the department and licensed by a state-commissioned company authorized to do business in the state in an amount of $250,000 that is sufficient to guarantee the delivery of cemetery merchandise to the licensed and approved sales contracts. The department shall require warehouses to keep a current list of the names and addresses of all warehouses approved under this subsection and shall make the list available for public inspection during the hours specified in s. 239.25 (4) (1).

SECTION 1095r. 440.92 (10) of the statutes is amended to read:

440.92 (10) Exemptions; certain nonprofit cemeteries. This section does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 1096a. 560.194 (2) (d) of the statutes is amended to read:

560.194 (2) (d) Amounts paid in connection with trading stamp promotions permitted under s. 440.92 (6) (j) by a person selling trading stamps in connection with the real sale of merchandise or service.

SECTION 109h. 560.194 (2) (m) of the statutes is amended to read:

560.194 (2) (m) The department shall make a grant of $50,000 $250,000 from the appropriation
under s. 20.143 (1) (cm) to the Milwaukee economic development corporation to operate a capital access program if all of the following apply:

 SECTION 1099a. 560.33 of the statutes is created to read:

560.33 American Indian tourism promotion. (1) In collaboration with the Great Lakes - St. Lawrence GWA, the department shall do all of the following:
(a) Coordinate the promotion of American Indian tourism activities in this state, making the greatest use possible of existing resources in promoting American Indian tourism activities.
(b) Prepare and distribute promotional materials on and information regarding American Indian tourism activities in this state.
(c) Support and assist the American Indian tourism promotion activities of tribal governing bodies, American Indian tourism bodies, and tourism-related entities interested in the promotion of American Indian tourism.
(d) The department may not promote commercial gaming or gambling activities under this section.

 SECTION 1099b. 560.602 of the statutes is created to read:

560.602 Policies and standards for awarding grants and loans. The department, with the approval of the board, shall promulgate rules to establish policies and standards for awarding grants and loans under this subchapter. The rules shall include all of the following:
(1) A statement of the department's economic development policy that is consistent and coordinated with economic development policies expressed in the statutes and established by other state agencies.
(2) Provisions giving a preference to projects with the greatest potential for economic growth and job creation.
(3) Provisions giving loans a preference over grants for projects intended primarily to increase economic growth and create new jobs within this state.
(4) Provisions for awarding grants and loans based on a comparison of the merits of each application.
(5) Provisions for the development of a biennial plan for awarding grants and loans under this subchapter, before the commencement of each odd-numbered fiscal year, and for the submission of the biennial plan to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

 SECTION 1099c. 560.605 (5m) of the statutes is created to read:

560.605 (5m) The board shall give priority for grants or loans under this section to eligible recipients that certify that they give priority or will give priority in hiring employees to recipients of aid to families with dependent children under s. 49.19.

 SECTION 1099d. 560.605 (10) and (11) of the statutes are created to read:

560.605 (10) For the first 9 months of each fiscal year, the board shall reserve 20% of the funds appropriated for the board under s. 20.143 (1) (d) 4t, and 50% of the funds appropriated for the board under s. 20.143 (1) (d) 4t, for making direct grants and loans under par. (a) 1.

(11) For the first 9 months of each fiscal year, the board shall reserve 10% of the funds appropriated for the board under s. 20.143 (1) (d) 4t, and 50% of the funds appropriated for the board under s. 20.143 (1) (d) 4t, for making direct grants and loans under par. (a) 1.

 SECTION 1099e. 560.605 (5m) of the statutes is created to read:

560.605 (5m) The board shall give priority for grants or loans under this section to eligible recipients that certify that they give priority or will give priority in hiring employees to recipients of aid to families with dependent children under s. 49.19.

 SECTION 1099f. 560.64 (2) (intro.) of the statutes is amended to read:

560.64 (2) (intro.) The board may award a grant or loan not exceeding $250,000 under s. 560.61 to a non-profit business development organization to fund the initial development and operation or the expansion of a technology-based incubator, including equipment purchases, building acquisition and rehabilitation costs, and, for a technology-based incubator being initially developed, staff costs, after considering all of the following:
(a) The qualifications of the proposed technology-based incubator's management and staff.
(b) The financial viability of the proposed technology-based incubator.
(c) Provisions for the development of a biennial plan for awarding grants and loans under this subchapter, before the commencement of each odd-numbered fiscal year, and for the submission of the biennial plan to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

 SECTION 1099g. 560.64 (2) (a) of the statutes is amended to read:

560.64 (2) (a) The qualifications of the proposed technology-based incubator's management and staff.

 SECTION 1099h. 560.64 (2) (g) of the statutes is amended to read:

560.64 (2) (g) The financial viability of the proposed technology-based incubator.

 SECTION 1099i. 560.65 (1m) (b) of the statutes is amended to read:

560.65 (1m) (b) The board may not award a grant or loan under par. (a) 1 unless it determines that, for the development of markets for materials recovered from solid waste that are in effect on January 1 of the year in which the business
submits a complete application for a loan under this section to the department.

SECTION 1099Lb. 560.68 (5m) and (7) of the statutes are created to read:

560.68 (5m) The department, with the approval of the board, shall establish and implement procedures for monitoring the use of grants and loans awarded under this subsection, including procedures for verification of economic growth, job creation and the number and percentage of newly created jobs for which state residents are hired.

(7) The department, in cooperation with the board, shall encourage small businesses to apply for grants and loans under this subsection by ensuring that there are no undue impediments to their participation and by actively encouraging small businesses to apply for grants and loans. The department shall do all of the following:

(a) Publish and disseminate information about the projects under ss. 560.62 to 560.66 and the procedures for applying for grants and loans.

(b) Simplify the application and review procedures for small businesses so that they will not impose unnecessary administrative burdens on small businesses.

(c) Assist small businesses in preparing applications for grants and loans.

SECTION 1099Ld. 560.82 (4) (a) of the statutes is amended to read:

560.82 (4) (a) Award, as the required total amount of grants made under sub. (1) of more than $50,000 in a fiscal biennium from the appropriation under s. 20.143 (1) (fm) for grants under sub. (1).

SECTION 1099Lf. 560.835 (1) (c) of the statutes is amended to read:

560.835 (1) (c) The development and operation of a facility to process materials recovered from a solid waste management program that complies with s. 159.07 (1m), (3) or (4) or the development and operation of a solid waste collection business if the solid waste collected is used in the production of a product.

SECTION 1099Lh. 560.835 (4) of the statutes is amended to read:

560.835 (4) The board or a local development corporation may not award before making a grant or loan under this section unless it determines that the board shall consider whether the recycling development project is consistent with the priorities established under s. 159.03 (1) (b) that are in effect on January 1 of the year in which the eligible recipient submits a complete application for a grant or loan under this section.

SECTION 1099Lj. 560.835 (6) of the statutes is created to read:

560.835 (6) Subject to s. 560.82, the department may award a grant from the appropriation under s. 20.143 (1) (u) for an early planning project for an activity described in sub. (1) (a) to (d). The total amount of grants for early planning projects awarded under this subsection my not exceed $50,000 during a fiscal biennium.

SECTION 1099Lk. 560.835 (1) of the statutes, as created by 1991 Wisconsin Act 20, is amended to read:

560.835 (1) Annually, the department shall award grants to the Great Lakes lake tribes under the grant appropriation under s. 20.143 (1) (u) to aid in a program to provide technical assistance for economic development and Indian reservations in the conditions under sub. (2) (a) and (b) are fulfilled.

SECTION 1099Lm. 560.835 (4) of the statutes, as created by 1991 Wisconsin Act 20, is amended to read:

560.835 (4) The program may not provide technical assistance for a commercial gaming and gambling activity.

SECTION 1099Ln. 560.835 (4) of the statutes, as created by 1991 Wisconsin Act 20, is amended to read:

560.835 (4) The department shall maintain the state's current and continuing interest in economies coordination with Federal, state and local efforts to the extent of the department's and the state's resources.

SECTION 1099Lo. Chapter 561 of the statutes is created to read:

CHAPTER 561
GAMING COMMISSION

561.01 Definitions. In chs. 561 to 569:

(1) “Administrative services division” means the administrative services division in the commission.

(2) “Commission” means the gaming commission.

(3) “Gaming security division” means the gaming security division in the commission.

(4) “Lottery division” means the lottery division in the commission.

(5) “Racing division” means the racing division in the commission.

561.02 General powers and duties of commission. The commission shall coordinate and regulate all activities relating to transfers under 1991 Wisconsin Act .... (this act) to the commission of assets, liabilities, positions, furniture, equipment, supplies, records, contracts, rules, orders and pending matters of and amounts receivable by the lottery board, the racing board, the bingo control board and the department of regulation and licensing.

561.04 Administrative services division. The administrative services division shall provide budgetary, personnel, business management, data processing, centralized record maintenance and legal services for the commission.

561.06 Gaming security division. The gaming security division shall do all of the following:

(1) Provide all of the security services for the gaming operations under chs. 562 to 569.

(2) Monitor the regulatory compliance of gaming operations under chs. 562 to 569.
(3) Audit the gaming operations under chs. 562 to 569.

(4) Investigate suspected violations of chs. 562 to 569.

(5) Report suspected gaming-related criminal activity to the division of criminal investigation in the department of justice for investigation by that division.

(6) If the division of criminal investigation in the department of justice chooses not to investigate a report under sub. (5), coordinate an investigation of the suspected criminal activity with local law enforcement officials and district attorneys.

561.08 Racing division. The racing division shall do all of the following:

(1) Advise the commission on policy making and rule making relating to races, wagering, licenses, contracts, marketing and sales activities under ch. 562.

(2) Under the direction of the commission, administer the requirements under ch. 562.

561.10 Lottery division. The lottery division shall do all of the following:

(1) Advise the commission on policy making and rule making relating to lottery games, contracts, marketing and sales activities under ch. 565.

(2) Under the direction of the commission, administer the requirements under ch. 565.

561.12 Charitable gaming and crane games. The commission shall establish a separate subunit in the commission to do all of the following:

(1) Advise the commission on policy making and rule making relating to the conduct of bingo and raffles under ch. 563, and to the play and regulation of crane games under ch. 564.

(2) Under the direction of the commission, administer the requirements under chs. 563 and 564.

561.14 Indian gaming. The commission shall establish a separate subunit in the commission to perform the duties and functions of the commission under ch. 569.

SECTION 1099mm. 561.02 of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

561.02 General powers and duties of commission. The commission shall coordinate and regulate all activities relating to, and promulgate all rules relating to, racing and pari-mutuel wagering conducted under ch. 562, bingo and raffles conducted under ch. 563, crane games conducted under ch. 564 and the state lottery conducted under ch. 565, and shall perform its duties and functions under ch. 569 regarding Indian gaming.

SECTION 1099n. 562.01 (1) of the statutes is renumbered 562.01 (1m).

SECTION 1099o. 562.01 (1) of the statutes is created to read:

562.01 (1) "Administrator" means the administrator of the racing division.

SECTION 1099p. 562.01 (2) of the statutes is repealed.

SECTION 1099q. 562.01 (4) of the statutes is repealed.

SECTION 1099r. 562.01 (1m) of the statutes is created to read:

562.01 (1m) "Administrator" means the administrator of the racing division.

562.01 (1) "Owner" means owning a racetrack and bearing primary responsibility for any of the following:

(a) The site, design and repair of the buildings, grounds, facilities, and equipment necessary to the conduct of the races, other than the racetrack, which is operated by the racing division.

(b) The sale, upkeep, and repair of the grounds and buildings of the racetrack, and the performance of supervision and all maintenance necessary to the upkeep of the racetrack, including grounds, and buildings; and}

(c) Contracting for the food and beverage services that are needed or provided at a racetrack during the daily operation of the racetrack, offering those food and beverage services to members of the public and obtaining all necessary permits and licenses to sell or distribute the food and beverages.

(d) The administration of admission procedures for persons who come to the racetrack for the purpose of engaging in pari-mutuel wagering and of procedures that apply to persons who engage in pari-mutuel wagering at the racetrack.

(e) Accounting and bookkeeping functions that are needed to do payroll for employees of the racetrack making required payments for federal income tax withholding on the income of certain employers, even if the employer may not hold or own the racetrack or control or operate the racetrack, by federal, state, and local governmental agencies.

SECTION 1099s. 562.31 (1m) of the statutes is created to read:

562.31 (1m) "Sponsorship and management of a race" means having primary responsibility for any of the following:

(a) Advertising or otherwise promoting the activity of pari-mutuel wagering on a race held at a racetrack.

(b) The daily operation of pari-mutuel wagering on races held at a racetrack.

(c) The security required to conduct pari-mutuel wagering, including the security required to control and eliminate employee theft, fraud or embezzlement and the security of the tangible items needed and used to conduct pari-mutuel wagering.

(d) Setting a race day or the number of races that will be held on a race day, conducting a race, or authorizing the required approval under this chapter to set a race day or the number of races that will be held on a race day, or to conduct a race.
Vetoed in Part

SECTION 1099r. 562.01 (14) of the statutes is amended to read:

562.01 (14) “Steward” means any person appointed, contracted for or approved by the board commission under s. 562.02 (1) (am).

SECTION 1099s. 562.02 (title) and (1) (intro.) and (a) of the statutes are amended to read:

562.02 (title) Racing operations. (1) (intro.) The board commission shall:

(a) Regulate racing and on-track pari-mutuel wagering in this state and shall promulgate all rules necessary to administer this chapter. The board commission shall do everything necessary to ensure that the public interest is protected in relation to racing.

SECTION 1099t. 562.02 (1) (am) of the statutes is amended to read:

562.02 (1) (am) (intro.) Administer the issuance of licenses. The board commission may not issue any license under s. 562.05 (1) (a) to (c) without a hearing. The board commission shall determine which occupations related to racing require licensing, except that the board commission shall require licenses for the following:

SECTION 1099u. 562.02 (1) (d) of the statutes is amended to read:

562.02 (1) (d) Require by rule that any contract in excess of $10,000 for the provision of goods and services, including but not limited to concessions contracts, entered into by any licensee, be subject to the approval of the board commission and that all contracts for $10,000 or less shall be filed with the board commission.

SECTION 1099v. 562.02 (1) (f) of the statutes is amended to read:

562.02 (1) (f) Establish, by rule, a schedule of license suspensions and revocations or forfeitures for violations of this chapter or board commission rules which may be imposed by the board commission under sub. (2) (f) or by the stewards under s. 562.04 (1) (b). A forfeiture under that schedule may not exceed $10,000. The rule shall include factors to be considered by stewards in acting under s. 562.04 (1) (b).

SECTION 1099w. 562.02 (1) (h) of the statutes is amended to read:

562.02 (1) (h) By rule, specify the types of records and books to be maintained by licensees, and, for submission to the board commission, the type of audit of those books and records to be conducted by licensees and the type of financial report to be prepared by licensees.

SECTION 1099x. 562.02 (2) (intro.), (a) and (b) of the statutes are amended to read:

562.02 (2) (intro.) The board commission may:

(a) Employ the staff it deems necessary to administer this chapter, including but not limited to any chemist and veterinarian. The board commission may not contract for the services of any veterinarian or chemist unless the veterinarian or chemist has not had a conflict of interest under s. 562.025 (2) at any time during the 12 months immediately preceding the date on which the contract for such services is entered into.

(b) Require a fidelity bond for the director administrator and any other employee of the board racing division or may purchase a bond which covers the director administrator and all other employees of the board racing division or designated employees of the board racing division.

SECTION 1100f. 562.02 (e) 3 of the statutes is amended to read:

562.02 (e) 3. Is determined by the board commission to be a threat to the integrity of racing in this state.

SECTION 1100c. 562.02 (f) of the statutes is amended to read:

562.02 (f) Suspend or revoke any license or impose a forfeiture for any violation of this chapter or board rules. The board may suspend or revoke an occupational license issued under s. 562.05 (1) (d) or impose a forfeiture on that licensee under this paragraph if the stewards do not hold a meeting under s. 562.04 (1) (b) or hold a meeting but do not suspend the license or impose a forfeiture. Upon appeal, the board may change any action of the stewards under s. 562.04 (1) (b). Fifty percent of the moneys received under this paragraph shall be deposited in the appropriations under ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1101d. 562.02 (2) (f) of the statutes, as affected by 1991 Wisconsin Act ... ... (this act), is repealed and recreated to read:

562.02 (2) (f) Suspend or revoke any license or impose a forfeiture for any violation of this chapter or commission rules. The commission may suspend or revoke an occupational license issued under s. 562.05 (1) (d) or impose a forfeiture on that licensee under this paragraph if the stewards do not hold a meeting under s. 562.04 (1) (b) or hold a meeting but do not suspend the license or impose a forfeiture. Upon appeal, the commission may change any action of the stewards under s. 562.04 (1) (b). Fifty percent of the moneys received under this paragraph shall be deposited in the appropriations under ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).
Under the Wisconsin Act 269, several sections are amended to read:

**SECTION 1101e.** 562.02 (3) of the statutes is amended to read:

562.02 (3) of the statutes is amended to read:

562.02 (4) of the statutes is amended to read:

562.02 (4) Except as provided under s. 562.05 (2m), the board commission shall issue a license under s. 562.05 (1) (a) to any person who satisfies the requirements of this chapter for such a license.

**SECTION 1101f.** 562.02 (4) of the statutes is amended to read:

562.02 (4) Except as provided under s. 562.05 (2m), the board commission shall issue a license under s. 562.05 (1) (a) to any person who satisfies the requirements of this chapter for such a license.

**SECTION 1101g.** 562.025 (1) (intro.) of the statutes is amended to read:

562.025 (1) (intro.) No board commission member or employee and no member of a board commission member's or employee's immediate family, as defined in s. 19.42 (7), may, while that board commission member or employee is serving as a board commission member or employee for 2 years following the termination of the membership or employment of that board commission member or employee, do any of the following:

**SECTION 1101h.** 562.025 (1) (e) of the statutes is amended to read:

562.025 (1) (e) Accept or agree to accept money or any thing of value from any person who holds a license or who is regulated by or holds any contract to supply goods or services to the board commission.

**SECTION 1101i.** 562.025 (2) (intro.) and (a) of the statutes are amended to read:

562.025 (2) (intro.) No person under contract with the board commission and no employee of any person under contract with the board commission may do any of the following:

(a) Hold any license, except a license covering the professional services being provided to the board commission, or be employed by or have any direct or indirect interest in any corporation, partnership or association which holds a license.

**SECTION 1101j.** 562.025 (2) (e) of the statutes is amended to read:

562.025 (2) (e) Accept or agree to accept money or any thing of value from any person who holds a license or who is regulated by the board commission or holds any contract to supply goods or services to the board commission other than the contract under which the person provides professional services.

**SECTION 1101k.** 562.03 of the statutes is amended to read:

562.03 (title) Administrator. (1) (a) The governor shall appoint the director of the board, with the advice and consent of the senate. The governor commission shall appoint the director administrator after a nationwide search for persons with experience in public gaming management and regulation and with knowledge of animal racing and pari-mutuel wagering.

(b) Before appointing a director administrator, the governor commission shall, with the assistance of the department of justice, conduct a background investigation of the proposed director administrator. The governor commission shall require the proposed director administrator to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person’s fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining any record of his or her criminal arrests and convictions.

(2) The director administrator may employ or provide by contract for the services of stewards, subject to the approval of the board commission. Any steward under a contract under this subsection shall be under a contract with the board commission.

(3) (a) The director commission may employ the staff he or she deems it necessary to administer this chapter.

(b) Before making an appointment under par. (a) and sub. (4), the director commission shall conduct a background investigation of the proposed employee and shall require that proposed employee to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person’s fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining any record of his or her criminal arrests and convictions.

(4) The director administrator shall appoint and supervise a chief steward. An appointment under this subsection is subject to the approval of the board.

**SECTION 1102e.** 562.04 (1) (a) (intro.) and I of the statutes are amended to read:

562.04 (1) (a) (intro.) Three stewards shall preside over races conducted at a racetrack not at a fair. At least 2 of those stewards shall be employees of the board commission or providing services to the board commission under a professional services contract. The rate of compensation of stewards serving under contract to the board commission shall be commensu-
rate with the rate of compensation established for stewards employed by the board commission, but less than the rate established for the chief steward. Stewards presiding over a racetrack shall do all of the following:

1. Ensure that races are conducted under the rules of the board commission.

SECTION 1102m. 562.04 (1) (a) 5 of the statutes is amended to read:

562.04 (1) (a) 5. Perform any other duty assigned by the board commission.

SECTION 1102s. 562.04 (1) (b) (intro.) of the statutes is amended to read:

562.04 (1) (b) (intro.) If one or more stewards have reasonable cause to believe that a person holding a license under s. 562.05 (1) (d) has violated this chapter or rules of the board commission or engaged in any other conduct which in the opinion of the stewards adversely affects the integrity of racing, the following procedures apply:

SECTION 1103d. 562.04 (1) (b) 4 to 6 of the statutes are amended to read:

562.04 (1) (b) 4. If at least 2 stewards determine that the violation or conduct has occurred, the stewards may, under the schedule established by the board under s. 562.02 (1) (f), suspend a license issued under s. 562.05 (1) (d) for a period not to exceed 90 days or impose a forfeiture not to exceed $2,000 or both; or recommend that the board suspend a license for more than 90 days or impose a forfeiture exceeding $2,000 or both. Fifty percent of the moneys received under this subdivision shall be deposited in the appropriations under ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

5. After the meeting under subd. 1, the stewards shall submit, in writing, all findings and conclusions from that meeting to the licensee and the board commission, including the sanctions, if any, imposed by the stewards and shall provide the licensee who is the subject of the meeting with a notice of his or her right to appeal the decision under subd. 6. Within 7 days after receiving the decision, the licensee shall pay any forfeitures imposed by the stewards, regardless of whether the decision is appealed or stayed under subd. 6.

6. Any person adversely affected by a decision issued under subd. 4 may appeal that decision to the board commission. The appeal shall be filed with the board commission within 45 days after receipt of that written decision. An appeal does not automatically stay the decision of the stewards. Any person may request that the director administrator stay that decision pending the decision of the board commission on the appeal. If the director administrator receives such a request and determines that the stay will not adversely affect public safety or welfare or the safety or welfare of an animal, the director administrator shall order the stay. The procedure for the appeal under this subdivision is under ch. 227. If part or all of any forfeiture imposed under subd. 5 is refunded to the licensee under this subdivision, the refund shall include interest calculated at the rate of 9% per year on that amount. The decision of the board commission on the appeal shall be the final administrative decision on any action of the stewards under subd. 4.

SECTION 1103dm. 562.04 (1) (b) 4 of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and recreated to read:

562.04 (1) (b) 4. If at least 2 stewards determine that the violation or conduct has occurred, the stewards may, under the schedule established by the board under s. 562.02 (1) (f), suspend a license issued under s. 562.05 (1) (d) for a period not to exceed 90 days or impose a forfeiture not to exceed $2,000 or both; or recommend that the board suspend a license for more than 90 days or impose a forfeiture exceeding $2,000 or both. Fifty percent of the moneys received under this subdivision shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1103e. 562.04 (2) (intro.) of the statutes is amended to read:

562.04 (2) OTHER RACING OFFICIALS. (intro.) The board commission shall, by rule, specify all of the following:

SECTION 1104am. 562.04 (2) (d) of the statutes is amended to read:

562.04 (2) (d) A fee for the supervision of racing by stewards or other racing officials employed by or under contract with the board. Any moneys received under this paragraph shall be deposited in the appropriations under ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1104b. 562.04 (2) (d) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and recreated to read:

562.04 (2) (d) A fee for the supervision of racing by stewards or other racing officials employed by or under contract with the commission. Any moneys received under this paragraph shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1104c. 562.045 (intro.) of the statutes is amended to read:

562.045 (title) Qualifications of administrator, other employees and stewards. Notwithstanding s. 111.321, no person may serve as a director an administrator or other board employee of the racing division or as a steward employed by the board commission or under contract with the board commission if any of the following apply:

SECTION 1104e. 562.045 (6) of the statutes is amended to read:

562.045 (6) The person has knowingly violated a rule or order of the board commission or any provision of this chapter, s. 182.020 or ch. 945.

SECTION 1104g. 562.05 (1) (intro.) of the statutes is amended to read:
562.05 (1) (intro.) No person may engage in any of the following activities without a valid annual license issued by the board commission:

SECTION 1104k. 562.05 (1) (d) of the statutes is amended to read:

562.05 (1) (d) Any occupation required to be licensed under s. 562.02 (1) (am) or determined by the board commission under s. 562.02 (1) (am) to require a license.

SECTION 1104m. 562.05 (1b) of the statutes is amended to read:

562.05 (1b) The board commission shall approve and conduct an examination to be administered to all applicants for a license under sub. (1) (d) to be a horse trainer. No license may be issued under sub. (1) (d) to a horse trainer unless the board commission determines that the applicant for the license is qualified as evidenced by the applicant's performance on the examination conducted under this subsection.

SECTION 1104x. 562.05 (1m) and (2) of the statutes are amended to read:

562.05 (1m) The board commission may not issue a license under sub. (1) (a) to (c) except after a public hearing.

(2) The board shall establish, by rule, the qualifications for any license required under sub. (1) and fix the fee for that license and any background investigation under sub. (7) related to that license. Any moneys received under this subsection shall be deposited in the appropriation appropriations under ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1104y. 562.05 (2) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and recreated to read:

562.05 (2) The board commission shall establish, by rule, the qualifications for any license required under sub. (1) and fix the fee for that license and any background investigation under sub. (7) related to that license. Any moneys received under this subsection shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1105e. 562.05 (2m) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.05 (2m) In issuing a license to own and operate a racetrack not at a fair, the board commission shall consider the competitive effects on any other licensee under sub. (1) (a) or (b). These competitive effects shall include, but not be restricted to, the impact on the economic viability of existing licensed racetracks and the jobs that have been created by such licensed racetracks.

SECTION 1105em. 562.05 (3) and (3m) of the statutes are amended to read:

562.05 (3) No person may hold more than one license issued under sub. (1) (a) and one license issued under sub. (1) (b) or (c). If the applicant for any of those licenses is a corporation, association or partner-ship, the board commission shall determine whether the applicant is the same person as another licensee for the purpose of applying this subsection. Nothing in this subsection prohibits any person with a license under sub. (1) from contracting for services with any other person with a license under sub. (1), subject to any rules promulgated by the board commission.

(3m) The board commission may not accept an application for a license for a race under sub. (1) (c) unless the county board of the county in which that race will be conducted has approved the applicant's sponsorship and management of that race.

SECTION 1105f. 562.05 (3w) (intro.) of the statutes is amended to read:

562.05 (3w) (intro.) Except as provided under subs. (3) to (3r), the board commission may issue a license under sub. (1) (a) if the board commission determines that all of the following conditions are met:

SECTION 1105fm. 562.05 (3wmr) of the statutes is amended to read:

562.05 (3wmr) If the condition under sub. (2m) is relevant to its decision, the board commission may consider secondary economic impacts of an applicant's proposal for a racetrack if the applicant proves by a preponderance of evidence that the alleged secondary impacts will enhance the success of the applicant's proposed racetrack and the location of the proposed racetrack would compliment existing development with the overall effect of increasing tourism and generating state revenues from out-of-state residents.

SECTION 1105g. 562.05 (3wt) and (4) of the statutes are amended to read:

562.05 (3wt) In the first license issued to each applicant under sub. (1) (a) for each racetrack, the board commission shall specify a date by which each of the types of racing authorized under the license shall begin at that racetrack. Upon request of the licensee, the board commission may change a specified date to an earlier or later date pursuant to rules of the board commission.

(4) Any application for a license to sponsor and manage a race shall be accompanied by a bond, in an amount determined by the board commission, which shall be sufficient to guarantee the payment of fees, taxes and other money due, including animal owners' purses and payouts on winning wagers.

SECTION 1105gm. 562.05 (4m) (intro.) of the statutes is amended to read:

562.05 (4m) (intro.) Except as provided in sub. (4), the board commission may issue a license under sub. (1) (b) if the board commission determines that all of the following conditions are met:

SECTION 1105h. 562.05 (5) (a) 5 and 6 of the statutes are amended to read:

562.05 (5) (a) 5. The person has been convicted of a violation of any law of this or another state or of the United States related to racing, pari-mutuel wagering
or of any other form of gambling which is a serious
violation, as defined by the board commission by rule.

6. The person has knowingly violated a rule or
order of the board commission or any provision of
this chapter or of ch. 27, 182 or 945.

SECTION 1105m. 562.05 (b) 4 of the statutes
is amended to read:

562.05 (b) 4. A restriction under par. (a) 2 to 8
does not apply to a partnership, association or corpo-
ration if the board commission determines that the
partnership, association or corporation has termin-
ated its relationship with each individual whose
actions directly contributed to the application of that
restriction to the partnership, association or corpo-
ration.

SECTION 1105n. 562.05 (5) (b) 4 of the statutes
is amended to read:

562.05 (5) (b) 4. If after the application for a license
is made or a license is issued any new officer, director,
partner or owner subject to par. (a), as specified in
par. (b), or any other new person with a present or
future direct or indirect financial or management
interest in the application or license joins the applicant
or licensee, the applicant or licensee shall, within 5
working days, notify the board commission of the
change and provide the affidavit under subd. 1. The
board commission shall conduct the background
investigations required under sub. (7) of any new
officer, director, partner or shareholder of an appli-
cant or licensee named in the notice to the board com-
mission under this subdivision.

SECTION 1105o. 562.05 (5) (c) 2 of the statutes
is amended to read:

562.05 (5) (c) 2. If after the application for a license
is made or a license is issued any new officer, director,
partner or owner subject to par. (a), as specified in
par. (b), or any other new person with a present or
future direct or indirect financial or management
interest in the application or license joins the applicant
or licensee, the applicant or licensee shall, within 5
working days, notify the board commission of the
change and provide the affidavit under subd. 1. The
board commission shall conduct the background
investigations required under sub. (7) of any new
officer, director, partner or shareholder of an appli-
cant or licensee named in the notice to the board com-
mission under this subdivision.

SECTION 1105p. 562.05 (6m) (b) (intro.) of the
statutes, as created by 1991 Wisconsin Act 39, is
amended to read:

562.05 (6m) (b) (intro.) The board commission
may not issue an intertrack wagering license unless the
board commission determines that all of the following
conditions are met:

SECTION 1105q. 562.05 (6m) (b) 2 of the statutes,
as created by 1991 Wisconsin Act 39, is amended to
read:

562.05 (6m) (b) 2. At least 250 race performances
were conducted at the racetrack for which the appli-
cant is licensed under sub. (1) (a) or (b) during the cal-
endar year immediately preceding the year in which
the applicant proposes to conduct intertrack wager-
ing. The board commission may waive the require-
ment in this subdivision if the board commission
determines that the waiver is in the public interest.

SECTION 1105r. 562.05 (6m) (c), (d) and (e)
(intro.) of the statutes, as created by 1991 Wisconsin
Act 39, are amended to read:

562.05 (6m) (c) In considering whether to grant an
intertrack wagering license, the board commission
shall give due consideration to the best interests of the
public and to maximizing revenue to the state.

(d) On each intertrack wagering license that the
board commission issues, the board commission shall
identify the racetrack at which intertrack wagering
may be conducted, the times and number of days or
specific dates, as determined by the board commis-
sion, during which intertrack wagering may be con-
ducted, and the host track from which the simulcast of
each race performance on which intertrack wagering
may be conducted shall originate.

(e) (intro.) The board commission shall revoke an
intertrack wagering license if the board commission
determines that any of the following applies:

SECTION 1105s. 562.05 (7) (a) (intro.) of the stat-
utes is amended to read:

562.05 (7) (a) (intro.) Except as provided under
par. (ag), before the board commission issues a license
under this section, the director commission, with the
assistance of the department of justice, shall conduct a
background investigation of the applicant for the license
and of any of the following related to the applicant:

SECTION 1105t. 562.05 (7) (ag) (intro.) of the stat-
utes is amended to read:

562.05 (7) (ag) (intro.) Paragraph (a) (intro.)
applies to any person required under s. 562.02 (1) (am)
to have a license except for any person determined by
the board commission under s. 562.02 (1) (am) to
require a license. Before the board commission issues
a license to any person determined by the board com-
misson under s. 562.02 (1) (am) to require a license,
the director commission may, with the assistance of
the department of justice, conduct a background
investigation of the applicant for that license and of
any of the following related to the applicant:

SECTION 1105u. 562.05 (7) (b) and (bg) of the
statutes are amended to read:

562.05 (7) (b) The director commission shall
require any person subject to an investigation under
par. (a) to be photographed and fingerprinted on 2
fingerprint cards each bearing a complete set of that
person's fingerprints. The department of justice may
provide for the submission of the fingerprint cards
to the federal bureau of investigation for the purpose of
verifying the identity of that person and obtaining any
record of that person's criminal arrests and
convictions.

(bg) The director commission may require any per-
son subject to an investigation under par. (ag) to be
photographed and fingerprinted on 2 fingerprint
cards each bearing a complete set of that person's
fingerprints. The department of justice may provide for
the submission of the fingerprint cards to the federal
bureau of investigation for the purpose of verifying
the identity of that person and obtaining any record of
that person's criminal arrests and convictions.

SECTION 1105v. 562.05 (8) to (10) of the stat-
utes are amended to read:

562.05 (8) The board commission may revoke
or suspend a license for good cause after notice and
hearing under s. 227.44.

(b) The board commission shall permanently
revoke the license of any licensee whom the board
commission determines under par. (a) has administered a medication or foreign substance to an animal in violation of s. 562.09 (1).

(c) The board commission shall permanently revoke the license of any licensee who violates s. 562.105.

(9) (a) Every license issued under sub. (1) (b) or (c) shall set forth the time and number of days, or the specific dates, during which racing may be conducted under that license, as determined by the board commission.

(b) A license under sub. (1) (c) may authorize horse races on days on which the fair is conducted and for 2 additional periods not to exceed 5 days each. Either or both of the additional periods may be consecutive with the days on which the fair is conducted. In assigning race days and race times under this paragraph, the board commission shall consider the competitive effects on licensees under sub. (1) (a) and (b).

(10) The board commission shall revoke the license issued under sub. (1) (a) of any person who accepts any public money to construct or operate a racetrack in Wisconsin. This subsection does not apply to any racetrack operated in conjunction with a county fair.

SECTION 1105m. 562.057 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.057 (1) Except as provided in sub. (2), an intertrack wagering licensee may accept wagers on races that are conducted at 2 or more host tracks during the same race day with the approval of the board commission.

SECTION 1105n. 562.057 (3) (b) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.057 (3) (b) (intro.) After making the required allocations under s. 562.065 (3) (a) and (c) to (e), making all other payments required under this chapter as a result of conducting the intertrack wagering and deducting the costs and expenses that the board commission determined were necessary in order to gather, transmit and disseminate all data that was necessary to conduct the intertrack wagering, the moneys retained by the intertrack wagering licensee as a result of the intertrack wagers shall be allocated as follows:

SECTION 1105o. 562.057 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.057 (3) The board may permit a licensee under s. 562.055 (1) (a) to receive horse races from the intertrack wagering licensee of a racetrack not more than 50 miles away and to conduct pari-mutuel wagering on those races and to remit the board commission the amount equal to 10% of the total amount wagered on each race conducted by that racetrack in which the licensee is permitted to receive such races.

SECTION 1105p. 562.065 (1) of the statutes is amended to read:

562.065 (1) TYPES OF POOLS; PURSES. The board commission shall promulgate rules governing types of pari-mutuel pools that are permitted on races and the payment and allocation of purses for races.

SECTION 1105q. 562.065 (3) (c) 1. (intro.) of the statutes is amended to read:

562.065 (3) (c) 1. (intro.) For horse races, from the total amount deducted under par. (b) on each race date, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 2% of the total amount wagered on each race day for purses for races held on that race day except as provided in s. 562.057 (3) (b) and (c). The licensee shall pay purses directly to the owner or, if a horse is leased, the licensee shall pay the purses directly to the lessor and lessee of the horse as agreed in a written lease agreement on file with the licensee.

2. For dog races, from the total amount deducted under par. (a) on each race date, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 3% of the total amount wagered on each race date for purses, except as provided in s. 562.057 (3) (b) and (c). Purses shall be paid on or before Thursday of the calendar week immediately following the race day on which the purses are won. The licensee shall pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay the purses directly to the lessor and lessee of the dog as agreed in a written lease agreement on file with the licensee.

SECTION 1105m. 562.065 (3) (c) 1. (intro.) of the statutes is amended to read:

562.065 (3) (c) 1. (intro.) For horse races, from the total amount deducted under par. (a) on each race date, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 2% of the total amount wagered on each race day for purses, except as provided in s. 562.057 (3) (b) and (c). Purses shall be paid on or before Thursday of the calendar week immediately following the race day on which the purses are won. The licensee shall pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay the purses directly to the lessor and lessee of the dog as agreed in a written lease agreement on file with the licensee.
day, a licensee under s. 562.05 (1) (b) shall deposit with the board commission the following amounts:

SECTION 1105r. 562.065 (3) (c) 2. (intro.) of the statutes is amended to read:

562.065 (3) (c) 2. (intro.) For dog races, from the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board commission the following amounts:

SECTION 1105s. 562.065 (3) (c) 2g. (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

562.065 (3) (c) 2g. (intro.) For dog races, from the total amount deducted under par. (a) on each race day that is on or after January 1, 1993, a licensee under s. 562.05 (1) (b) shall deposit with the board commission the following amounts:

SECTION 1105t. 562.065 (3) (c) 4 of the statutes is amended to read:

562.065 (3) (c) 4. Annually, not later than February 15, a licensee under s. 562.05 (1) (b) shall file with the board commission a statement computing the total amount paid to the board commission under subd. 1 during the immediately preceding year and the total amount wagered at races sponsored and managed by the licensee during that year. If the total amount paid to the board commission under subd. 1 exceeds the amount due under subd. 1 the board commission shall refund the difference to the licensee. If the total amount paid is less than the amount due the licensee shall remit the difference to the board commission.

SECTION 1105u. 562.065 (3) (d) 1 and 2 of the statutes are amended to read:

562.065 (3) (d) 1. From the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board commission an amount equal to 0.75% of the total amount wagered on that race day.

2. The board shall deposit the money received under subd. 1 in the appropriation appropriations under s. ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1105v. 562.065 (3) (d) 2 of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:

562.065 (3) (d) 2. The commission shall deposit the money received under subd. 1 in the appropriations under s. ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1106m. 562.065 (3) (e) of the statutes is amended to read:

562.065 (3) (e) Breakage. A licensee under s. 562.05 (1) (b) shall deposit with the board commission an amount equal to 50% of the breakage for each race day. The moneys received under this paragraph shall be deposited as follows:

1. For horse races, in the appropriation under s. 20.492 (2) 20.197 (3) (h).

2. For dog races, in the appropriation appropriations under s. ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1106r. 562.065 (3) (e) 2 of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:

562.065 (3) (e) 2. For dog races, in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1107m. 562.065 (3m) (c) of the statutes is amended to read:

562.065 (3m) (c) Allocation between licensee and state association. 1. From the total amount of the deduction under par. (a) remaining after the payment of purses under par. (b), the licensee under s. 562.05 (1) (c) shall retain an amount equal to the licensee's costs related to pari-mutuel racing and wagering conducted under the license. The board commission shall, by rule, determine the costs which may be included under this subdivision and require auditing of these costs.

2. The licensee may retain 50% of the amount of the deduction under par. (a) remaining after the payment of purses under par. (b), and the payment of the licensee's cost under subd. 1. The licensee shall deposit the remaining 50% of that amount with the board commission. The board commission shall deposit moneys received under this subdivision in the appropriation under s. 20.192 (2) 20.197 (3) (i).

SECTION 1108am. 562.065 (4) of the statutes is amended to read:

562.065 (4) UNCLAIMED PRIZES. Any winnings on a race which are not claimed within 90 days after the end of the period authorized for racing in that year under s. 562.05 (9) shall be paid to the board. The board shall deposit moneys received under this subsection in the appropriation appropriations under s. ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1108b. 562.065 (4) of the statutes, as affected by 1991 Wisconsin Act ..., (this act), is repealed and recreated to read:

562.065 (4) UNCLAIMED PRIZES. Any winnings on a race which are not claimed within 90 days after the end of the period authorized for racing in that year under s. 562.05 (9) shall be paid to the commission. The commission shall deposit moneys received under this subsection in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1108c. 562.075 (1) (a) and (b) of the statutes are amended to read:

562.075 (1) (a) Races. Every licensee to sponsor and manage horse races under s. 562.05 (1) (b) or (c) shall hold at least one race on every race day which is limited to horses foaled in this state, except that another race may be substituted if the licensee is unable, with reasonable effort, to attract sufficient competition for such a race. The board commission shall define, by rule, the term "foaled in this state".

562.075 (1) (b) no races held in any race day shall exceed the amount due under subd. 1 the board commission the following amounts:
(b) Purse supplements. From the appropriation under s. 20.192(2) 20.197(3) (h), the board commission shall, under rules promulgated by the board commission, distribute annually the moneys allocated for purse supplements for horses foaled in this state. The board commission shall distribute those moneys on a prorated basis to the breeder of any horse foaled in this state which wins any portion of a purse for a race conducted under this subsection and held during the year of the distribution.

SECTION 1108e. 562.075 (2) (c) of the statutes is amended to read:

562.075 (2) (c) Purse supplements. From the appropriation under s. 20.192(2) 20.197(3) (h), the board commission shall, under rules promulgated by the board commission, distribute annually the moneys allocated for purse supplements for 3-year-old horses. The board commission shall distribute those moneys on a prorated basis to the breeder of any horse which did not race during the prior 2 years and which wins a race conducted under this subsection and held during the year of the distribution.

SECTION 1108f. 562.077 of the statutes is amended to read:

562.077 County fair advancement grants. From the appropriation under s. 20.192(2) 20.197(3) (i), the board commission shall provide grants to the Wisconsin association of fairs for use for the advancement of county fairs throughout the state. The board commission shall approve the program for which any grant under this section is used prior to making the grant.

SECTION 1108g. 562.08 (3) of the statutes is amended to read:

562.08 (3) Each county, city, village and town receiving moneys under sub. (2) shall use at least part of the moneys to defray the costs of law enforcement, traffic control and other municipal expenditures incidental to the conduct of racing in that county, city, village or town and shall submit annually a report to the board commission showing how it has expended those moneys.

SECTION 1108h. 562.09 (1) and (2) of the statutes are amended to read:

562.09 (1) Board rules. (a) The board shall promulgate and enforce rules governing the administration of medication and foreign substances to animals at racetracks where there is racing and medical testing of those animals. The rules shall provide that no medication or foreign substance, as defined by the board, may be administered to an animal within 48 hours prior to its entry in a race and that no animal participating in a race may carry any medication or foreign substance in its body, except as provided in this paragraph. The rules may permit specified levels of the following medications or foreign substances to be present in the body of an animal participating in a race if it is determined by the board that the medication or foreign substance entered the body of the animal through the food chain: procaine and its metabolites; sulfa drugs and their metabolites; polyethylene glycol; and any other medication or foreign substance that may enter the body of an animal through the food chain and that the board determines will not affect the integrity of the race or will not be relevant to the wagering public if the medication or foreign substance is present in an animal participating in a race. The rules shall specify the permissible levels of those medications or foreign substances consistent with levels resulting from food ingestion and in a manner that enables the levels to be detected in a urine sample of the animal.

(b) The board commission shall establish, by rule, the qualifications for any laboratory which the board commission uses for testing under this section.

(2) Testing and detention. (a) The owner or the agent or employee of the owner of any animal on a racetrack shall permit any member, steward, employee or other agent of the board commission to make any test which the board commission determines to be proper to determine if a medication or foreign substance has been administered to that animal in violation of sub. (1).

(b) 1. The board commission shall require, by rule, that every horse entered in a race be tested before the race to determine if a medication or foreign substance has been administered to the horse in violation of sub. (1). The rule shall require that every horse entered in a race be detained from the time the prerace test is administered until the horse leaves the detention area to proceed to the start of the race. The rules shall limit the persons who may be present when samples are taken for the tests and who may be present in the detention area and shall identify who those persons may be.

2. The board commission shall require, by rule, that immediately after every race the animal which won the race, at least one animal selected at random and any additional animals, as identified by the board commission, shall be tested to determine if a medication or foreign substance has been administered to the animal in violation of sub. (1). A steward or veterinarian employed by, under contract with or approved by the board commission may designate additional animals to be tested to determine whether a violation of sub. (1) has occurred.

(bm) The rules which the board commission applies at racetracks at fairs under pars. (a) and (b) and sub. (1) may differ from the rules which the board commission applies under pars. (a) and (b) and sub. (1) at other racetracks.

(c) Any finding by the board commission that a medication or foreign substance has been administered to an animal in violation of sub. (1) is prima facie evidence of a violation of sub. (1).

(d) The results of any test under this subsection shall be kept on file by the board commission for at least one year following the test.
(e) The board shall establish, by rule, and charge fees for testing under this subsection. Fees received under this paragraph shall be deposited in the appropriation appropriations under s. ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1108hm. 562.09 (1) (title) and (a) of the statutes, as affected by 1991 Wisconsin Act .... (this act), are repealed and recreated to read:

562.09 (1) (title) COMMISSION RULES. (a) The commission shall promulgate and enforce rules governing the administration of medication and foreign substances to animals at racetracks where there is racing and medical testing of those animals. The rules shall provide that no medication or foreign substance, as defined by the commission, may be administered to an animal within 48 hours prior to its entry in a race and that no animal participating in a race may carry any medication or foreign substance in its body, except as provided in this paragraph. The rules may permit specified levels of the following medications or foreign substances to be present in the body of an animal participating in a race if it is determined by the commission that the medication or foreign substance entered the body of the animal through the food chain: procaine and its metabolites; sulfadiazine and its metabolites; polyethylene glycol; and any other medication or foreign substance that may enter the body of an animal through the food chain and that the commission determines will not affect the integrity of the race or will not be relevant to the wagering public if the medication or foreign substance is present in an animal participating in a race. The rules shall specify the permissible levels of those medications or foreign substances consistent with levels resulting from food ingestion and in a manner that enables the levels to be detected in a urine sample of the animal.

SECTION 1108i. 562.09 (2) (e) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and recreated to read:

562.09 (2) (e) The commission shall establish, by rule, and charge fees for testing under this subsection. Fees received under this paragraph shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1109c. 562.09 (3) (c) 2 of the statutes is amended to read:

562.09 (3) (c) 2. That the animal was not properly made available for any test or inspection required by the board commission.

SECTION 1109e. 562.09 (3) (em) and (f) of the statutes are amended to read:

562.09 (3) (em) Unless the person is a veterinarian, have in his or her possession on a racetrack or track located at a fair where there is racing and medical testing of animals for hypodermic injection of an animal or any substance for hypodermic injection of an animal. The board commission may, by rule, permit the possession of an injectable substance or hypodermic equipment for the person's personal use.

(f) Have in his or her possession on a racetrack any appliance which can be used to stimulate or affect the speed of an animal except a whip authorized by the board commission by rule or a spur authorized by the board commission by rule.

SECTION 1109g. 562.105 of the statutes is amended to read:

562.105 Humane killing of dogs. No person may kill or cause to be killed any dog which races in this state or was bred, whelped or trained in this state for racing, except by a humane chemical method, specified by the board commission by rule, which normally causes dogs to be rendered insensible to pain, is rapid and effective and is administered by a veterinarian.

SECTION 1108hm. 562.11 (2) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and amended to read:

562.11 (2) (a) Each track owner shall conduct an operation through which off-track wagering is conducted. The operation shall be conducted at a racetrack at which at least one dog race or thoroughbred horse race is conducted. The operation shall be conducted in the manner determined by the board commission.

SECTION 1108hm. 562.11 (2) (a) of the statutes, as affected by 1991 Wisconsin Act .... (this act), is repealed and amended to read:

562.11 (2) (a) The commission shall establish, by rule, and charge fees for testing under this subsection. Fees received under this paragraph shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1109i. 562.12 (1) of the statutes is amended to read:

562.12 (1) Race an animal under a name other than its registered name or out of the animal's proper class, as determined by the board commission by rule.

SECTION 1109k. 562.12 (3) of the statutes is amended to read:

562.12 (3) Bribe or extort, or attempt to bribe or extort, any member, employe or agent of the board commission or any other person having charge of or access to an animal on a racetrack.

SECTION 1109l. 562.124 of the statutes is amended to read:

562.124 Snowmobile racing. (1) The board commission may authorize on-track pari-mutuel wagering
on snowmobile racing at times and places, as determined by the board commission, that do not conflict with other racing authorized by this chapter.

(2) If the board commission authorizes on-track pari-mutuel wagering on snowmobile racing under sub. (1), the board commission shall regulate the pari-mutuel wagering and shall promulgate all rules necessary to administer this section. Through its rules, the board commission shall do everything necessary to ensure the public interest and protect the integrity of the sport of snowmobile racing.

(3) The board commission shall confer with representatives of the United States snowmobile association in developing rules to protect the integrity of the sport of snowmobile racing.

(4) If the board commission authorizes on-track pari-mutuel wagering on snowmobile racing, the board commission shall prepare and submit to the chief clerk of each house of the legislature under s. 13.172 (2) a report on whether any additional civil or criminal penalties are necessary to enforce its rules.

SECTION 1109m. 562.125 (1) of the statutes is amended to read:

562.125 (1) INVESTIGATIONS. The department of justice may investigate any activities by the board commission and the board's commission's employees and contractors, or by the licensees and their employees and contractors, which affect the operation or administration of racing and on-track pari-mutuel wagering, and shall report suspected violations of state or federal law to the appropriate prosecuting authority.

SECTION 1109p. 562.13 (2) (b) of the statutes is amended to read:

562.13 (2) (b) Intentionally makes a false statement or material omission in an application for employment with the board commission.

SECTION 1110b. 563.05 (title) of the statutes is created to read:

563.05 (title) Powers and duties of commission.

SECTION 1110d. 563.05 (4) to (6) of the statutes are created to read:

563.05 (4) The commission may promulgate rules defining procedures to be used by the commission for receiving, filing and investigating complaints, for conducting disciplinary proceedings and for conducting hearings under this chapter.

(5) No commission member or employee and no member of a commission member's or employee's immediate family, as defined in s. 19.42 (7), may, while that commission member or employee is serving as a commission member or employee or for 2 years following the termination of the membership or employment of that commission member or employee, do any of the following:

(a) Have any direct or indirect interest in any person who is licensed or required to be licensed under this chapter.

(b) Accept or agree to accept money or any thing of value from any person who is licensed or required to be licensed under this chapter.

(6) The commission shall deposit all moneys received by the commission under this chapter, except s. 563.80, in the appropriation under s. 20.197 (1) (g).

SECTION 1110f. 564.02 (2) (g) and (2m) of the statutes are created to read:

564.02 (2) (g) The commission shall deposit all moneys received by the commission under this subsection in the appropriation under s. 20.197 (1) (g).

(2m) CONFLICTS OF INTEREST. No commission member or employee and no member of a commission member's or employee's immediate family, as defined in s. 19.42 (7), may, while that commission member or employee is serving as a commission member or employee or for 2 years following the termination of the membership or employment of that commission member or employee, do any of the following:

(a) Have any direct or indirect interest in any person who is registered or required to be registered under sub. (2).

(b) Accept or agree to accept money or any thing of value from any person who is registered or required to be registered under sub. (2).

SECTION 1110h. Chapter 565 (title) of the statutes is amended to read:

CHAPTER 565
STATE LOTTERY

SECTION 1110j. 565.01 (1) of the statutes is renumbered 565.01 (1m).

SECTION 1110l. 565.01 (1) of the statutes is created to read:

565.01 (1) "Administrator" means the administrator of the lottery division.

SECTION 1110n. 565.01 (2) and (3) of the statutes are repealed.

SECTION 1110p. 565.01 (4c) (a) and (b) of the statutes are amended to read:

565.01 (4c) (a) The development of a specification related to a bid or competitive sealed proposal to supply goods or services to the board commission.

(b) The evaluation of a bid or competitive sealed proposal to supply goods or services to the board commission.

SECTION 1110q. 565.01 (6) of the statutes is amended to read:

565.01 (6) "Retailer" means a person who sells lottery tickets or lottery shares on behalf of the board commission under the terms of a lottery retailer contract entered into under s. 565.10.

SECTION 1110r. 565.02 (title) and (1) (a) and (b) (intro.) of the statutes are amended to read:

565.02 (title) Lottery operations. (1) (a) An executive director shall be nominated by the governor, and with the advice and consent of the senate appointed, to serve outside the classified service. Prior to appointing an executive director administrator, the
governor commission shall conduct a nationwide search to find the best, most qualified appointee and consider the business management experience, marketing experience, computer experience and lottery management experience of the applicants.

(b) (intro.) Notwithstanding s. 111.321, no person may serve as the executive director administrator if he or she has been convicted of, or entered a plea of guilty or no contest to, any of the following:

SECTION 1110s. 565.02 (1) (b) 4 of the statutes is amended to read:

565.02 (1) (b) 4. A violation of a provision of this chapter or rule of the board commission.

SECTION 1110t. 565.02 (1) (c) of the statutes is amended to read:

565.02 (1) (c) Before appointment of an executive director administrator is made, the governor commission, with the assistance of the department of justice, shall conduct a background investigation of the proposed executive director administrator. The governor commission shall require the proposed executive director administrator to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrests and convictions. The lottery board commission shall reimburse the department of justice for the department's services under this paragraph.

SECTION 1110u. 565.02 (2) (a) and (b) of the statutes are amended to read:

565.02 (2) (a) The executive director administrator shall perform the duties assigned to the executive director administrator under this chapter and by the board commission.

(b) The executive director administrator shall appoint and supervise board employees, including the deputy director, assistant director and account directors of the lottery division, as specified by the board commission by rule under sub. (3) (a), as necessary to carry out the duties of the board and executive director commission and administrator.

SECTION 1110v. 565.02 (2) (c) 3 and (d) of the statutes are amended to read:

565.02 (2) (c) 3. A violation of a provision of this chapter or rule of the board commission.

(d) Before appointment of lottery employees is made under par. (b), the executive director commission, with the assistance of the department of justice, shall conduct a background investigation of the proposed employees. The executive director commission shall require the persons proposed as employees to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrests and convictions. The lottery board commission shall reimburse the department of justice for the department's services under this paragraph.

SECTION 1111c. 565.02 (2r) of the statutes is amended to read:

565.02 (2r) The board commission may require a fidelity bond from the executive director, deputy director, assistant director administrator or any other board employee of the lottery division.

SECTION 1111m. 565.02 (3) (intro.) and (a) of the statutes are amended to read:

565.02 (3) (intro.) The board commission shall promulgate all of the following rules:

(a) Establishing a plan of organizational structure for board lottery division employees that shall include a deputy director and at least 3 but not more than 5 assistant directors, one of whom shall be an assistant director for security, one of whom shall be an assistant director for marketing and one of whom shall be an assistant director for operations.

SECTION 1111n. 565.02 (3) (b) 6 of the statutes is amended to read:

565.02 (3) (b) 6. Qualifications for retailers, in addition to those under this section, as determined by the board commission.

SECTION 1111s. 565.02 (4) (intro.) of the statutes is amended to read:

565.02 (4) (intro.) The board commission may promulgate all of the following rules:

SECTION 1111t. 565.02 (5) of the statutes is repealed.

SECTION 1111u. 565.02 (6) of the statutes is created to read:

565.02 (6) The commission shall deposit all gross lottery revenues, as defined in s. 25.75 (1) (b), in the lottery fund.

SECTION 1111v. 565.02 (1) (b) 4 of the statutes is amended to read:

565.02 (1) (b) 4. A violation of a provision of this chapter or rule of the board commission.

SECTION 1111w. 565.02 (3) (intro.) and (a) of the statutes are amended to read:

565.02 (3) (intro.) The board commission shall promulgate all of the following rules:

(a) Establishing a plan of organizational structure for board lottery division employees that shall include a deputy director and at least 3 but not more than 5 assistant directors, one of whom shall be an assistant director for security, one of whom shall be an assistant director for marketing and one of whom shall be an assistant director for operations.

SECTION 1111x. 565.02 (3) (b) 6 of the statutes is amended to read:

565.02 (3) (b) 6. Qualifications for retailers, in addition to those under this section, as determined by the board commission.

SECTION 1111y. 565.02 (4) (intro.) of the statutes is amended to read:

565.02 (4) (intro.) The board commission may promulgate all of the following rules:

SECTION 1111z. 565.02 (5) of the statutes is repealed.

SECTION 1112am. 565.02 (6) of the statutes is created to read:

565.02 (6) The commission shall deposit all gross lottery revenues, as defined in s. 25.75 (1) (b), in the lottery fund.
91 WisAct 269

SECTION 1112b. 565.05 (1) (intro.) and (a) of the statutes are amended to read:

565.05 (1) (intro.) No member or employe of the board commission may do any of the following:

(a) Have a direct or indirect interest in or be employed by any vendor while serving as a board commission member or employe or for 2 years following the member’s or employe’s termination of service.

SECTION 1112bm. 565.05 (1) (c) of the statutes is repealed.

SECTION 1112c. 565.10 (1) of the statutes is amended to read:

565.10 (1) Selection of retailers; retailer contract. Under rules promulgated by the board commission under s. 565.02 (3) (b) and (4) (a), the executive director administrator may contract with a person for the retail sale of lottery tickets or lottery shares. Retailers shall be selected for contract so as to provide adequate and convenient availability of lottery tickets and lottery shares to prospective buyers.

SECTION 1112d. 565.10 (3) (a) 4 of the statutes is amended to read:

565.10 (3) (a) 4. A violation of any provision of this chapter or any rule promulgated by the board under this chapter.

SECTION 1112e. 565.10 (3) (c) 4 of the statutes is amended to read:

565.10 (3) (c) 4. The restrictions under par. (a) do not apply to the partnership, association or corporation if the board commission determines that the partnership, association or corporation has terminated its relationship with the partner, officer, director or owner who was convicted or entered the plea or with the partner, officer, director, owner or other individual whose actions directly contributed to the partnership’s, association’s or corporation’s conviction or entry of plea.

SECTION 1112f. 565.10 (4) (b) (intro.) of the statutes is amended to read:

565.10 (4) (b) (intro.) Subject to approval of each such retailer contract by the board commission, the retailer contract is with one of the following:

SECTION 1112g. 565.10 (5) of the statutes is amended to read:

565.10 (5) State agencies; government property. (a) In entering into a lottery retailer contract with state agencies, other than the board commission, and agencies of local units of government, the executive director administrator shall attempt to minimize the competitive effect of sales by the state or local agencies on other retailers. An application for a retailer contract by a local unit of government shall be approved by the governing body of the local unit of government.

(b) A lottery retailer contract may be entered into with a private person operating activities on state or local government property. The board commission shall give preference to an individual, group of individuals or nonprofit organization, as specified under sub. (4) (b), in entering into contracts under this paragraph.

SECTION 1112h. 565.10 (7) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.10 (7) (b) The executive director administrator may, under rules promulgated by the board commission, contract for a period that is shorter than 3 years in order to stagger lottery retailer contract expiration dates throughout a 3-year period.

SECTION 1112i. 565.10 (8) and (8m) of the statutes are amended to read:

565.10 (8) Contract fees. A contract entered into under this section may require payment of a nonrefundable initial application fee or a nonrefundable annual fee for continuation, or both, in an amount promulgated by the board commission by rule under s. 565.02 (4) (b). A separate nonrefundable fee, in an amount specified in rules promulgated by the board by rule under s. 565.02 (4) (b), may be required for each certificate of authority issued under sub. (11).

(8m) (title) Payment to commission or contractor. Payment by a retailer to the board commission or to any contractor for lottery tickets or lottery shares shall be by check, bank draft, electronic fund transfer or other recorded means, as determined by the executive director administrator. No payment under this subsection may be in cash.

SECTION 1112j. 565.10 (11) of the statutes is amended to read:

565.10 (11) Certificate of authority; required display. The board commission shall issue to each retailer a separate certificate of authority for each location from which the retailer may sell lottery tickets or lottery shares. Each retailer shall conspicuously display the certificate of authority on the premises where retail sales of lottery tickets or lottery shares are authorized under the certificate in a location which is accessible for public inspection.

SECTION 1112k. 565.10 (13) of the statutes is amended to read:

565.10 (13) Bond. The board commission may by rule under s. 565.02 (4) (d) require fidelity bonds from retailers. In lieu of a bond, the board commission may purchase blanket bonds covering all or selected retailers or may allow a retailer to deposit and maintain with the board commission interest-bearing or interest-accruing securities approved by the board commission. Such securities shall be held in trust by the board commission and shall have at all times a market value at least equal to the amount required by the board commission.
SECTION 1112L. 565.10 (14) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.10 (14) (b) The basic compensation to be paid to a retailer is 8% of the retail price of lottery tickets or lottery shares sold by the retailer. The board commission may, in the rules promulgated under s. 565.02 (4) (f), provide for the payment of a higher rate of compensation to nonprofit organizations making sales under a contract issued on a temporary basis than the rate of compensation paid to other retailers.

SECTION 1113a. 565.10 (14) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.10 (14) (c) The board commission shall by rule under s. 565.02 (3) (e) determine the amount of incentive bonuses, if any, to be paid to retailers.

SECTION 1113b. 565.10 (15) of the statutes is amended to read:

565.10 (15) Remitting proceeds. A retailer shall, on a daily basis, unless another basis, but not less than weekly, is provided by the board commission by rule, remit to the board commission the lottery proceeds from the sale of lottery tickets or lottery shares. The amount of compensation deducted by the retailer, if any, shall be indicated as a deduction from the total remitted.

SECTION 1113c. 565.12 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.12 (1) (intro.) A lottery retailer contract entered into under s. 565.10 may be terminated or suspended for a specified period if the board commission finds that the retailer has done any of the following:

SECTION 1113d. 565.12 (1) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.12 (1) (e) Failed to account accurately for lottery tickets, revenues or prizes or lottery shares, as required by the board commission, or is delinquent in remitting lottery ticket or lottery share revenues.

SECTION 1113e. 565.12 (2) and (3) of the statutes, as created by 1991 Wisconsin Act 39, are amended to read:

565.12 (2) If the executive director administrator determines that the immediate suspension or termination of a lottery retailer contract entered into under s. 565.10 is necessary to protect the public interest or the security, integrity or fiscal responsibility of the lottery, the executive director administrator may, without prior notice or hearing, suspend for a specified period or terminate the lottery retailer contract by mailing to the retailer a notice of suspension or termination that includes a statement of the facts or conduct that warrant the suspension or termination and a notice that the retailer may, within 30 days after the date on which the notice of suspension or termination is mailed, have the suspension or termination reconsidered by the executive director administrator. If, upon reconsideration, the executive director administrator affirms the determination to suspend or terminate the lottery retailer contract, the retailer shall be afforded an opportunity for a hearing before the board commission to review the determination of the executive director administrator.

3 The board commission shall render the final decisions under s. 227.47 for all terminations and suspensions under subs. (1) and (2).

SECTION 1113f. 565.15 of the statutes is amended to read:

565.15 (title) Commission retail outlet. The board commission may establish and operate a lottery ticket or lottery share retail sales outlet or sell lottery tickets or lottery shares to the public at a special event. In considering whether to engage in direct retail sales, the board commission shall attempt to minimize the competitive effects of its sales on sales by other retailers.

SECTION 1113g. 565.17 (1) and (2) of the statutes are amended to read:

565.17 (1) Who may sell. Lottery tickets or lottery shares may not be sold by any person other than a retailer or the board commission.

2 Price. No person may sell lottery tickets or lottery shares at a price other than the retail sales price established by the executive director administrator under s. 565.27 (1) (b), except to the extent of any discount authorized by the executive director administrator or the board commission.

SECTION 1113h. 565.17 (5) (title) and (a) of the statutes are amended to read:

565.17 (5) (title) Commission members and employees. (a) No member or employee of the board commission or any relative residing in the same household with a member or employee of the board commission may purchase a lottery ticket or lottery share.

SECTION 1113i. 565.25 (1m) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.25 (1m) Scope of authority. Subject to approval by the board commission, the executive director administrator may determine whether lottery functions shall be performed by board commission employees or by one or more persons under contract with the department, except that no contract may provide for the entire management of the lottery or for the entire operation of the lottery by any private person. The department may contract for management consultation services to assist in the management or operation of the lottery. The department may not contract for financial auditing or security monitoring services. If the department delegates under s. 16.71 (1) to the board commission the authority to make a major procurement, the board commission shall assume the powers and duties of the department and the executive director administrator shall assume the powers and duties of the secretary of administration under this section and ss. 16.70 to 16.77, except under ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).
SECTION 1113j. 565.25 (2) (a) 4. (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.25 (2) (a) 4. (intro.) The executive director administrator shall develop specifications for major procurements. If security is a factor in the materials, supplies, equipment, property or services to be purchased in any major procurement, then invitations for bids or competitive sealed proposals shall include specifications related to security. The executive director administrator shall submit specifications for major procurements to the board administrator for review and approval before the department releases the specifications in invitations for bids or competitive sealed proposals. The department shall require separate bids or separate competitive sealed proposals for each of the following supplies and services if the supplies or services are provided under contract as provided in sub. (1m):

SECTION 1113k. 565.25 (2) (a) 6 and 7 of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:

565.25 (2) (a) 6. If the department delegates under s. 16.71 (1) to the board commission the authority to make a major procurement, the award of the major procurement contract is subject to approval by the board commission and to the requirements in ss. 16.72 (4) (a) and 16.76 (1). Copies of requisitions and contracts for major procurements shall be maintained by the executive director administrator and shall be subject to inspection and copying under subch. II of ch. 19.

7. No bill or statement for any purchase or engagement for the board commission may be paid until the bill or statement is approved by the executive director administrator.

SECTION 1113L. 565.25 (3) (a) 4 of the statutes is amended to read:

565.25 (3) (a) 4. A violation of a provision of this chapter or any rule of the board promulgated under this chapter.

SECTION 1113m. 565.25 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.25 (4) Background investigations. The executive director commission, with the assistance of the department of justice, shall conduct a background investigation of any person proposing to contract or contracting for a major procurement and of all partners, officers, directors, owners and beneficial owners identified under sub. (3) (b). The executive director commission may require the person and partners, officers, directors and shareholders identified under sub. (3) (b) to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person’s fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions. If the results of the background investigation disclose information specified in sub. (3) (a) with respect to the person, partner, officer, director, owner or beneficial owner, a contract with the vendor, if entered into prior to the disclosure, is void and the vendor shall forfeit any amount filed, deposited or established under sub. (5) (b). The board commission shall reimburse the department of justice for the department of justice’s services under this subsection and shall obtain payment from the person proposing to contract or the vendor in the amount of the reimbursement.

SECTION 1113n. 565.27 (1) (intro.) of the statutes is amended to read:

565.27 (1) Game features and procedures. (intro.) Subject to this section, the rules promulgated under s. 565.02 (3) (d) and (4) (a) and board commission approval, the executive director administrator shall determine the particular features of and procedures for each lottery game offered. The executive director administrator shall recommend to the board commission for promulgation by rule under s. 565.02 (3) (d) the types of state or multistate lottery games to be offered, except that no game may be offered for which winners are selected based on the results of a race or sporting event. The features and procedures shall be in writing, shall be accessible to the public and shall include all of the following:

SECTION 1113o. 565.27 (2) (a) of the statutes is amended to read:

565.27 (2) (a) The actual selection of any winning lottery ticket or lottery share may not be performed by an elected or appointed official or a member or employee of the board commission.

SECTION 1113p. 565.27 (2) (b) 4 of the statutes is amended to read:

565.27 (2) (b) 4. Any equipment used for the drawing must be inspected by a certified public accountant and a board commission employee before and after the drawing.

SECTION 1113q. 565.30 (1) and (2) of the statutes are amended to read:

565.30 (1) Payment of prizes. The executive director administrator shall direct the payment of a prize to the holder of the winning lottery ticket or lottery share or to a person designated under sub. (2), except that a prize may be paid to another person under a court order or to the estate of a deceased prize winner. The board, executive director commission, administrator, state and any contractor for materials, equipment or services of the game in which the prize is won are discharged of all liability upon payment of the prize to the holder of a winning lottery ticket or lottery share.

(2) Payment of prizes to minors. If the prize for a winning lottery ticket or lottery share given to a minor is less than $1,000, the executive director administrator may make payment of the prize by delivering to an adult member of the minor’s family, or to the minor’s guardian, a check or draft payable to the minor. If the
prize is $1,000 or more, the executive director administrator shall make payment to the minor by paying or delivering the money to a broker or financial institution under s. 880.65 (1) (b).

SECTION 1113r. 565.30 (3) (a) of the statutes is amended to read:

565.30 (3) (a) Period to claim. The holder of a winning lottery ticket or lottery share may claim a prize within 180 days after the drawing or other selection in which the prize is won or within 180 days after the game’s end date, as determined by the executive director administrator, whichever is later.

SECTION 1113s. 565.30 (4) and (4m) of the statutes are amended to read:

565.30 (4) Withholding of income taxes. The executive director administrator shall withhold from lottery winnings any federal income taxes required to be withheld under 26 USC 3402 (q) (3) (B) and any state taxes required to be withheld under s. 71.67 (4).

(4m) Carry over of prize money. The board commission may carry over unexpended lottery prize money that is not unclaimed lottery prize money from one drawing of a game to another drawing of the same game.

SECTION 1113t. 565.30 (5) of the statutes is amended to read:

565.30 (5) Withholding of delinquent state taxes, child support or debts owed the state. The executive director administrator shall report the name, address and social security number of each winner of a lottery prize equal to or greater than $1,000 to the department of revenue to determine whether the payee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court-ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of health and social services under s. 46.255 (2) whether any person named in the report is currently delinquent in court-ordered payment of child support and shall next certify to the executive director administrator whether any person named in the report is delinquent in court-ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the executive director administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. At the time of remittance, the department of revenue shall charge its administrative expenses to the state agency that has received the remittance. The administrative expenses received by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee of the prize is delinquent both in payments for state taxes and in court-ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee.

SECTION 1113u. 565.30 (5m) of the statutes is amended to read:

565.30 (5m) Withholding of child support, spousal support, maintenance or family support. The executive director administrator shall report to the department of health and social services the name, address and social security number of each winner of a lottery prize that is payable in installments. Upon receipt of the report, the department of health and social services shall certify to the executive director administrator whether any payee named in the report is obligated to provide child support, spousal support, maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261 or 948.22 (7) and the amount required to be withheld from the lottery prize under s. 767.265. The executive director administrator shall withhold the certified amount from each payment made to the winner and remit the certified amount to the department of health and social services.

SECTION 1113v. 565.32 (1) of the statutes is amended to read:

565.32 (1) Promotional advertising prohibition. The expenditure by the board commission or any other state agency of public funds or of revenues derived from lottery operations to engage in promotional advertising of the state lottery or any multistate lottery is prohibited.

SECTION 1113w. 565.32 (3) (a) (intro.) of the statutes is amended to read:

565.32 (3) (a) (intro.) Any advertising, as defined by the board commission by rule under s. 565.02 (3) (f), of the lottery which describes a specific lottery game and each lottery ticket and lottery share shall include:

SECTION 1113x. 565.37 of the statutes is amended to read:

565.37 Audits, financial reports and odds verification. (1) Financial and performance audits. The board commission shall annually contract with the legislative audit bureau to conduct a financial audit of the transactions and accounts of the state lottery, and, to the extent of the board’s commission’s participation, of any multistate lotteries in which the state participates, for the preceding fiscal year and shall biennially contract with the legislative audit bureau for a performance audit of the state lottery and, to the extent of the board’s commission’s participation, of those multistate lotteries.

(2) Independent postaudit. At no less than 3-year intervals, the board commission may retain an independent certified public accountant to conduct a postaudit of all the board’s lottery division’s accounts and transactions. The board commission shall provide copies of each such postaudit to the legislative audit bureau and the department of justice.
(3) (title) COMMISSION REPORT. The board commission shall submit quarterly reports on the operation of the lottery to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2) and to the governor, attorney general, state treasurer, secretary of state and state auditor.

(4) (title) ADMINISTRATOR REPORT. The executive director administrator shall submit monthly financial reports to the board commission.

(5) VERIFICATION OF ODDS. The board commission shall contract with the legislative audit bureau to verify the odds on winning a lottery game that are represented by the board commission, a contractor or a retailer.

(6) AUDIT OF LOTTERY SECURITY. By July 1, 1990, and at least biennially thereafter, the board commission shall hire an independent firm to perform an audit of lottery security that is independent of any other audit under this section.

SECTION 1113y. 565.40 (1) of the statutes is amended to read:

565.40 (1) INVESTIGATIONS. The department of justice may investigate any activities by the board commission, vendors, or lottery division employees, including the executive director administrator, which affect the operation or administration of the state lottery or any multistate lottery in which the state participates, and shall report suspected violations of state or federal law to the appropriate prosecuting authority.

SECTION 1113ym. 565.45 of the statutes is amended to read:

565.45 Report on expense limitation. Before January 1, 1992, and every 2 years thereafter, the board commission shall submit a report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), on the effects on the operation of the lottery of the 15% expense limitation under s. 25.75 (3) (b).

SECTION 1113z. 565.46 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

565.46 Minority advertising, procurements, retailers and hiring. The board commission shall promulgate rules establishing goals that attempt to increase the total amount of expenditures by the board commission for advertising, public relations and other procurements that are directed to minority businesses, the number of retailers that are minority businesses and the number of employees of the board lottery division who are minority group members.

SECTION 1114r. Chapter 569 of the statutes is created to read:

CHAPTER 569

INDIAN GAMING

569.02 Indian gaming. Under the direction of the commission, the separate subunit established in the commission under s. 561.14 shall do all of the following:

(1) Coordinate all of the state's regulatory activities regarding Indian gaming.

(2) Function as an Indian gaming liaison between Indians, the general public and the state.

(3) Function as a clearinghouse for information on Indian gaming.

(4) Assist the governor in determining the types of gaming that may be conducted on Indian lands and in entering into compacts under s. 14.035.

SECTION 1116. 601.465 of the statutes is created to read:

601.465 Nondisclosure of information. The office may refuse to disclose and may prevent any other person from disclosing any of the following:

(1) Testimony, reports, records and information that are obtained, produced or created in the course of an inquiry under s. 601.42.

(2) Except as provided in s. 601.44 (6) to (10), testimony, reports, records and information that are obtained, produced or created in the course of an examination under s. 601.43.

(3) Testimony, reports, records and information that are obtained by the office from any of the following, under a pledge of confidentiality or for the purpose of assisting in the conduct of an investigation or examination:

(a) The national association of insurance commissioners.

(b) An agent or employee of the national association of insurance commissioners.

(c) The insurance commissioner of another state.

(d) An agent or employee of the insurance commissioner of another state.

SECTION 1117g. 605.35 of the statutes is created to read:

605.35 Loan to general fund. On or before June 30, 1992, the property fund shall make a loan of $10,000,000 to the general fund. The loan shall reduce the principal balance of the average rate earned by the debt on the deposits in public deposits during the period of the loan. The general fund shall repay the loan on a bond installment plan of $2,000,000 per year plus interest on the unpaid balance at a rate of 5%.

SECTION 1118p. 619.10 (1m) of the statutes is amended to read:

619.10 (1m) “Alternative plan” means a health maintenance organization, as defined in s. 609.01 (2), or a preferred provider plan, as defined in s. 609.01 (4).

SECTION 1118p. 619.10 (1m) of the statutes is created to read:

619.10 (1m) “Alternative plan” means a health maintenance organization, as defined in s. 609.01 (2), or a preferred provider plan, as defined in s. 609.01 (4).
619.14 (3) COVERED EXPENSES. (intro.) Except as restricted by cost containment provisions under s. 619.17 (4) and except as reduced by the board under s. 619.15 (3) (e), covered expenses shall be the usual and customary charges for the services provided by persons licensed under ch. 446. Except as restricted by cost containment provisions under s. 619.17 (4) and except as reduced by the board under s. 619.15 (3) (e), covered expenses shall also be the usual and customary charges for the following services and articles when prescribed by a physician licensed under ch. 448 or in another state:

SECTION 1118rc. 619.14 (5) (d) of the statutes is created to read:

619.14 (5) (d) Notwithstanding pars. (a) to (c), the board may establish different deductible amounts, a different coinsurance percentage and different covered costs and deductible aggregate amounts from those specified in pars. (a) to (c) in accordance with cost containment provisions established by the commissioner under s. 619.17 (4) (a) and for individuals who enroll in an alternative plan under s. 619.145.

SECTION 1118rd. 619.145 of the statutes is created to read:

619.145 Alternative plans. (1) The board may offer to persons eligible for coverage under s. 619.12 the opportunity to enroll, on a voluntary basis, in an alternative plan that uses managed care and that the commissioner determines provides benefits that are substantially equivalent to or greater than the benefits provided under the plan. A person who enrolls in an alternative plan under this section is ineligible for coverage under the plan for 12 months after enrolling in the alternative plan.

(2) An alternative plan that provides coverage under this section to persons eligible for coverage under s. 619.12 may limit the number of such persons who may enroll in the alternative plan. Any such enrollment limitation may not be based on medical underwriting considerations.

(3) An alternative plan that provides coverage under this section to persons eligible for coverage under s. 619.12 shall contract with the board to provide such coverage. The contract shall specify all of the following:

(a) Notwithstanding s. 619.14, the benefits provided under the alternative plan.

(b) Requirements for managed care and marketing practices.

(c) Grievance procedures for persons with coverage under the alternative plan.

(d) The payment of fees or premiums to the alternative plan.

(e) Subject to sub. (4), a reduction in the alternative plan’s assessment under s. 619.13 for operating and administrative, but not subsidy, expenses of the plan.

(f) Any other terms that the board considers necessary.
(4) A contract under sub. (3) may not provide for a reduction in the assessment under s. 619.13 against an alternative plan unless the assessment reduction has been adopted by rule under s. 619.15 (4) (c).

SECTION 1118re. 619.15 (3) (e) of the statutes is created to read:

619.15 (3) (e) Establish for payment of covered expenses, a payment rate that is 10% less than the charges approved by the administering carrier for reimbursement of covered expenses under s. 619.14 (3). A provider of a covered service or article may not bill an eligible person who receives the service or article for any amount by which the charge is reduced under this paragraph.

SECTION 1118rf. 619.15 (4) (d) of the statutes is created to read:

619.15 (4) (d) Contract with alternative plans under s. 619.145 (3).

SECTION 1118rg. 619.15 (4) (e) of the statutes is created to read:

619.15 (4) (e) By rule provide for a reduction in the assessment under s. 619.13 against an alternative plan that provides coverage to eligible persons.

SECTION 1118ri. 619.15 (6) (a) of the statutes is amended to read:

619.15 (6) (a) The administering carrier shall perform all necessary functions to assure timely payment or benefits to eligible persons under the plan, including:

SECTION 1118rm. 619.16 (3) (em) of the statutes is created to read:

619.16 (3) (em) The administering carrier shall make any payments required by a contract entered into under s. 619.145 (3).

SECTION 1119. 628.02 (4g) of the statutes is created to read:

628.02 (4g) MANAGING GENERAL AGENT. An intermediary is a managing general agent if the intermediary does all of the following:

(a) Manages all or a portion of the insurance business of an insurer.

(b) Adjusts claims, negotiates reinsurance for the insurer or is affiliated or associated with a person who adjusts claims or negotiates reinsurance for the insurer.

(4m) REINSURANCE BROKER. A person is a reinsurance broker if the person solicits, negotiates or places reinsurance cessions or retrocessions on behalf of a ceding insurer.

(4p) REINSURANCE MANAGER. A person is a reinsurance manager if the person has authority to bind, or manages, all or a portion of the assumed reinsurance business of an insurer.

SECTION 1120. 628.04 (5) of the statutes is created to read:

628.04 (5) MANAGING GENERAL AGENTS AND REINSURANCE BROKERS AND MANAGERS. The commissioner may, by rule, require every managing general agent that is not a natural person, every reinsurance broker and every reinsurance manager to obtain a license in order to do business in this state or with an insurer doing business in this state. The commissioner may, by rule, prescribe classifications for reinsurance brokers and managers, exemptions from the license requirement for managing general agents that are not natural persons, reinsurance brokers and reinsurance managers and grounds for suspension or revocation of a license. The commissioner shall consider the applicable model acts adopted by the national association of insurance commissioners before promulgating rules under this section.

SECTION 1121. 628.49 of the statutes is created to read:

628.49 Regulation of managing general agents, reinsurance brokers and managers and controlling producers. After considering the applicable model acts adopted by the national association of insurance commissioners, the commissioner may promulgate rules that are reasonably necessary to regulate the business practices and transactions of the following:

(1) Managing general agents.

(2) Reinsurance brokers.

(3) Reinsurance managers.

(4) Intermediaries that control an insurer.

SECTION 1121q. 631.89 of the statutes is created to read:

631.89 Restrictions on use of genetic test results. (1) In this section, "genetic test" means a test using deoxyribonucleic acid extracted from an individual's cells in order to determine the presence of a genetic disease or disorder or the individual's predisposition for a particular genetic disease or disorder.

(2) An insurer, or a county, city, village or school board that provides health care services for individuals on a self-insured basis, may not do any of the following:

(a) Require or request directly or indirectly any individual or a member of the individual's family to obtain a genetic test.
(b) Require or request directly or indirectly any individual to reveal whether the individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

(c) Condition the provision of insurance coverage or health care benefits on whether an individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

(d) Consider in the determination of rates or any other aspect of insurance coverage or health care benefits provided to an individual whether an individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

(3) (a) Subsection (2) does not apply to an insurer writing life insurance coverage or income continuation insurance coverage.

(b) An insurer writing life insurance coverage or income continuation insurance coverage that obtains information under sub. (2) (a) or (b) may not do any of the following:

1. Use the information contrary to sub. (2) (c) or (d) in writing a type of insurance coverage other than life or income continuation for the individual or a member of the individual's family.

2. Provide for rates or any other aspect of coverage that is not reasonably related to the risk involved.

SECTION 1122f. 632.87 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

632.87 (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed health care professional on the ground that the services were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, but no contract or plan may exclude services in violation of sub. (2m), (3), (4) or (5).

SECTION 1122fg. 632.87 (3) (a) 2 of the statutes is amended to read:

632.87 (3) (a) 2. Prohibit the application of cost containment or quality assurance measures to chiropractic services in a manner that is consistent with cost containment or quality assurance measures generally applicable to physician services and that is consistent with this section.

SECTION 1122fh. 632.87 (3) (b) and (c) of the statutes are created to read:

632.87 (3) (b) No insurer, under a policy, plan or contract covering diagnosis and treatment of a condition or complaint by a licensed chiropractor within the scope of the chiropractor's professional license, may do any of the following:

1. Restrict or terminate coverage for the treatment of a condition or a complaint by a licensed chiropractor within the scope of the chiropractor's professional license on the basis of an examination, an evaluation or a recommendation other than an examination or evaluation by or a recommendation of a licensed chiropractor or a peer review committee that includes a licensed chiropractor.

2. Refuse to provide coverage to an individual because that individual has been treated by a chiropractor.

3. Establish underwriting standards that are more restrictive for chiropractic care than for care provided by other health care providers.

4. Exclude or restrict health care coverage of a health condition solely because the condition may be treated by a chiropractor.

(c) An exclusion or a restriction that violates par. (b) is void in its entirety.

*SECTION 1122fn. 632.87 (4) of the statutes is created to read:

632.87 (4) No policy, plan or contract may exclude coverage for diagnosis and treatment of a condition or complaint by a licensed dentist within the scope of the dentist's license, if the policy, plan or contract covers diagnosis and treatment of the condition or complaint by another health care provider, as defined in s. 146.81 (1).

* Although Item C-26 of the Governor's veto message includes a reference to SECTION 1122fn, the SECTION is not marked by any veto overlay in the published slip law or in the official copy of the act filed with the Secretary of State.
91 WisAct 269

Vetoed in Part

SECTION 1221. 622.89 (1) (a) of the statutes is amended to read:

622.89 (1) (a) "Partial hospitalization program means a program that provides partial hospitalization services to which there is coverage under sub. (2)."

SECTION 1221m. 622.49 (1) (j) of the statutes is amended to read:

622.49 (1) (j) "Partial hospitalization services means services for the treatment of serious or chronic mental disorders or addiction or other drug abuse disorders that are provided on an inpatient basis for at least 72 consecutive hours in a 24-hour period, without an overnight stay."

SECTION 1222. 622.89 (2) (a) (1) (D) and 1 of the statutes are amended to read:

622.89 (2) (a) (1) (D) Minimum coverage of inpatient hospital, partial hospitalization and outpatient services. Except as provided in sub. 2, if a group or blanket disability insurance policy issued by an insurer provides coverage of inpatient hospital services, partial hospitalization services and outpatient services, the policy shall provide coverage for every policy year as provided in pars. (a) and (b) except that the total coverage under the policy for a policy year need not exceed $7,000 or, if the coverage is provided by a health maintenance organization, as defined in 609.01 (2), the equivalent benefits measured in services rendered.

SECTION 1222m. 622.49 (2) (c) 2. a. of the statutes is amended to read:

622.49 (2) (c) 2. a. The expenses of the first 30 days in an inpatient or as a participant in a partial hospitalization program, except that each 24-hour period in which partial hospitalization services are provided shall be counted as 0.25 day for purposes of this requirement.

SECTION 1223. 622.89 (2) (c) 2. b. of the statutes is amended to read:

622.89 (2) (c) 2. b. The cost $1,500 minus a reimbursement of up to $1,000 for outpatient hospital services, or partial hospitalization services, or if the service is provided by a health maintenance organization, as defined in s. 609.01 (2), in which case the first 30 days of the equivalent benefits measured in services rendered.

Vetoed in Part

SECTION 1223m. 622.49 (2) (c) 3. of the statutes is amended to read:

622.49 (2) (c) 3. No such hospital, and no partial hospitalization service under this subsection is not required under the partial hospitalization services provided by a program that is not covered, and creates a special problem.
SECTION 1143dg. 753.06 (5) (a) of the statutes, as affected by 1991 Wisconsin Act 71, is amended to read:

753.06 (5) (a) Dane county. The circuit has 14 branches. Commencing August 1, 1992, the circuit has 16 branches. Commencing August 1, 1994, the circuit has 17 branches.

SECTION 1143dh. 753.06 (6) (g) of the statutes is amended to read:

753.06 (6) (g) Portage county. The circuit has 2 branches. Commencing August 1, 1994, the circuit has 3 branches.

SECTION 1143di. 753.06 (8) (b) of the statutes is amended to read:

753.06 (8) (b) Door county. The circuit has one branch. Commencing August 1, 1994, the circuit has 2 branches.

SECTION 1143dj. 753.06 (8) (f) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

753.06 (8) (f) Outagamie county. The circuit has 6 branches. Commencing August 1, 1994, the circuit has 7 branches.

SECTION 1143dk. 753.06 (10) (g) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

753.06 (10) (g) Eau Claire county. The circuit has 4 branches. Commencing August 1, 1994, the circuit has 5 branches.

SECTION 1143dm. 753.06 (10) (k) of the statutes is amended to read:

753.06 (10) (k) St. Croix county. The circuit has 2 branches. Commencing August 1, 1994, the circuit has 3 branches.

SECTION 1143df. 753.06 (4) (d) of the statutes is amended to read:

753.06 (4) (d) Sheboygan county. The circuit has 4 branches. Commencing August 1, 1994, the circuit has 5 branches.

SECTION 1143dc. 753.06 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

753.06 (1) (a) Milwaukee county. The circuit has 41 branches. Commencing August 1, 1991, the circuit has 42 branches. Commencing August 1, 1992, the circuit has 45 branches. Commencing August 1, 1994, the circuit has 46 branches.

SECTION 1143de. 753.06 (2) (a) and (b) of the statutes are amended to read:

753.06 (2) (a) Kenosha county. The circuit has 6 branches. Commencing August 1, 1994, the circuit has 7 branches.

(b) Racine county. The circuit has 8 branches. Commencing August 1, 1991, the circuit has 9 branches. Commencing August 1, 1994, the circuit has 10 branches.

SECTION 1143df. 753.06 (4) (d) of the statutes is amended to read:

753.06 (4) (d) Sheboygan county. The circuit has 4 branches. Commencing August 1, 1994, the circuit has 5 branches.
municipal, or other Wisconsin governmental retirement funds received by him or her during any one calendar year shall not exceed the yearly compensation of a circuit judge. The per diem compensation and actual and necessary expenses shall be paid from the appropriation under s. 20.625 (1) (a) when the judge is assigned to a circuit court and from the appropriation under s. 20.660 (1) (a) when the judge is assigned to the court of appeals.

SECTION 1145b. 757.69 (3) (e) of the statutes is amended to read:

757.69 (3) (e) Issue subpoenas returnable before a judge on behalf of the Wisconsin department of justice for antitrust violations under s. 133.11 (1) or violations of ss. 463.02 to 463.80 563.02 to 563.80 under s. 463.74 563.71 (1).

SECTION 1145c. 757.81 (2) of the statutes is created to read:

757.81 (2) “Court commissioner” means a court commissioner under s. 757.68, a family court commissioner under s. 767.13, a juvenile court commissioner under s. 48.065 and a probate court commissioner under s. 757.72.

SECTION 1145e. 757.81 (6) of the statutes is amended to read:

757.81 (6) “Permanent disability” means a physical or mental incapacity which impairs the ability of a judge or court commissioner to substantially perform the duties of his or her judicial office and which is or is likely to be of a permanent or continuing nature.

SECTION 1145f. 757.83 (1) (a) of the statutes is amended to read:

757.83 (1) (a) There is created a judicial commission of 9 members: 5 nonlawyers nominated by the governor and appointed with the advice and consent of the senate; one trial judge of a court of record and one court of appeals judge appointed by the supreme court; and 2 members of the state bar of Wisconsin, who are not judges or court commissioners, appointed by the supreme court. The commission shall elect one of its members as chairperson.

SECTION 1145g. 757.85 (1) (a) of the statutes is amended to read:

757.85 (1) (a) The commission shall investigate any possible misconduct or permanent disability of a judge or court commissioner. Misconduct constitutes cause under article VII, section 11, of the constitution. Except as provided in par. (b), judges, court commissioners, clerks, court reporters, court employees and attorneys shall comply with requests by the commission for information, documents and other materials relating to an investigation under this section.

SECTION 1145i. 757.85 (1) (b) of the statutes is amended to read:

757.85 (1) (b) The judge or court commissioner who is under investigation is not subject to the request procedure under par. (a) but is subject to the subpoena procedure under sub. (2).

SECTION 1145k. 757.85 (3) to (5) of the statutes are amended to read:

757.85 (3) The commission may notify a judge or court commissioner that the commission is investigating possible misconduct by or permanent disability of the judge or court commissioner. Before finding probable cause, the commission shall notify the judge or court commissioner of the substance of the complaint or petition and afford the judge or court commissioner a reasonable opportunity to respond. If the judge or court commissioner responds, the commission shall consider the response before it finds probable cause.

(4) The commission may require a judge or court commissioner who is under investigation for permanent disability to submit to a medical examination arranged by the commission.

(5) The commission shall, upon a finding of probable cause that a judge or court commissioner has engaged or is engaging in misconduct, file a formal complaint with the supreme court. Upon a finding of probable cause that a judge or court commissioner has a permanent disability, the commission shall file a petition with the supreme court. If the commission requests a jury under s. 757.87 (1), the request shall be attached to the formal complaint or the petition.

SECTION 1145m. 757.87 (1) of the statutes is amended to read:

757.87 (1) After the commission has found probable cause that a judge or court commissioner has engaged in misconduct or has a permanent disability, and before the commission files a formal complaint or a petition under s. 757.85 (5), the commission may, by a majority of its total membership not disqualified from voting, request a jury hearing. If a jury is not requested, the matter shall be heard by a panel constituted under sub. (3). The vote of each member on the question of a jury request shall be recorded and shall be available for public inspection under s. 19.35 after the formal complaint or the petition is filed.

SECTION 1145p. 757.89 of the statutes is amended to read:

757.89 Hearing. A record shall be kept of any hearing on a formal complaint or a petition. The allegations of the complaint or petition must be proven to a reasonable certainty by evidence that is clear, satisfactory and convincing. The hearing shall be held in the county where the judge or court commissioner resides unless the presiding judge changes venue for cause shown or unless the parties otherwise agree. If the hearing is by a panel, the panel shall make findings of fact, conclusions of law and recommendations regarding appropriate discipline for misconduct or appropriate action for permanent disability and file the findings, conclusions and recommendations with the supreme court. If a jury hearing is requested under s. 757.87 (1), the presiding judge shall instruct the jury regarding the law applicable to judicial misconduct or permanent disability, as appropriate. The presiding
judge shall file the jury verdict and his or her recommendations regarding appropriate discipline for misconduct or appropriate action for permanent disability with the supreme court.

SECTION 1145r. 757.93 (1) of the statutes is amended to read:

757.93 (1) (a) All proceedings under ss. 757.81 to 757.99 relating to misconduct or permanent disability prior to the filing of a petition or formal complaint by the commission are confidential unless a judge or court commissioner waives the right to confidentiality in writing to the commission. Any such waiver does not affect the confidentiality of the identity of a person providing information under par. (b).

(b) Any person who provides information to the commission concerning possible misconduct or permanent disability may request that the commission not disclose his or her identity to the judge or court commissioner prior to the filing of a petition or a formal complaint by the commission.

SECTION 1145s. 757.93 (2) of the statutes is amended to read:

757.93 (2) If prior to the filing of a formal complaint or a petition an investigation of possible misconduct or permanent disability becomes known to the public, the commission may issue statements in order to confirm the pendency of the investigation, to clarify the procedural aspects of the disciplinary proceedings, to explain the right of the judge or court commissioner to a fair hearing without prejudgment, to state that the judge or court commissioner denies the allegations, to state that an investigation has been completed and no probable cause was found or to correct public misinformation.

SECTION 1145t. 757.93 (4) (a) of the statutes is amended to read:

757.93 (4) (a) Referring to the director of state courts information relating to an alleged delay or an alleged temporary disability of a judge or court commissioner.

SECTION 1145w. 757.95 of the statutes is amended to read:

757.95 Temporary suspension by supreme court. The supreme court may, following the filing of a formal complaint or a petition by the commission, prohibit a judge or court commissioner from exercising the powers of a judge or court commissioner pending final determination of the proceedings.

SECTION 1145x. 757.97 of the statutes is amended to read:

757.97 Annual report. The commission shall issue an annual report on or before April 1 of each year which provides information on the number and nature of complaints received and their disposition, and the nature of actions it has taken privately concerning the conduct of judges or court commissioner. Information contained in the annual report shall be presented in a manner consistent with the confidentiality requirements under s. 757.93. The report shall be filed with the chief justice of the supreme court, the governor and the presiding officers of the senate and the assembly.

SECTION 1145y. 757.99 of the statutes is amended to read:

757.99 Attorney fees. A judge or court commissioner against whom a petition alleging permanent disability is filed by the commission shall be reimbursed for reasonable attorney fees if the judge or court commissioner is found not to have a permanent disability. A judge or court commissioner against whom a formal complaint alleging misconduct is filed by the commission and who is found not to have engaged in misconduct may be reimbursed for reasonable attorney fees. Any judge or court commissioner seeking recovery of attorney fees authorized or required under this section shall file a claim with the claims board under s. 16.53.

SECTION 1145v. 757.95 of the statutes is amended to read:

757.95 Temporary suspension by supreme court. The supreme court may, following the filing of a formal complaint or a petition by the commission, prohibit a judge or court commissioner from exercising the powers of a judge or court commissioner pending final determination of the proceedings.

SECTION 1145x. 757.97 of the statutes is amended to read:

757.97 Annual report. The commission shall issue an annual report on or before April 1 of each year which provides information on the number and nature of complaints received and their disposition, and the nature of actions it has taken privately concerning the conduct of judges or court commissioner. Information contained in the annual report shall be presented in a manner consistent with the confidentiality requirements under s. 757.93. The report shall be filed with the chief justice of the supreme court, the governor and the presiding officers of the senate and the assembly.

SECTION 1145y. 757.99 of the statutes is amended to read:

757.99 Attorney fees. A judge or court commissioner against whom a petition alleging permanent disability is filed by the commission shall be reimbursed for reasonable attorney fees if the judge or court commissioner is found not to have a permanent disability. A judge or court commissioner against whom a formal complaint alleging misconduct is filed by the commission and who is found not to have engaged in misconduct may be reimbursed for reasonable attorney fees. Any judge or court commissioner seeking recovery of attorney fees authorized or required under this section shall file a claim with the claims board under s. 16.53.

SECTION 1145v. 757.95 of the statutes is amended to read:

757.95 Temporary suspension by supreme court. The supreme court may, following the filing of a formal complaint or a petition by the commission, prohibit a judge or court commissioner from exercising the powers of a judge or court commissioner pending final determination of the proceedings.

SECTION 1145x. 757.97 of the statutes is amended to read:

757.97 Annual report. The commission shall issue an annual report on or before April 1 of each year which provides information on the number and nature of complaints received and their disposition, and the nature of actions it has taken privately concerning the conduct of judges or court commissioner. Information contained in the annual report shall be presented in a manner consistent with the confidentiality requirements under s. 757.93. The report shall be filed
SECTION 1146cm. 765.15 of the statutes is amended to read:

765.15 Fee to county clerk. Each county clerk shall receive as a fee for each license granted the sum of $29.50 $49.50, of which $4.50 $24.50 shall become a part of the funds of the county, and $25 shall be paid into the state treasury. The county shall use $20 of the amount that it retains from each license fee only for expenses incurred under s. 767.11. Each county board may increase the license fee of $29.50 $49.50 by any amount, which amount shall become a part of the funds of the county. The clerk shall also receive a standard notary fee of 50 cents for each license granted which may be retained by him or her if operating on a fee or part fee basis, but which otherwise shall become part of the funds of the county.

SECTION 1146dm. 767.11 (12) (a) of the statutes is amended to read:

767.11 (12) (a) Any agreement which resolves issues of legal custody or periods of physical placement between the parties reached as a result of mediation under this section shall be prepared in writing, reviewed by the attorney, if any, for each party and by any appointed guardian ad litem, and submitted to the court to be included in the court order as a stipulation. Any reviewing attorney or guardian ad litem shall certify on the mediation agreement that he or she reviewed it and the guardian ad litem, if any, shall comment on the agreement based on the best interest of the child. The mediator shall certify that the written mediation agreement is in the best interest of the child based on the information presented to the mediator and accurately reflects the agreement made between the parties. The court may approve or reject the agreement, based on the best interest of the child. The court shall state in writing its reasons for rejecting an agreement.

SECTION 1148m. 767.327 (3) (b) 2 of the statutes is amended to read:

767.327 (3) (b) 2. Under this paragraph, the burden of proof is on the parent filing the petition or motion or order to show cause.
Vetoed in Part

799.209 (2) The proceedings shall not be governed by the common law or statutory rules of evidence except those relating to privileges under ch. 905 or to admissibility under s. 901.05. The court or court commissioner shall admit all other evidence having reasonable probative value, but may exclude irrelevant or repetitious evidence or arguments. An essential finding of fact may not be based solely on a declarant’s oral hearsay statement unless it would be admissible under the rules of evidence.

SECTION 1156m. 814.61 (5) (b) of the statutes is amended to read:

814.61 (5) (b) Filing and docketing judgments, transcripts of judgments, liens, warrants and awards, including filing and docketing assignments or satisfactions of judgments, liens or warrants, except as provided in par. (e) and withdrawals, satisfactions and voidances of tax warrants under s. 71.91 (5) (g).

SECTION 1156p. 814.61 (5) (c) of the statutes is repealed.

SECTION 1156q. 814.61 (7) (b) of the statutes is amended to read:

814.61 (7) (b) Upon the filing of any petition, motion or order to show cause by either party under s. 767.325 or 767.327, $50. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 25% to the state treasurer for deposit in the general fund, retain 25% for the use of the county and deposit 50% in a separate account to be used by the county exclusively for the purposes specified in s. 767.11.

SECTION 1156qm. 814.61 (12) (b) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

814.61 (12) (b) Maintenance payments and support. (intro.) For receiving and disbursing money deposited as payment for maintenance payments, child support or family support payments, under interim or final orders in an action affecting the family, and for maintaining the records required under s. 59.39 (9m), an annual fee of up to $25 to be paid by each party ordered to make payments. The court shall order each party ordered to make payments to pay the annual fee for each order at the time of, and in addition to, the first payment to the clerk in each year for which payments are ordered. At the time of ordering the payment of an annual fee, the court shall notify each party ordered to make payments of the requirement to pay the annual fee for each order and of the amount of the annual fee. If the annual fee is not paid when due, the clerk shall not deduct the annual fee from the maintenance or support payment, but:

SECTION 1156r. 814.615 (1) (a) 2. of the statutes are amended to read:

814.615 (1) (a) 2. For all mediation provided after the first session mediation described under subd. 1, a single fee of $100 $200, regardless of the number of mediation sessions held.
Vetoed in Part

SECTION 1157m. 814.615 (2) of the statutes is amended to read:

814.615 (2) In lieu of the fees fee under sub. (1) (a) 2 or 3, a county may establish a fee schedule to recover its reasonable costs of providing family court counseling services under s. 767.11. The fee schedule established under this subsection may apply in lieu of the fee under sub. (1) (a) 2 or 3 or both, and shall require no fee for the first mediation session conducted upon referral under s. 767.11 (5); provide for payment for any other services based on the parties' ability to pay; and take into account the fees the county collects under s. 814.61 (1) (b) and (7) (b). Fees shall be based on services actually provided. The county may not collect a single fee applicable without regard to the number of sessions or services provided. Subject to sub. (3), the county shall provide family court counseling services to the parties even if both parties are unable to pay.

SECTION 1158. 823.085 of the statutes is created to read:

823.085 Actions against owners or operators of solid waste facilities. (1) In this section, "solid waste facility" has the meaning given in s. 144.43 (5).

(2) In any action finding a solid waste facility or the operation of a solid waste facility to be a public or private nuisance, if the solid waste facility was licensed under s. 144.44 (4) (a) and was operated in substantial compliance with the license, the plan of operation for the solid waste facility approved by the department of natural resources and the rules promulgated under s. 144.435 (1) that apply to the facility, then all of the following apply:

(a) Notwithstanding s. 823.03, the court may not order closure of the solid waste facility or substantial restriction in the operation of the solid waste facility unless the court determines that the continued operation of the solid waste facility is a threat to public health and safety.

(b) The department of natural resources shall comply with a request by the court to provide suggestions for practices to reduce the offensive aspects of the nuisance.

(c) The amount recovered by any person for damage to real property may not exceed the value of the real property as of the date that the solid waste facility began operation increased by 8% per year.

(d) Punitive damages may not be awarded.

SECTION 1158m. 857.035 of the statutes is created to read:

857.035 Disposition of patient health care records. If the decedent was a health care provider, as defined under s. 146.81 (1), who was an independent practitioner, the personal representative shall comply with s. 146.819.
A volunteer health care provider who provides services under s. 146.89.

SECTION 1161 gd. 895.46 (5) (b) of the statutes is created to read:

895.46 (5) (b) A physician under s. 140.05 (16) (fm) 2.

SECTION 1161m. 895.54 of the statutes is created to read:

895.54 Liability exemption; notification of release. A person is immune from any liability regarding any act or omission regarding the notification of any applicable office or person under s. 51.37 (10), 304.06 (1) or 971.17 (4m) or (6m). This section does not apply to wilful or wanton acts or omissions.

SECTION 1161p. 895.57 (3) of the statutes, as created by 1991 Wisconsin Act 20, is amended to read:

895.57 (3) Subsection (2) does not apply to any humane officer, local health officer, peace officer, employe of the department of natural resources while on any land licensed under s. 29.52, 29.573, 29.574, 29.575 or 29.578 or designated as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture, trade and consumer protection if the officer's or employe's acts are in good faith and in an apparently authorized and reasonable fulfillment of his or her duties.

SECTION 1161 up. 901.05 (3) of the statutes is amended to read:

901.05 (3) (c) 3. If upon a properly authorized request of an attorney, the health care provider refuses, fails or neglects to supply within 2 business days a legible certified duplicate of its records at a rate of $5 per request or 10 cents per page and $2 per X-ray copy, whichever is greater for the fees established under par. (d).

SECTION 1163am. 908.03 (6m) (d) of the statutes is created to read:

908.03 (6m) (d) Fees. The department of health and social services shall, by rule, prescribe uniform fees based on an approximation of the actual costs that a health care provider may charge under par. (c) 3 for certified duplicate health care records. The rule shall also allow the health care provider to charge for postage or other delivery costs.

SECTION 1163g. 911.01 (4) (intro.) of the statutes is amended to read:

911.01 (4) RULES OF EVIDENCE INAPPLICABLE. (intro.) Chapters 901 to 911 (other than ch. 905 with respect to privileges) or s. 901.05 with respect to admissibility, do not apply in the following situations:

SECTION 1163m. 939.74 (2) (c) of the statutes is amended to read:

939.74 (2) (c) A prosecution for violation of s. 948.02, 948.03, 948.04, 948.05, 948.06, 948.07 or 948.08 may be commenced within the time period specified in sub. (1) or by the time the victim reaches the age of 21 years, whichever is later.
SECTION 1182m. 950.045 of the statutes is amended to read:

950.045 (title) Victims; application for parole or pardon; releases. Victims of crimes have the right to provide written statements concerning parole applications under s. 304.06 (1) (e) and to provide written statements concerning pardon applications under s. 304.10 (2). Victims of crimes have the right to be notified by district attorneys under s. 971.17 (4m) regarding conditional releases under s. 971.17.

SECTION 1182q. 968.34 (2m) of the statutes is created to read:

968.34 (2m) The prohibition of sub. (1) does not apply to a telephone caller identification service authorized under s. 196.207 (2).

SECTION 1182r. 968.38 of the statutes is created to read:

968.38 Testing for HIV infection and certain diseases. (1) In this section:

(a) "Health care professional" means a physician or a registered nurse or licensed practical nurse who is licensed under ch. 441.

(b) "HIV" means any strain of human immunodeficiency virus, which causes acquired immunodeficiency syndrome.

(bm) "Physician" has the meaning given in s. 448.01 (5).

(c) "Sexually transmitted disease" has the meaning given in s. 143.07 (1).

(d) "Significantly exposed" has the meaning given in s. 146.025 (1) (cm).

(2) In a criminal action under s. 940.225, 948.02, 948.05 or 948.06, if all of the following apply, the district attorney shall apply to the circuit court for his or her county to order the defendant to submit to a test or a series of tests administered by a health care professional to detect the presence of HIV, antigen or nonantigenic products of HIV, an antibody to HIV or a sexually transmitted disease and to disclose the results of the test or tests as specified in sub. (4) (a) to (c):

(a) The district attorney has probable cause to believe that the defendant has significantly exposed the alleged victim or victim.

(b) The alleged victim or victim who is not a minor or the parent or guardian of the alleged victim or vic-
(3) The district attorney may apply under sub. (2) for an order at any of the following times, and, within those times, shall do so as soon as possible so as to enable the court to provide timely notice:

(a) At or after the initial appearance and prior to the preliminary examination.

(b) If the defendant waives the preliminary examination, at any time after the court binds the defendant over for trial and before a verdict is rendered.

(c) If the defendant is convicted, before 53 days after conviction.

(4) The court shall set a time for a hearing on the matter under sub. (2) during the preliminary examination, if sub. (3) (a) applies; after the defendant is bound over for trial and before a verdict is rendered, if sub. (3) (b) applies; or before 60 days after conviction, if sub. (3) (c) applies. The court shall give the district attorney and the defendant notice of the hearing at least 72 hours prior to the hearing. The defendant may have counsel at the hearing, and counsel may examine and cross-examine witnesses. If the court finds probable cause to believe that the defendant has significantly exposed the victim or alleged victim, the court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department of health and social services shall submit to the court a written statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within 48 hours after the detention. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. The notification requirement under this paragraph does not apply if a municipal department or county sheriff submits to the court a written statement waiving the right to be notified. If the department of health and social services alleges that a released person has violated any condition or rule, or that the safety of the person or others requires that conditional release be revoked, he or she may be taken into custody under the rules of the department. The department of health and social services shall submit a statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within 48 hours after the detention. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department of health and social services may detain the person in a jail or in a hospital, center or facility specified by s. 971.17 (3) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

971.17 (3) (e) An order for conditional release places the person in the custody and control of the department of health and social services. A conditionally released person is subject to the conditions set by the court and to the conditions of the department of health and social services. Before a person is conditionally released by the court under this subsection, the court shall so notify the municipal police department and county sheriff for the area where the person will be residing. The notification requirement under this paragraph does not apply if a municipal department or county sheriff submits to the court a written statement waiving the right to be notified. If the department of health and social services alleges that a released person has violated any condition or rule, or that the safety of the person or others requires that conditional release be revoked, he or she may be taken into custody under the rules of the department. The department of health and social services shall submit a statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within 48 hours after the detention. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department of health and social services may detain the person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked, it may revoke the order for conditional release and order that the released person be placed in an appropriate institution under s. 51.37 (3) until the expiration of the commitment or until again conditionally released under this section.

SECTION 1183g. 971.17 (4m) of the statutes is amended to read:

971.17 (4m) NOTICE TO VICTIMS ABOUT CONDITIONAL RELEASE. (a) In this subsection:
1. “Crime” has the meaning designated in s. 949.01 (1).
2. “Member of the family” means spouse, child, sibling, parent or legal guardian.
3. “Victim” means a person against whom a crime has been committed.

(b) If the court conditionally releases a defendant under this section, the district attorney shall notify the following person, if he or she can be found, in accordance with par. (c): the victim of the crime committed by the defendant, or, if the victim died as a result of the crime, an adult member of the victim’s family or, if the victim is younger than 18 years old, the victim’s parent or legal guardian.

(c) The notice under par. (b) shall inform the person under par. (b) of the defendant’s name and conditional release date. The district attorney shall send the notice, postmarked no later than 7 days after the court orders the conditional release under this section, to the last-known address of the person under par. (b).

(d) Upon request, the department of health and social services shall assist district attorneys in obtaining information regarding persons specified in par. (b).

SECTION 1183m. 971.17 (6m) of the statutes is created to read:
971.17 (6m) NOTICE TO VICTIMS ABOUT TERMINATION OR DISCHARGE. (a) In this subsection:
1. “Crime” has the meaning designated in s. 949.01 (1).
2. “Member of the family” means spouse, child, sibling, parent or legal guardian.
3. “Victim” means a person against whom a crime has been committed.

(b) If the court orders that the defendant’s commitment is terminated under sub. (5) or that the defendant be discharged under sub. (6), the department of health and social services shall notify the victim of the crime committed by the defendant, or, if the victim died as a result of the crime, an adult member of the victim’s family or, if the victim is younger than 18 years old, the victim’s parent or legal guardian, after the submission of a card under par. (d) requesting notification.

(c) The notice under par. (b) shall inform the person under par. (b) of the defendant’s name and termination or discharge date. The department of health and social services shall send the notice, postmarked at least 7 days before the defendant’s termination or discharge date, to the last-known address of the person under par. (b).

(d) The department of health and social services shall design and prepare cards for persons specified in par. (b) to send to the department. The cards shall have space for these persons to provide their names and addresses, the name of the applicable defendant and any other information the department determines is necessary. The department shall provide the cards, without charge, to district attorneys. District attor-
state public defender to retain an investigator or expert.

(b) An authorization under par. (a) shall state a maximum amount that may be reimbursed, and the state public defender may not pay more than that amount except as allowed under the rules promulgated under s. 977.03 (2).

Vetoed

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (20) is repealed.

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (22g) is amended to read:

[1991 Wisconsin Act 39] Section 9108 (22g) ENVIRONMENTAL HEALTH LABORATORY AT UNIVERSITY OF WISCONSIN-SUPERIOR. Notwithstanding section 20.924 (1) of the statutes, the building commission, with the approval of the joint committee on finance, may no later than June 30, 1993, authorize construction of an environmental health laboratory at the university of Wisconsin-Superior without enumeration of the project in the authorized state building program. The board of regents of the university of Wisconsin system shall allocate $250,000 from the appropriation under section 20.285 (1) (a) of the statutes for this project in fiscal year 1991-92. The remainder of the funds are authorized to be provided from other state government, federal or local government or private sources.

Vetoed

SECRETARY OF IN Part administration shall transmit the report to the chairperson of the joint committee on finance and to the chairperson of the joint committee on the floor of the legislature in the manner provided in section 13.172 (2) of the statutes no later than January 1, 1994.

Vetoed

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (20) is repealed.

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (22g) is amended to read:

[1991 Wisconsin Act 39] Section 9108 (22g) ENVIRONMENTAL HEALTH LABORATORY AT UNIVERSITY OF WISCONSIN-SUPERIOR. Notwithstanding section 20.924 (1) of the statutes, the building commission, with the approval of the joint committee on finance, may no later than June 30, 1993, authorize construction of an environmental health laboratory at the university of Wisconsin-Superior without enumeration of the project in the authorized state building program. The board of regents of the university of Wisconsin system shall allocate $250,000 from the appropriation under section 20.285 (1) (a) of the statutes for this project in fiscal year 1991-92. The commission shall not authorize construction unless sufficient federal and local government funds are received to finance the remainder of the cost of funding for the project may be provided from other state government, federal or local government or private sources.

Vetoed

SECRETARY OF IN Part administration shall transmit the report to the chairperson of the joint committee on finance and to the chairperson of the joint committee on the floor of the legislature in the manner provided in section 13.172 (2) of the statutes no later than January 1, 1994.

Vetoed

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (20) is repealed.

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (22g) is amended to read:

[1991 Wisconsin Act 39] Section 9108 (22g) ENVIRONMENTAL HEALTH LABORATORY AT UNIVERSITY OF WISCONSIN-SUPERIOR. Notwithstanding section 20.924 (1) of the statutes, the building commission, with the approval of the joint committee on finance, may no later than June 30, 1993, authorize construction of an environmental health laboratory at the university of Wisconsin-Superior without enumeration of the project in the authorized state building program. The board of regents of the university of Wisconsin system shall allocate $250,000 from the appropriation under section 20.285 (1) (a) of the statutes for this project in fiscal year 1991-92. The commission shall not authorize construction unless sufficient federal and local government funds are received to finance the remainder of the cost of funding for the project may be provided from other state government, federal or local government or private sources.

Vetoed

SECRETARY OF IN Part administration shall transmit the report to the chairperson of the joint committee on finance and to the chairperson of the joint committee on the floor of the legislature in the manner provided in section 13.172 (2) of the statutes no later than January 1, 1994.
[1991 Wisconsin Act 39] Section 9125 (2j) (b) Allocation. Subject to paragraph (h), the department shall allocate the federal child care and development block grant funds received under 42 USC 9835 and appropriated under section 20.435 (7) (o) (md) of the statutes, as affected by this act, that are not allocated for child day care services under section 46.40 (4) (a) 2 of the statutes, as created by this act, as provided in paragraphs (c) to (g) (f).

SECTION 1195h. 1991 Wisconsin Act 39, section 9125 (2j) (c) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (c) Start-up and expansion. For start-up and expansion of child day care services, the department shall allocate $1,590,100 in fiscal year 1991-92 and $1,268,500 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act.

In distributing funds allocated under this paragraph, the department shall give priority to increasing the availability of child care services for infants and to increasing the availability of child day care services in economically depressed urban and rural areas, on federally recognized American Indian reservations and in bureau of Indian affairs service areas for the Winnebago tribe. The department shall attempt to distribute the funds allocated under this paragraph equally among head start agencies designated under 42 USC 9836, employers that provide or wish to provide child day care services for the children of their employes, family day care centers, group day care centers and day care programs for the children of student parents, but may, after considering proposals from child care providers in each of those categories, distribute the funds allocated under this paragraph in unequal amounts among those categories.

SECTION 1195i. 1991 Wisconsin Act 39, section 9125 (2j) (d) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (d) Resource and referral services. For child day care resource and referral services for parents, the department shall allocate $834,400 in fiscal year 1991-92 and $928,800 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act.

In distributing funds allocated under this paragraph equally among head start agencies designated under 42 USC 9836, employers that provide or wish to provide child day care services for the children of their employes, family day care centers, group day care centers and day care programs for the children of student parents, but may, after considering proposals from child care providers in each of those categories, distribute the funds allocated under this paragraph in unequal amounts among those categories.

SECTION 1195j. 1991 Wisconsin Act 39, section 9125 (2j) (e) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (e) Quality standards. The department shall promulgate rules establishing quality of care standards that are higher than the standards required for licensure under section 48.651 of the statutes for certification under section 48.651 of the statutes. To assist child care providers in meeting the quality of care standards established by rules promulgated under this paragraph and to reimburse, at a rate higher than the rate established under section 46.98 (4) (d) (f) of the statutes, as affected by this act, child care providers that meet those quality of care standards, the department shall allocate $600,000 in fiscal year 1991-92 and $1,200,000 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act.

SECTION 1195k. 1991 Wisconsin Act 39, section 9125 (2j) (f) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (f) Quality improvement. For activities to improve the quality of child care providers in this state and for costs incurred by the department in licensing child care providers under section 48.65 of the statutes, the department shall allocate $730,000 in fiscal year 1991-92 and $822,900 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act.

Quality improvement activities funded under this paragraph may include training for the employees of child care providers and projects to improve the retention of employes of child care providers. The department may expend no more than 50% of the amounts allocated under this paragraph on costs incurred in licensing child care providers under section 48.65 of the statutes.

SECTION 1195l. 1991 Wisconsin Act 39, section 9125 (2j) (g) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (g) Positions. The subject to paragraph (h), the department shall allocate $107,400 in fiscal year 1991-92 and $132,700 in fiscal year 1992-93 from the appropriation under section 20.435 (6) (me) of the statutes, as affected by this act, to increase the authorized FTE positions for the department by 3.0 FED positions for the purposes of providing technical assistance for child care providers and of administering the child care programs funded under section 20.435 (7) (b) and (c) of the statutes, as affected by this act, and under section 20.435 (7) (e) of the statutes, as affected by this act and by 1991 Wisconsin Act 80, as last affected by 1991 Wisconsin Act 39, in fiscal year 1992-93.

SECTION 1195m. 1991 Wisconsin Act 39, section 9125 (2j) (h) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (h) Allocations, approval. Notwithstanding paragraph (b) and (g), the department may allocate more than the amounts specified in paragraphs (c) to (g) for the purposes specified in paragraphs (c) to (g) upon the approval of the joint committee on finance.

SECTION 1196. 1991 Wisconsin Act 39, section 9125 (15f), as last affected by 1991 Wisconsin Act 80, is repealed.
Vetoed in Part

[1991 Wisconsin Act 39] Section 9125 (20g) Community Alcohol and Other Drug Abuse Education. From the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act, the department of health and social services shall allocate to the inner city council on alcoholism $125,000 in each of fiscal years 1991-92 and 1992-93 for the provision of community alcohol and other drug abuse education in the city of Milwaukee.

SECTION 1198. 1991 Wisconsin Act 39, section 9140 (1g) is amended to read:

[1991 Wisconsin Act 39] Section 9140 (1g) Family Practice Residency Program. From the appropriation under section 20.250 (1) (b) of the statutes, the medical college of Wisconsin inc., shall expend $1,000,000 in fiscal year 1991-92 and $1,615,000 in fiscal year 1992-93 for the purpose of maintaining and expanding the current residency sites, supporting community medicine activities and expanding the residency program.

SECTION 1198m. 1991 Wisconsin Act 39, section 9155 (1q) is repealed.

SECTION 1199. 1991 Wisconsin Act 39, section 9160 (lxg) (b), (c) (intro.), (e) and (f) are amended to read:

[1991 Wisconsin Act 39] Section 9160 (lxg) (b) The secretary of administration shall not permit encumbrance of the following amounts from the following appropriations to state agencies in each the 1991-92 fiscal year indicated and shall lapse the amounts to the general fund prior to the end of each that fiscal year:

<table>
<thead>
<tr>
<th>State Agency</th>
<th>Appropriation</th>
<th>Amount of Lapse</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fiscal Year</td>
<td>Fiscal Year</td>
</tr>
<tr>
<td>Board on aging and long-term care</td>
<td>20.432 (1) (a)</td>
<td>$ 6,400</td>
</tr>
<tr>
<td>Employment relations commission</td>
<td>20.425 (1) (a)</td>
<td>$3,200</td>
</tr>
<tr>
<td>Ethics board</td>
<td>20.521 (1) (a)</td>
<td>$33,800</td>
</tr>
<tr>
<td>Judicial council</td>
<td>20.645 (1) (a)</td>
<td>$5,700</td>
</tr>
<tr>
<td>Lower Wisconsin state riverway board</td>
<td>20.360 (1) (a)</td>
<td>$2,700</td>
</tr>
<tr>
<td>Personnel commission</td>
<td>20.547 (1) (a)</td>
<td>$3,100</td>
</tr>
</tbody>
</table>

(c) (intro.) Each of the following state agencies shall report in writing to the Secretary for administration no later than October 1, 1991, for the 1991-92 fiscal year, unless another date is specified by the secretary, and no later than October 1, 1992, for the 1992-93 fiscal year, unless another date is specified by the secretary, concerning its preference for allocation of appropriation reductions between sum certain

Vetoed in Part
appropriations made to the state agency from general purpose revenue for state operations or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, or a combination of both, totaling the following amounts in each fiscal year indicated:

(e) The secretary of administration shall, no later than the end of each the 1991-92 fiscal year specified in paragraph (c), lapse to the general fund from the sum certain appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or shall reestimate from the sum sufficient appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or a combination of both, the specified amounts for each state agency allocated between such appropriations in the manner determined by the secretary.

(f) The secretary of administration shall, no later than the end of each the 1991-92 fiscal year specified in paragraph (c), lapse to the general fund from the sum certain appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or shall reestimate from the sum sufficient appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or a combination of both, the specified amounts for each state agency allocated between such appropriations in the manner determined by the secretary.

SECTION 1200. 1991 Wisconsin Act 39, section 9160 (5xy) is repealed.

SECTION 1201. 1991 Wisconsin Act 39, section 9349 (2x) is repealed.

SECTION 1202. 1991 Wisconsin Act 39, section 9425 (4g) is amended to read:

[1991 Wisconsin Act 39] Section 9425 (4g) MEDICAL ASSISTANCE CARE COORDINATION. The treatment of section 49.46 (2) (b) 12 of the statutes takes effect on July 1, 1992 January 1, 1993.

SECTION 1203am. 1991 Wisconsin Act 39, section 9458 (1) is repealed.

SECTION 1204. 1991 Wisconsin Act 80, section 17 (2) is amended to read:

[1991 Wisconsin Act 80] Section 17 (2) MEDICAL ASSISTANCE PROGRAM. 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 1991, the dollar amount is increased by $767,126,700 $767,122,800 for fiscal year 1992-93 to fund medical assistance program benefits, including an annual increase of 7.4%, 5.3%, in addition to the increase under subsection (1), in the rate of payment, under the medical assistance program, for providers that are ambulatory surgery centers.

SECTION 9101. Nonstatutory provisions; administration.
d. The ability of an individual to request that his or her personal identifiers not be disclosed by an authority under sections 341.08 (1m), 342.06 (1) (i), 343.14 (2m) and 343.51 (1m) of the statutes, as created by this act.

e. The requirement to establish administrative, technical and physical safeguards, as appropriate, to ensure the security of personally identifiable information maintained by authorities and to protect against threats or hazards to the security or integrity of the information that may reasonably be anticipated.

f. The requirement to notify an individual or person authorized by the individual of the reasons for denial of a challenge to the accuracy of a record containing personally identifiable information maintained by the authorities.

3. The need for applying the provisions of subchapter IV of chapter 19 of the statutes, as affected by this act, to persons contracting with state or local government authorities to collect, maintain, use, provide access to, share or archive personally identifiable information on behalf of the authority or to accomplish a function of the authority. The study shall include an analysis of the costs, if any, to authorities of the application of the subchapter to contractors and analyses of any likely effects that the application and nonapplication of the subchapter to contractors has or would have on individuals and authorities, including all of the following:

a. The reliability of personally identifiable information collected, maintained, used, shared or archived by contractors and authorities.

b. The accuracy of decisions made about individuals by contractors or authorities.

c. The protection of personal privacy.

4. The need for and likely effects on individuals and authorities, including costs, of creating a review and appeal process for decisions made by an authority under section 19.365 (1) (b) of the statutes, as affected by this act, that deny the request of an individual or person authorized by the individual to correct personally identifiable information pertaining to the individual.

5. The need for and likely effects on individuals and authorities, including costs, of creating a requirement that an authority which corrects personally identifiable information pursuant to section 19.365 (1) (a) of the statutes, as affected by this act, notify past-known recipients of inaccurate information of the correction.

(c) The privacy advocate shall study the need for and likely effects on individuals, insurers and state and local government agencies, including costs, of limiting the disclosure of patient health care records by persons who obtained the records without informed consent under section 146.82 (2) of the statutes, and of requiring additional specificity in an informed consent for the release of such records under section 146.82 (1) of the statutes.

(d) The privacy advocate shall submit by June 30, 1994, a report on the findings and recommendations of the studies under paragraphs (b) and (c), including any recommendations for legislation, to the governor and chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes.

(2x) PROSECUTION OF DRUG CRIMES. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by 1991 Wisconsin Act 39, and section 20.505 (6) (pb) of the statutes, the department shall expend $75,600 in fiscal year 1992-93 to provide the multi-jurisdictional enforcement group serving Dane county with funding for one additional assistant district attorney, notwithstanding section 978.13 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, to prosecute criminal violations of chapter 161 of the statutes, as affected by 1991 Wisconsin Act 39. The funding is not subject to the grant procedure under section 16.964 (2m) of the statutes, as affected by 1991 Wisconsin Act 39.

(3) PRISON INDUSTRIES SALES POSITIONS. A person who, on the day before the effective date of this subsection, occupies a classified position of sales representative of prison industries in the department of corrections or of sales manager of prison industries in the department of corrections and whose position becomes unclassified under section 303.01 (10) of the statutes, as created by this act, may do any of the following on the effective date of this subsection:

(a) Fill one of the 3 unclassified civil service positions of sales representative of prison industries under section 303.01 (10) of the statutes, as created by this act, if the person occupied a classified position of sales representative of prison industries on the day before the effective date of this subsection.

(b) Fill the unclassified civil service position of sales manager of prison industries under section 303.01 (10) of the statutes, as created by this act, if the person occupied a classified position of sales manager of prison industries on the day before the effective date of this paragraph.

(c) Notwithstanding sections 35.93, 227.10 to 227.27, 230.28 (4) and 230.29 of the statutes, transfer to any vacancy in a position in another classification to which the person would have been eligible to transfer on the day before the effective date of this paragraph and occupy that vacant position without serving any probationary period.

(3) REPAYMENT OF VETERANS TRUST FUND LOAN. The secretary of administration shall ensure that the amount transferred from the veterans trust fund under section 9258 (1b) of this act is repaid to the veterans trust fund, without interest, by June 30, 1994.

(4) MADISON LAW ENFORCEMENT GRANT.

(a) From federal and program revenue moneys appropriated to the department of administration for
the office of justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the department may expend up to $230,000 in fiscal year 1992-93 to provide any of the following to a city having a population of more than 150,000 and less than 500,000:

1. A grant of up to $55,000 for an additional police officer position to provide drug abuse resistance education to at-risk youths.

2. A grant of up to $100,000 to fund a families and schools together program designed to identify pupils who have a high risk of dropping out of school, experiencing alcohol and other drug abuse problems or being adjudged delinquent. The program shall provide prevention and early intervention activities involving joint school, family and community participation, including mental health and alcohol and other drug abuse program specialists.

3. A grant of up to $75,000 for the police department to fund a neighborhood watch program and a community drug resistance program for at-risk youths.

(b) No money may be awarded under this subsection after June 30, 1993.

(5w) MANAGEMENT AND EFFICIENCY STUDY. If the department of administration elects to conduct a management and efficiency study of the department of natural resources under 1991 Wisconsin Act 39, section 9101 (9c), as affected by this act, the department of administration shall finance the cost of the study.

(5x) WORKER'S COMPENSATION CASE MANAGEMENT REPORT. The department of administration shall report to the cochairpersons of the joint committee on finance concerning the state employment workplace's compensation case management improvements achieved as a result of funding and staffing increases provided for the case management program in the 1991-93 fiscal biennium. The report shall include information concerning the impact of these increases on worker's compensation claims volume, the total dollar level of claims filed and lost time due to on-the-job injuries.

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) FOOD SAFETY AND CONSUMER PROTECTION. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (1) (a) of the statutes, are decreased by 4.87 GPR food regulation services positions on July 1, 1992.

(2) FOOD REGULATION. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (1) (gb) of the statutes, are increased by 4.87 PR food regulation services positions on July 1, 1992.
section 15.137 (4) of the statutes, as created by this act, the following initial members of the agricultural chemical cleanup council shall be appointed for terms expiring on the following dates:

(a) One member appointed under section 15.137 (4) (a) of the statutes, as created by this act, and one member appointed under section 15.137 (4) (b) of the statutes, as created by this act, May 1, 1994.

(b) One member appointed under section 15.137 (4) (a) of the statutes, as created by this act, and one member appointed under section 15.137 (4) (b) of the statutes, as created by this act, May 1, 1995.

(c) One member appointed under section 15.137 (4) (c) of the statutes, as created by this act, and one member appointed under section 15.137 (4) (d) of the statutes, as created by this act, May 1, 1996.

(d) One member appointed under section 15.137 (4) (c) of the statutes, as created by this act, May 1, 1997.

(3) Seed testing and labeling. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 2.0 FTE positions on July 1, 1992, to be funded from the appropriation under section 20.115 (7) (g) of the statutes, are decreased by 1.0 PR seed analyst services position on July 1, 1992.

(3w) Milk procurement fee refunds.

(a) Notwithstanding section 20.115 (1) (gb) of the statutes, if the unencumbered balance in the appropriation under section 20.115 (1) (gb) of the statutes on June 30, 1992, exceeds an amount equal to 3% of the amount authorized to be expended by the department of agriculture, trade and consumer protection from that appropriation in fiscal year 1991-92, the department shall refund to dairy plants that paid a milk procurement fee under section 97.20 (2g) of the statutes in the 1991-92 fiscal year, from the appropriation under section 20.115 (1) (gb) of the statutes, the excess amount on a prorated basis according to the amount of the fee paid by the dairy plant. For the purpose of determining the balance in the appropriation under section 20.115 (1) (gb) of the statutes at the end of the 1991-93 biennium for the lapse to the general fund, the department of agriculture, trade and consumer protection shall first deduct the amount of the refunds to be paid under this paragraph. The department of agriculture, trade and consumer protection shall pay refunds under this paragraph on or before September 1, 1993.

(b) Notwithstanding section 20.115 (1) (gb) of the statutes, if the unencumbered balance in the appropriation under section 20.115 (1) (gb) of the statutes on June 30, 1993, exceeds an amount equal to 5% of the amount authorized to be expended by the department of agriculture, trade and consumer protection from that appropriation in fiscal year 1992-93, the department shall refund to dairy plants that paid a milk procurement fee under section 97.20 (2g) of the statutes in

The 1992-93 fiscal year, from the appropriation under section 20.115 (1) (gb) of the statutes, the excess amount on a prorated basis according to the amount of the fee paid by the dairy plant. For the purpose of determining the balance in the appropriation under section 20.115 (1) (gb) of the statutes at the end of the 1991-93 biennium for the lapse to the general fund, the department of agriculture, trade and consumer protection shall first deduct the amount of the refunds to be paid under this paragraph. The department of agriculture, trade and consumer protection shall pay refunds under this paragraph on or before September 1, 1993.

Vetoed in Part
(4p) GYPSY MOTH ERADICATION POSITIONS The authorized FTE positions for the department of agri-
culture, trade and consumer protection are increased by 1.0 SEG project position for the period ending June 30, 1993, and 1.0 SEG position beginning on July 1, 1992, for the purpose of performing gypsy moth eradication services, to be funded from the appropriation under section 20.115 (7) (q) of the statutes, as created by this act.

SECTION 9108. Nonstatutory provisions; building commission.

(1) 1991-93 STATE BUILDING PROGRAM ADDITIONS. In 1991 Wisconsin Act 39, section 9108 (1), the following projects are added to the 1991-93 state building program and the appropriate totals are increased by the amounts shown:

(a) In paragraph (a) 1, under projects financed by program revenue supported borrowing:
   Parking ramp at the state office building located at 1 West Wilson street in the city of Madison $15,100,000
   Purchase and remodeling of state office building at 3319 West Beltline highway, Dane county $2,112,200
(b) In paragraph (m) 3, under projects financed by program revenue supported borrowing:
   Madison - Sports medicine, spine center and cardiac rehabilitation facility at university research park $7,600,000
(c) In paragraph (h) 7, under projects financed by gifts, grants and other receipts:
   Horicon marsh administrative and interpretative center $750,000
   (Total project all funding sources $1,000,000)

(2h) 1991-93 STATE BUILDING PROGRAM ADDITIONS. In 1991 Wisconsin Act 39, section 9108 (1), the following new subdivisions are created to add the following new projects to the 1991-93 state building program and the appropriate totals are increased by the amounts shown:

(a) DEPARTMENT OF ADMINISTRATION
   1m. Projects financed by general fund supported borrowing:
       State capitol restoration $1,700,000

(h) DEPARTMENT OF NATURAL RESOURCES
   4m. Projects financed by existing general fund supported borrowing - other stewardship funds:
       Horicon marsh administrative and interpretative center $250,000
       (Total project all funding sources $1,000,000)

(3f) 1991-93 STATE BUILDING PROGRAM DELETION.

(a) In 1991 Wisconsin Act 39, section 9108 (1) (h) 7, under projects financed by gifts, grants and other receipts, the 1991-93 state building program project identified as Horicon marsh administrative and interpretative center is deleted and the appropriate totals are decreased accordingly.

(4g) MONONA TERRACE PROJECT; RECONCILIATION.
If the city of Madison does not irrevocably provide for the construction of the Frank Lloyd Wright Monona terrace project on or before December 31, 1994, then the treatment of sections 16.84 (1), 16.843 (2) (b), (bm) (intro.), (c) (intro.) and (cm), 20.505 (5) (g), (ka) and (kb), 20.866 (1) (u) and (2) (ya), 20.867 (3) (e) and (k) and 70.119 (2) and (9) of the statutes by this act and the enumeration of the project identified as the parking ramp at the state office building located at 1 West Wilson street in the city of Madison under subsection (1) (a) are of no effect.

SECTION 9110. Nonstatutory provisions; circuit courts.

(1) CIRCUIT COURT BRANCHES. The initial election for circuit judge for branch 2 of the circuit court for Door county, for branch 3 of the circuit court for Eau Claire county, for branch 3 of the circuit court for Portage county, for branch 5 of the circuit court for Sheboygan county, for branch 3 of the circuit court for St. Croix county, for branch 17 of the circuit court for Dane county, for branch 7 of the circuit court for Kenosha county, for branch 46 of the circuit court for Milwaukee county, for branch 7 of the circuit court for Outagamie county and for branch 10 of the circuit court for Racine county shall be at the spring election of 1994 for terms commencing August 1, 1994, and ending July 31, 2000.
(4) CIRCUIT JUDGE POSITIONS. The authorized FTE positions for the circuit courts are increased by 10.0 GPR circuit judge positions on August 1, 1994, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide additional circuit court judges for the circuit court branches created by this act.

SECTION 9111. Nonstatutory provisions; conservation corps board.

(1g) Conservation corps board; general provisions.

(a) In the information that the Wisconsin conservation corps board submits under section 16.42 of the statutes for purposes of the 1994-95 biennial budget bill, the amount in the schedule under the appropriation under section 20.399 (2) (a) of the statutes is increased by 3.0 GPR positions.

(b) The conservation corps board shall prepare a report evaluating the success of these crews in providing training to recipients of general relief and increasing the likelihood of subsequent employment for recipients of general relief. The conservation corps shall submit the report to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1993.

SECTION 9112. Nonstatutory provisions; corrections.

(1g) Positions.

(a) The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (1) (a) of the statutes, are decreased by 6.0 GPR positions.

(b) The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (1) (ai) of the statutes, are decreased by 8.5 GPR positions.

(c) The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (2) (a) of the statutes, are decreased by 2.0 GPR positions.

SECTION 9115. Nonstatutory provisions; development.

(2W) General relief recipients. The conservation corps board shall establish additional crews for the participation of recipients of general relief under section 49.02 of the statutes in the conservation corps program as corps members. The conservation corps shall recruit as many recipients of general relief as possible for these crews. The recipients of general relief must meet the qualifications and requirements for corps members under section 16.20 (11) of the statutes. The corps shall monitor the progress of these members on these crews and shall prepare a report evaluating the success of these crews in providing training to recipients of general relief and increasing the likelihood of subsequent employment for recipients of general relief. The conservation corps shall submit the report to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1993.

SECTION 9116. Nonstatutory provisions; development.

(3f) Vetoed in Part.
boundary adjustments, and the incumbent employee holding that position, are transferred from the department of development to the department of administration.

(b) **Employee status.** An employee transferred under paragraph (a) to the department of administration shall have the same rights and status under subchapter V of chapter 111 of the statutes and under chapter 230 of the statutes, as affected by this act, in the department of administration that the employee enjoyed in the department of development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee with permanent status in class who is transferred under paragraph (a) is required to serve a probationary period.

(c) **Equipment and records.** On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of development relating to the department of development's review of municipal boundary adjustments are transferred to the department of administration.

(ij) **Grant to central Wisconsin entrepreneurial development center.**

(a) The department of development may make a grant of up to $20,000 from the appropriation under section 20.143 (1) (er) of the statutes, as amended by this act, to a nonprofit corporation, as defined in section 181.02 (8) of the statutes, if all of the following apply:

1. The nonprofit corporation serves an area that includes Portage county and is located in Portage county in a city with a population of more than 20,000.

2. The nonprofit corporation agrees in writing to use the grant proceeds solely for the operation of a business development center that acts as a resource for central Wisconsin businesses to promote international trade and joint ventures with businesses in the Rostov-Veliky district in Russia.

3. The nonprofit corporation submits a plan to the department of development detailing the proposed use of the grant proceeds.

4. The secretary of development determines that the proposed expenditure of the grant proceeds is likely to impact positively on the state's economy.

5. The secretary of development approves the plan submitted under subdivision 3 before awarding the grant.

6. The nonprofit corporation provides matching funds equal in amount to the grant proceeds. The match may be in cash or in in-kind contributions. The department of development shall determine what may be used as in-kind contributions.

7. The nonprofit corporation agrees in writing that the grant proceeds will not be expended for entertainment, international travel not approved as part of the plan submitted under subdivision 3 or rent expenses for the business development center.

8. The nonprofit corporation agrees to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the proceeds of the grant.

(b) This subsection does not apply after June 30, 1993.

(2p) **Grant for urban industrial park.**

(a) The department of development may make a grant of up to $100,000 from the appropriation under section 20.143 (1) (er) of the statutes, as affected by this act, to the city of Beloit for urban industrial park.

(b) This subsection does not apply after June 30, 1993.

(2x) **Grants to Beloit for riverfront development.**

(a) The department of development may make grants totaling not more than $100,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Beloit for community-based economic development activities that are related to riverfront development in the city of Beloit if all of the following apply:

1. The city of Beloit submits a plan to the department of development detailing the proposed use of the grant proceeds.

2. The secretary of development approves the plan submitted under paragraph (a).

3. The city of Beloit enters into a written agreement with the department of development that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.
4. The city of Beloit agrees to submit to the department of development, within 6 months after spending the full amount of the grant, a report detailing how the grant proceeds were used.

(b) The department of development may not pay grant proceeds under this subsection after June 30, 1993.

SECTION 9115. Nonstatutory provisions; health and social services.

(1) EMERGENCY MEDICAL SERVICES. The authorized FTE positions for the department of health and social services are increased by 4.25 SEG positions on July 1, 1992, to be funded from the appropriation under section 20.435 (1) (rg) of the statutes, as created by this act, for the performance of general program operations related to emergency medical services.

(2) HEALTH INSURANCE INFORMATION SERVICES. The authorized FTE positions for the department of employee trust funds are increased by 1.0 SEG project position for a 2-year period beginning on May 1, 1992, or on the effective date of this subsection, whichever is later, for the purpose of analyzing health insurance information received by the group insurance board under section 40.03 (6) (j) of the statutes, as created by this act, and by 1.0 SEG position for the purpose of providing general health insurance information to state employees, to be funded from the appropriation under section 20.515 (1) (w) of the statutes.

SECTION 9116. Nonstatutory provisions; district attorneys.

(1) ASSISTANT DISTRICT ATTORNEY; DANE COUNTY. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.475 (1) (h) of the statutes, are increased by 1.0 PR position on July 1, 1992, for an assistant district attorney specified in Section 9101 (2x) of this act.

SECTION 9117. Nonstatutory provisions; educational communications board.

(11) TRANSFER OF POSITION AND EMPLOYEE. (a) On the effective date of this paragraph, the authorized FTE positions for the educational communications board are decreased by 1.0 PR building maintenance position. On the effective date of this paragraph, the incumbent in the position identified in this paragraph is transferred to the department of administration.

(b) On the effective date of this paragraph, the authorized FTE positions for the department of administration are increased by 1.0 PR building maintenance position. The secretary of administration shall appoint the incumbent transferred under paragraph (a) to the position authorized in this paragraph which corresponds to the position held by the incumbent on the day prior to the effective date of this paragraph.

(c) The employee transferred to the department of administration under this subsection shall have the same rights and status under subchapter V of chapter 111 of the statutes and under chapter 230 of the statutes, as affected by this act, in the department of administration that he or she enjoyed in the educational communications board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee with permanent status in class who is transferred under this subsection is required to serve a probationary period.
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)
(a) and (2) (b) of the statutes, the department need not
provide evidence of the necessity of preservation of
the public peace, health, safety or welfare in promul-
gating the rules under this paragraph.

(4x) MATERNAL AND CHILD HEALTH BLOCK GRANT
FUNDS. The department of health and social services
shall allocate $2,660,000 received under the maternal
and child health block grant program under 42 USC
701 to 709 under section 20.435 (1) (md) of the statutes
in fiscal year 1992-93 for the purpose of providing vac-
cine to immunize children under section 140.05 (16)
(a) of the statutes.

(5) HOSPICE REGULATION. The authorized FTE
positions for the department of health and social ser-
vice, funded from the appropriation under section
20.435 (1) (dv) of the statutes, as affected by this act,
are decreased by 1.0 GPR position on June 30, 1992.

(5c) RULES; PROVIDER CLAIMS FOR MEDICAL ASSIS-
tANCE REIMBURSEMENT.

(a) The department of health and social services
shall submit proposed rules on provider claims for
medical assistance reimbursement under section 49.45
(3) of the statutes to the legislative council staff for
review under section 227.15 (1) of the statutes no later
than September 1, 1992.

(b) Using the procedure under section 227.24 of the
statutes, the department of health and social services
shall promulgate rules under section 49.45 (3) of the
statutes 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)
(a) and (2) (b) of the statutes, the department need not
provide evidence of the necessity of preservation of
the public peace, health, safety or welfare in promul-
gating the rules under this paragraph.

(5p) ASSESSMENTS ON OCCUPIED, LICENSED BEDS;
RULES.

(a) The department of health and social services
shall submit proposed rules required under section
50.14 (5) (b) of the statutes, as created by this act, to
the legislative council staff for review under section
227.15 (1) of the statutes no later than October 1, 1992.
(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules required under section 50.14 (5) (b) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating the rules under this paragraph.

(5w) PRIMARY CARE PROVIDERS IN HEALTH PROFESSIONAL SHORTAGE AREAS. Of the funds appropriated for fiscal year 1992-93 under section 20.435 (1) (b) of the statutes, the department of health and social services shall ensure that the moneys for supplemental payments to physicians who provide primary care services in, or to residents of, health professional shortage areas in this state, at 10% above primary care provider rates under the medical assistance program, are paid to the physicians and are not used to supplant funds that previously were used for payment to the physicians.

(5z) ENVIRONMENTAL HEALTH REGULATORY PROGRAM REVENUE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of health and social services shall submit information concerning the appropriation under section 20.435 (1) (gm) of the statutes as though the decrease in the dollar amount of that appropriation by SECTION 9225 (29p) of this act had not been made.

(6g) ALCOHOL AND OTHER DRUG ABUSE TREATMENT PROGRAMS. Notwithstanding section 20.435 (6) (hx) of the statutes, during fiscal year 1992-93 the department of health and social services shall allocate $650,000 from the appropriation under section 20.435 (6) (gb) of the statutes and $1,614,700 from the appropriation under section 20.435 (6) (hx) of the statutes for alcohol and other drug abuse treatment programs in community aids under section 46.40 of the statutes.

(6j) HOMELESS INDIVIDUALS; MENTAL HEALTH SERVICES DECREASE. Notwithstanding section 16.42 (1) (c) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of health and social services shall submit information concerning the appropriation under section 20.435 (7) (ce) of the statutes as though the decrease in the dollar amount of that appropriation by SECTION 9225 (11g) of this act had not been made.

(6k) PROJECT FOR PROPOSALS FOR THE PROVISION OF SECURED CORRECTIONAL FACILITIES FOR DELINQUENT YOUTH.

(6l) Notwithstanding 1991 Wisconsin Act 39, section 914.55 (14) (a), the department of health and social services, or a local department, shall be responsible for proposals prepared under that paragraph for the department of administrative plans for those organizations to provide a secured correctional facility as defined in section 915.02 (1m) of the statutes from that submitted in response to any request for proposals prepared under 1991 Wisconsin Act 39, section 914.55 (14) (a) that is not prepared in accordance with paragraph (a).

(6m) The secretary of health and social services shall appoint an advisory committee under section 15.41 (2) (h) of the statutes to prepare a proposed rule for the purpose of creating section 914.55 (14) (a) of the statutes as though the decrease in the dollar amount of the appropriation under section 46.80 (1) (d) of the statutes, for the care and treatment of girls who have been adjudicated delinquent, had not been made.

(6n) ALCOHOL AND OTHER DRUG ABUSE TREATMENT PROGRAMS. Notwithstanding section 20.435 (6) (hx) of the statutes, during fiscal year 1992-93 the department of health and social services shall allocate $650,000 from the appropriation under section 20.435 (6) (gb) of the statutes and $1,614,700 from the appropriation under section 20.435 (6) (hx) of the statutes for alcohol and other drug abuse treatment programs in community aids under section 46.40 of the statutes.

(6o) HOMELESS INDIVIDUALS; MENTAL HEALTH SERVICES DECREASE. Notwithstanding section 16.42 (1) (c) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of health and social services shall submit information concerning the appropriation under section 20.435 (7) (ce) of the statutes as though the decrease in the dollar amount of that appropriation by SECTION 9225 (11g) of this act had not been made.

(7g) EVALUATION OF FAMILY CONSORTIUM. By December 31, 1992, a family consortium that receives funding under section 46.278 (6) (c) of the statutes, as created by this act, shall provide to the department of health and social services information, as requested,
that shall enable the department to evaluate the cost-effectiveness and quality of services provided by the family consortium.

Vetoed in Part

(79) DOMESTIC ABUSE PREVENTION PROGRAM GRANT
(a) The department of health and social services may make a grant of not more than $40,000 from the appropriation under section 20.445 (1) (b) of the statutes, as created by this act, to a person if all of the following apply:
1. The person uses the grant proceeds to develop and implement a program for training physicians and other health care professionals to identify for treatment victims of domestic abuse.
2. The person submits a plan for the training program to the department of health and social services that details the proposed use of the grant proceeds.
3. The person provides matching funds equal to twice the amount of the grant. The match may be in the form of money or in-kind contributions.
4. The department of health and social services shall determine what may be used as in-kind contributions.
5. The secretary of health and social services approves the plan submitted under subdivision 2 before awarding the grant.
6. The person agrees to submit to the department of health and social services, within 90 days after spending the full amount of the grant, a report detailing the actual use of the grant proceeds.
(b) This subsection does not apply after June 30, 1992.

Vetoed in Part

(11f) MATERNAL AND CHILD HEALTH ADMINISTRATION. The authorized FTE positions for the department of health and social services, funded from moneys under the maternal and child health services block grant program under 42 USC 701 to 709 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, are decreased, on July 1, 1992, by 3.4 FED positions as the result of reorganization of the subunit of the department that deals with health. The department of health and social services shall decrease funding under the maternal and child health services block grant program under 42 USC 701 to 709 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, by $31,200 as the result of the position decreases under this subsection.

Vetoed in Part

(11g) MATERNAL AND CHILD HEALTH BLOCK GRANT AIDS. The department of health and social services shall increase funding under the maternal and child health block grant program under 42 USC 701 to 709 under section 20.435 (1) (md) of the statutes by $336,800 for fiscal year 1992-93 for the purpose of providing aids to individuals or organizations.

(11h) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN ADMINISTRATION. The authorized FTE positions for the department of health and social services, funded from moneys under the special
supplemental food program for women, infants and children authorized under 42 USC 1786 from the appropriation under section 20.435 (1) (n) of the statutes are decreased, on July 1, 1992, by 0.1 FED position as the result of reorganization of the subunit of the department that deals with health.

SECTION 9126. Nonstatutory provisions; higher educational aids board.

(1g) WEST MILWAUKEE HIGH SCHOOL SCHOLARS. Notwithstanding section 39.41 (1m) of the statutes, by the end of the 1991-92 school year, the school board of the West Allis/West Milwaukee school district shall designate the 2 seniors from the West Milwaukee high school with the 2 highest grade point averages in all subjects as scholars. The seniors designated under this subsection shall be eligible for an original scholarship under section 39.41 of the statutes for the 1992-93 school year.

SECTION 9127. Nonstatutory provisions; historical society.

(1) ARCHIVES AND RESEARCH SERVICES. The authorized FTE positions for the historical society, funded from the appropriation under section 20.245 (1) (a) of the statutes, are decreased by 1.5 GPR positions on July 1, 1992.

(2) ADMINISTRATIVE SERVICES. The authorized FTE positions for the historical society, funded from the appropriation under section 20.245 (4) (a) of the statutes, are decreased by 1.0 GPR position on July 1, 1992, for the performance of administrative services.

(2x) FUND-RAISING POSITION. The authorized FTE positions for the historical society are increased by 1.0 GPR project position for the period beginning on January 1, 1993, and ending on December 31, 1996, to be funded from the appropriation under section 20.245 (4) (a) of the statutes, for purposes related to fund raising and other activities specified by the director of the historical society.

(2y) SUBMERGED CULTURAL RESOURCES COUNCIL. Notwithstanding section 15.707 (2) (b) of the statutes, as created by this act, the terms of the initial members of the submerged cultural resources council appointed under section 15.707 (2) (a) 6 and 7 of the statutes, as created by this act, shall expire as follows:

(a) On July 1, 1994, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor.

(b) On July 1, 1995, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor.

(c) On July 1, 1996, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor, and for the member appointed under section 15.707 (2) (a) 6 of the statutes, as created by this act.

(3) STATE-FUNDED MARKERS AND PLAQUES. Of the amounts appropriated to the historical society under section 20.245 (3) (d) of the statutes, as created by this act, the historical society shall expend $10,000 in fiscal year 1992-93 for markers and plaques on historical properties owned by persons other than the state.
section, the Wisconsin housing and economic development authority shall transfer to the department of administration for deposit in the general fund $2,262,800 from the Wisconsin development reserve fund under section 234.93 of the statutes.

SECTION 9129. Nonstatutory provisions; industry, labor and human relations.

(1) MULTIFAMILY DWELLING CODE COUNCIL.

(a) Notwithstanding the length of terms specified in section 15.227 (20) (a) (intro.) of the statutes, as created by this act, the first members of the multifamily dwelling code council created by section 15.227 (20) of the statutes, as created by this act, shall be appointed by the governor for the following terms:

1. One member appointed under section 15.227 (20) (a) 1 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 2 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 3 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 4 of the statutes, as created by this act, and one member appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, for terms expiring on July 1, 1995.

2. One member appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, the member appointed under section 15.227 (20) (a) 6 of the statutes, as created by this act, and the 2 members appointed under section 15.227 (20) (a) 7 of the statutes, as created by this act, for terms expiring on July 1, 1999.

3. One member appointed under section 15.227 (20) (a) 2 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 3 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 4 of the statutes, as created by this act, and one member appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, for terms expiring on July 1, 1994.

(b) The 2 members appointed to succeed the 2 members appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, for terms expiring on July 1, 1993, and July 1, 1994, respectively, shall each represent a product category specified in section 15.227 (20) (a) 5 of the statutes, as created by this act, that has not been represented by a member.

(2) MULTIFAMILY DWELLING RULES. The department of industry, labor and human relations shall submit the proposed rules required under section 101.973 of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes, no later than July 1, 1993.

(3) UNIFORM FIREWALL IDENTIFICATION RULES. The department of industry, labor and human relations shall promulgate rules under section 101.135 (1) of the statutes, as created by this act, to be effective no later than January 1, 1993.

(3j) ALTERNATIVE DISPUTE RESOLUTION. In fiscal year 1992-93, the department of industry, labor and human relations shall assign not less than 1.0 FTE position of that department, in addition to the full-time equivalent positions assigned in fiscal years 1991-92, to provide alternative dispute resolution of complaints filed under section 111.39 of the statutes.

SECTION 9131. Nonstatutory provisions; investment board.

(1g) POSITION AUTHORIZATIONS. The authorized FTE positions for the investment board are increased by 4.0 PR positions, to be funded from the appropriation under section 20.536 (1) (k) of the statutes, to provide staffing for a growth stock division.

SECTION 9135. Nonstatutory provisions; justice.

(1f) GAMING LAW ENFORCEMENT; LOTTERY REVENUES. The authorized FTE positions for the department of justice are increased by 5.0 SEG positions on July 1, 1992, or on the effective date of this subsection, whichever is later, for the performance of the department's gaming law enforcement responsibilities as specified in section 165.70 (3m) of the statutes, as created by this act, to be funded from the appropriation under section 20.455 (2) (r) of the statutes, as created by this act.

(1g) GAMING LAW ENFORCEMENT; RACING REVENUES. The authorized FTE positions for the department of justice are increased by 3.0 PR positions on July 1, 1992, or on the effective date of this subsection, whichever is later, for the performance of the department's gaming law enforcement responsibilities as specified in section 165.70 (3m) of the statutes, as created by this act, to be funded from the appropriation under section 20.455 (2) (g) of the statutes, as created by this act.

SECTION 9136. Nonstatutory provisions; legislature.

(1x) PAYMENTS FOR MUNICIPAL SERVICES. The legislature intends to appropriate the necessary moneys to fully fund the payments for municipal services program under section 70.119 of the statutes beginning in the 1993-94 fiscal year.

(2e) STUDY OF EXTENDED SCHOOL YEAR. The legislative council is requested to study the issue of increasing the number of school days held each school year,
including the educational impact, the costs, whether the increase should be encouraged or required and how to fund the additional costs. By March 1, 1993, the legislative council shall report its findings, conclusions and recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes.

(3d) DOMESTIC ABUSE STUDY. The legislative council is requested to study the problems associated with the definition of domestic abuse, domestic abuse restraining orders, service of a domestic abuse restraining order and fees regarding domestic abuse restraining orders and the service of those orders. If the legislative council conducts the study requested under this subsection, the legislative council is requested to report its findings, conclusions and recommendations for legislation to the presiding officer of each house of the legislature in the manner provided under section 13.172 (2) of the statutes before October 1, 1993.

SECTION 9138. Nonstatutory provisions; lottery board.

(1e) ABOLISHING LOTTERY BOARD; TRANSITIONAL PROVISIONS. During the period beginning on the effective date of this subsection and ending on October 1, 1992, the lottery board shall cooperate with the gaming commission, as created by this act, in providing orderly and efficient transfers under this subsection. On October 1, 1992, all of the following apply:

(a) The assets and liabilities of the lottery board shall become the assets and liabilities of the gaming commission.

(b) All positions and incumbent employes holding positions in the lottery board are transferred to corresponding positions in the gaming commission.

(c) The positions of executive director and interim director of the lottery board are transferred to become 2 of the 4 division administrative positions in the gaming commission.

(d) The employees transferred under paragraph (b) shall have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the gaming commission which they enjoyed in the lottery board before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee transferred under paragraph (b) who has attained permanent status in class is required to serve a probationary period.

(e) All furniture, equipment, supplies and records of the lottery board are transferred to the gaming commission.

(f) All contracts entered into by the lottery board that are in effect on October 1, 1992, remain in effect and are transferred to the gaming commission. The gaming commission shall carry out any such contractual obligations.

(g) All rules promulgated by the lottery board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until amended or repealed by the gaming commission acting under the authority granted by this act. All orders issued by the lottery board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until modified or rescinded by the gaming commission acting under the authority granted by this act.

(h) Any matter pending with the lottery board on October 1, 1992, is transferred to the gaming commission, and all materials submitted to or actions taken by the lottery board with respect to the pending matter are considered to have been submitted to or taken by the gaming commission.

(i) The gaming commission may collect any amount payable under the statutes before October 1, 1992, for the costs of materials, activities or services provided by the lottery board, and the amounts collected shall be deposited in the lottery fund.

SECTION 9142. Nonstatutory provisions; natural resources.

(1m) KLEIN CREEK BRIDGE. From the appropriation under section 20.370 (4) (bu) of the statutes, as amended by this act, the department of natural resources shall pay $111,780 in fiscal year 1992-93 to Adams county to reimburse the county for costs incurred in constructing a bridge over Klein creek and under which watercraft may pass. The payment under this subsection shall be considered an expenditure for fiscal year 1992-93 for inland water projects under section 30.92 (4) (b) 6 of the statutes.

(1p) GENERAL FUND SUPPLEMENT FOR ENVIRONMENTAL REPAIR DECREASE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of natural resources shall submit information concerning the appropriation under section 20.370 (2) (md) of the statutes as though the decrease in that appropriation by Section 9242 (9y) of this act had not been made.

(1q) FOSS RIVER LONG-RANGE PLAN. From the appropriation under section 20.370 (1) (dq) of the statutes, as affected by this act, not more than $40,000 may be expended in the 1991-93 fiscal biennium to contract for services to implement the April 1989 long-range plan prepared by the east central Wisconsin regional planning commission and the lower Fox river/Winnebago pool long-range plan task force. The amount expended in each fiscal year shall equal the amount contributed by local units of government for the implementation of the long-range plan or the maximum amount specified in this subsection, whichever is less. The contribution by local units of government shall be made by in-kind services or in cash.

(2) POSITION AUTHORIZATIONS.

(a) The authorized FTE positions for the department of natural resources are increased by 4.33 FED positions on July 1, 1992, to be funded from the appropriation under section 20.370 (1) (my) of the statutes, for wildlife management.
(am) The authorized FTE positions for the department of natural resources are increased by 4.33 FED positions on July 1, 1992, to be funded from the appropriation under section 20.370 (1) (my) of the statutes, for fisheries management.

(b) The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (1) (ma) of the statutes, are decreased by 7.66 GPR property management positions on July 1, 1992.

(c) The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (1) (ma) of the statutes, are decreased on July 1, 1992, by 1.0 GPR position for aeronautics and communications.

(2w) AIR MANAGEMENT POSITIONS.

Vetoed in Part

(2w) The authorized FTE positions for the department of natural resources are increased by 92.0 PR positions on July 1, 1992, to be funded from the appropriation under section 20.370 (2) (bg) of the statutes, as created by this act, for purposes related to stationary sources of air contaminants.

(d) The authorized FTE positions for the department of natural resources are increased by 3.0 PR project positions for the period beginning on July 1, 1992, and ending on December 31, 1993, and by 3.0 PR project positions for the period beginning on July 1, 1992, and ending on July 1, 1994, to be funded from the appropriation under section 20.370 (2) (bg) of the statutes, as created by this act, for purposes related to stationary sources of air contaminants.

(e) The authorized FTE positions for the department of natural resources are decreased on July 1, 1992, by 10.0 PR permit implementation and enforcement positions funded from the appropriation under section 20.370 (2) (ci) of the statutes.

(f) The authorized FTE positions for the department of natural resources are decreased, on July 1, 1992, by 74.5 GPR air management positions funded from the appropriation under section 20.370 (2) (ma) of the statutes.

(g) The authorized FTE positions for the department of natural resources are decreased, on July 1, 1992, by 3.0 GPR air management project positions funded from the appropriation under section 20.370 (2) (ma) of the statutes.

(h) The authorized FTE positions for the department of natural resources are increased by 0.5 PR position, on July 1, 1992, to be funded from the appropriation under section 20.370 (8) (mg) of the statutes, as created by this act, for administrative rule development, enforcement and activities related to information and education relating to stationary sources of air pollution.

(i) The authorized FTE positions for the department of natural resources are increased by 1.0 PR position on July 1, 1992, to be funded from the appropriation under section 20.370 (2) (bh) of the statutes, as created by this act, to administer the gasoline vapor recovery program under section 144.405 (5) of the statutes.

(j) The authorized FTE positions for the department of natural resources are increased by 2.0 PR project positions for the period beginning on July 1, 1992, and ending on March 14, 1995, to be funded from the appropriation under section 20.370 (4) (ig) of the statutes, as created by this act, to administer the gasoline vapor recovery grants under section 144.405 (5) of the statutes.

(k) The authorized FTE positions for the department of natural resources are increased by 0.5 PR position on July 1, 1992, to be funded from the appropriation under section 20.370 (4) (ig) of the statutes, as created by this act, to administer the gasoline vapor recovery grant program under section 144.405 (5) of the statutes.

(L) The authorized FTE positions for the department of natural resources are increased by 0.5 PR position, on July 1, 1992, to be funded from the appropriation under section 20.370 (8) (mh) of the statutes, as created by this act, for administrative rule development, enforcement and activities related to information and education relating to mobile sources of air pollution.

(3) COUNTY SALES AND USE TAXES. The authorized FTE positions for the department of natural resources are increased by 1.5 PR positions on July 1, 1992, to be funded from the appropriation under section 20.370 (1) (mk) of the statutes, for the purpose of administering the county sales and use taxes.

(3dp) FOUNDRY SAND STUDY. The department of natural resources shall conduct a study to identify ways in which foundry sand can be reused. The department shall report the results of the study to the cochairpersons of the joint committee on finance no later than the first day of the 8th month beginning after the effective date of this subsection.

(3p) GREAT LAKES REMEDIAL ACTION FUNDING DECREASE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of natural resources shall submit information concerning the appropriation under section 20.370 (2) (af) of the statutes as though the decrease in that appropriation by SECTION 9242 (8) of this act had not been made.

(3dp) FOUNDRY SAND STUDY.
(c) Each member appointed under subdivisions 2 to 5 shall be replaced at the end of his or her term by a member who has a background in the area of conservation, environmental policy or public health.

(d) Notwithstanding section 15.374 (18) (c) of the statutes, as created by this act, 3 of the initial members appointed under paragraph (a) 6 shall be appointed for terms expiring on July 1, 1994, and 3 of the initial members appointed under paragraph (a) 6 shall be appointed for terms expiring on July 1, 1995.

(e) Notwithstanding section 15.374 (18) (c) of the statutes, as created by this act, the members who replace the initial members as provided under paragraph (c) shall be appointed for terms expiring on July 1, 1996.

(7J) Nonpoint Source Program Encumbrances.

(a) On the effective date of this paragraph, $15,800,900 of encumbered funds in the appropriation to the department of natural resources under section 20.370 (4) (cc) of the statutes is disencumbered.

(b) Paragraph (a) does not authorize the department of natural resources to refuse to honor any contractual obligation that it has incurred on or before the effective date of this paragraph to expend funds from the appropriation under section 20.370 (4) (cc) of the statutes.

(8g) Aquatic Nuisance Control Council, Initial Composition and Terms.

(a) Notwithstanding section 15.347 (18) (b) of the statutes, as created by this act, the initial composition of the aquatic nuisance control council shall consist of the following members:

1. The secretary of natural resources or his or her designee.
2. One member who represents the sea grant institute of the university of Wisconsin system.
3. One member who represents a public water utility.
4. One member who represents an electric public utility.
5. One member who represents an industry that withdraws a substantial amount of water from a lake or river in its production process.
6. Six members, each of whom has a background in the area of conservation, environmental policy or public health.

(b) Notwithstanding section 15.347 (18) (c) of the statutes, as created by this act, the members appointed under subdivisions 2 to 5 shall be appointed for terms of 18 months beginning on the dates of their appointments.

(8W) Great Lakes Recreational Boating Aids.

Notwithstanding the percentages under section 30.92 (4) (b) 6 of the statutes and before encumbering any moneys using those percentages for fiscal year 1992-93, of the amounts appropriated under section 20.370 (4) (bu) of the statutes, the department of natural resources may not expend $1,000,000 in fiscal year 1992-93 except for recreational boating aids for Great Lakes projects.

(8X) Recreational Boating Aids; La Crosse Harbor Development.

Of the amounts appropriated under section 20.370 (4) (bu) of the statutes, the department of natural resources may not expend $250,000 in fiscal year 1992-93 except for harbor development in the city of La Crosse. Any amount expended under this subsection shall be considered an expenditure for an inland waters project as provided in section 30.92 (4) (b) 6 of the statutes. This harbor development need not be placed on the priority list under section 30.92 (3) (a) of the statutes.

(9m) Black Hawk War Exhibit.

From the appropriation under section 20.370 (8) (mu) of the statutes, the department of natural resources shall expend not more than $5,000 in fiscal year 1992-93 to fund a one-time feasibility study of a visitor’s center, interpretive center, walking tour or educational exhibit on the history of the Black Hawk War of 1832, to be located at the site of the Battle of Wisconsin Heights in Dane county. The department shall fund the study after consultation with the historical society. The study
shall include recommendations on state, county or private involvement in site development and educational resources.

(9p) DEER FARM FENCING. The department of natural resources shall submit the proposed rules required under section 29.58 (4) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes, no later than December 31, 1992.

(9g) DEER FARM FENCING. The department of natural resources shall submit the proposed rules required under section 29.58 (4) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes, no later than December 31, 1992.

Vetoed in Part

(a) The department of natural resources shall study the feasibility and effects of consolidating some of the department’s forest ranger stations. The department shall report its findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1992.

(b) The department of natural resources may not close any of its forest ranger stations before it reports its findings and recommendations under paragraph (a).

(10g) ALTERNATIVE SCHOOL FUNDING. Notwithstanding section 20.255 (2) (be) of the statutes and section 118.153 of the statutes, as affected by 1991 Wisconsin Act 39, the state superintendent of public instruction shall distribute from the amount appropriated under section 20.255 (2) (be) of the statutes in the 1992-93 fiscal year $30,000 to the Durand school district for the Maxville alternative school and $25,000 to the Blair school district for the Beach alternative school.

Vetoed in Part

(9b) YEAR OF SCHOOLS. The legislature declares that the 1992-93 school year is designated the “Year of Schools”.

(9C) EDUCATIONAL GOALS.

(a) During the 1992-93 school year, each school board may hold public meetings in the school district on the development of school district and state educational goals and a state vision for education.

(10x) PLAN FOR PREVENTION OF THE SPREAD OF WATER MILFOIL. The department of natural resources shall report to the legislature on the location and spread of Eurasian water milfoil in the state and shall develop a plan to prevent its spread in the state. The department shall submit the report and plan before July 1, 1992, 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.

(11w) PORTAGE CANAL AND FORT WINNEBAGO.

(a) From the appropriation under section 20.370 (1) (ds) of the statutes, as created by this act, the department of natural resources shall provide $60,000 in fiscal year 1992-93 to the city of Portage for planning costs for the project to reopen the Portage canal for recreational boating traffic.

(b) The department of natural resources shall contract for a study on how the reopening of the Portage canal and the reconstruction of Fort Winnebago would impact on the local economy and tourism. The department shall consult with the city of Portage and the Portage area chamber of commerce to assist the department in determining with whom to contract for the study. The department may expend in fiscal year 1992-93 from the appropriation under section 20.370 (1) (ds) of the statutes, as created by this act, up to $20,000 for this study. The department shall report its findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1992.

(12c) STUDY OF WHITE-TAILED DEER FARMING. The department of natural resources, in consultation with the department of agriculture, trade and consumer protection, shall conduct a study to address the issues of white-tailed deer farming. The department of natural resources shall report the study’s findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1992.

SECTION 9145. Nonstatutory provisions; public instruction.

(4g) ALTERNATIVE SCHOOL FUNDING. Notwithstanding section 20.255 (2) (bc) of the statutes and section 118.153 of the statutes, as affected by 1991 Wisconsin Act 39, the state superintendent of public instruction shall distribute from the amount appropriated under section 20.255 (2) (bc) of the statutes in the 1992-93 fiscal year $30,000 to the Durand school district for the Maxville alternative school and $25,000 to the Blair school district for the Beach alternative school.

(9h) LICENSURE OF SCHOOL BUSINESS ADMINISTRATORS.

(a) Upon application, the state superintendent may license an individual as a school business administrator if the individual satisfies all of the following requirements:

1. On the date of the application, the individual is employed as a school business manager and has been so employed for at least 3 continuous years.

2. On March 20, 1992, the individual was enrolled in courses leading to licensure as a school business administrator based on the rules in effect on that date.

(b) The state superintendent shall base his or her decision regarding licensure under paragraph (a) on the requirements for a school business administrator license that were in effect on July 1, 1989, or on the date that the individual was first employed as a school business manager, whichever is later.

(9b) YEAR OF SCHOOLS. The legislature declares that the 1992-93 school year is designated the “Year of Schools”.

(9e) EDUCATIONAL GOALS.

(a) During the 1992-93 school year, each school board may hold public meetings in the school district on the development of school district and state educational goals and a state vision for education.
(b) There is created a committee on educational goals. The committee shall consist of the following members:

1. The governor or his or her designee.
2. The state superintendent of public instruction or his or her designee.
3. The president of the University of Wisconsin system or his or her designee.
4. The director of the vocational, technical, and adult education system or his or her designee.
5. The following members appointed jointly by the governor and the state superintendent of public instruction:
   a. One representative of a public teacher training institution.
   b. One representative of a private school, as defined in section 115.001 (3r) of the statutes, or of a home-based private educational program, as defined in section 115.001 (3g) of the statutes.
   c. One employer.
   d. One representative of a social service agency.
   e. One representative of a teacher organization.
   f. One representative of school boards.
   g. One representative of school administrators.
   h. One representative of school administrators.
   i. One representative of a committee consisting of the state superintendent of public instruction and the secretary of health and social services, or their designees, and all of the following:
      1. Four members appointed by the governor.
      2. Two representatives appointed by the majority leader of the senate and 2 senators appointed by the minority leader of the senate.
      3. Two representatives to the assembly appointed by the speaker of the assembly and 2 representatives to the assembly appointed by the minority leader of the assembly.
   j. The committee created under paragraph (c) shall jointly hold regional conferences in the territory of each cooperative educational service agency. Each school board participating under paragraph (a) shall submit its recommendations on school district and state educational goals and a state vision for education to the committee at the appropriate regional conference.
   k. After receiving the school boards' recommendations under paragraph (c), the committee created under paragraph (b) shall jointly hold a statewide conference to establish its recommendations.
   l. The state superintendent of public instruction shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall specify the statutory changes necessary to implement its recommendations.

(e) The committee created under paragraph (b) terminates on September 1, 1993.

(9d) Report on Pupil Assessment. By January 1, 1994, the state superintendent of public instruction shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall include the state superintendent's plan for implementing the 1996-97 school year a pupil assessment program that is consistent with the recommendations under subsection (9c) (d).

(9e) Assessment Committee. The state superintendent of public instruction shall appoint a committee under section 15.04 (1) (c) of the statutes consisting of teachers, parents and other interested persons. The committee shall advise the state superintendent on how to utilize school district and state educational goals in the development of a pupil assessment program. The committee terminates on January 1, 1994.

(9f) Vetoed in Part

(a) The authorized FTE positions for the Department of Public Instruction, funded from the appropriation under section 20.253 (1) (a) of the statutes, are decreased by 10.0 FTE positions on July 1, 1992.

(b) The authorized FTE positions for the Department of Public Instruction, funded from the appropriation under section 20.253 (1) (a) of the statutes created by this act, are increased by 10.0 FTE positions on July 1, 1992.

(9g) Student Readiness Study Committee.

(a) There is established a student readiness study committee consisting of the state superintendent of public instruction and the secretary of health and social services, or their designees, and all of the following:

1. Four members appointed by the governor.
2. Two senators appointed by the majority leader of the senate and 2 senators appointed by the minority leader of the senate.
3. Two representatives to the assembly appointed by the speaker of the assembly and 2 representatives to the assembly appointed by the minority leader of the assembly.
(b) The committee shall evaluate current aid to families with dependent children, health and social welfare programs to determine how well the programs help children prepare for school. By March 1, 1993, the committee shall submit a report to the governor and to the legislature in the manner provided under section 13.172 (2) of the statutes that details the areas in need of improvement and that includes proposals for collaborative efforts between schools and social welfare agencies.
(c) The committee terminates on March 1, 1993.

(9h) Pupil Assessment Workshops. The state superintendent of public instruction shall develop a plan for conducting workshops to train teachers in the administration of performance-based assessments to pupils. The plan shall include a summary of the costs of and a proposal for funding the workshops. As a component of the training, the state superintendent shall stress the importance of keeping each pupil's test scores confidential and of not revealing or requiring a pupil to reveal his or her grade for any assignment, examination or course to other pupils.

(9i) Collaborative Service Programs. The department of public instruction and the department of health and social services shall jointly conduct a study to identify administrative and statutory obstacles to operating a collaborative service program. The departments shall submit a report containing their recommendations for legislation to the legislature in the manner provided under section 13.172 (2) of the statutes by February 1, 1993.
(f) All contracts entered into by the racing board that are in effect on October 1, 1992, remain in effect and are transferred to the gaming commission. The gaming commission shall carry out any such contractual obligations.

(g) All rules promulgated by the racing board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until amended or repealed by the gaming commission acting under the authority granted by this act. All orders issued by the racing board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until modified or rescinded by the gaming commission acting under the authority granted by this act.

(h) Any matter pending with the racing board on October 1, 1992, is transferred to the gaming commission, and all materials submitted to or actions taken by the racing board with respect to the pending matter are considered to have been submitted to or taken by the gaming commission.

(i) The gaming commission may collect any amount payable under the statutes before October 1, 1992, for the costs of materials, activities or services provided by the racing board, and the amounts collected shall be credited to the appropriation under section 20.197 (1) (g), (3) (h), (hm) or (i) or (4) (g) or 20.455 (2) (g) of the statutes, as appropriate.

SECTION 9146. Nonstatutory provisions; public service commission.

(1g) TELECOMMUNICATIONS STUDY. The public service commission shall conduct a study to determine how telephone line identification numbers and other customer information maintained by a telecommunications utility are used or may be used by that utility and how that customer information is accessed and used or may be accessed and used by other telecommunications utilities, by customers of the utility and by 3rd parties. The public service commission shall report its findings before July 1, 1993, 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.

SECTION 9147. Nonstatutory provisions; racing board.

(1) ABOLISHING RACING BOARD; TRANSITIONAL PROVISIONS. During the period beginning on the effective date of this subsection and ending on October 1, 1992, the racing board shall cooperate with the gaming commission, as created by this act, in providing orderly and efficient transfers under this subsection. On October 1, 1992, all of the following apply:

(a) The assets and liabilities of the racing board shall become the assets and liabilities of the gaming commission.

(b) Except as provided in Section 9144 (1) (f) of the statutes, all positions and incumbent employees holding positions in the racing board are transferred to corresponding positions in the gaming commission.

(c) The positions of director and deputy director of the racing board are transferred to become one of the 4 division administrator positions of the gaming commission.

(d) The employees transferred under paragraph (b) shall have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the gaming commission which they enjoyed in the racing board before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee transferred under paragraph (b) who has attained permanent status in class is required to serve a probationary period.

(e) All furniture, equipment, supplies and records of the racing board are transferred to the gaming commission.

Vetoed in Part
regulation of bingo, raffles and crane games are transferred to corresponding positions in the gaming commission.

(c) The employees transferred under paragraph (b) shall have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the gaming commission which they enjoyed in the department of regulation and licensing before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) All furniture, equipment, supplies and records of the bingo control board and of the department of regulation and licensing relating to the regulation of bingo, raffles or crane games are transferred to the gaming commission.

(e) All contracts entered into by the bingo control board or the department of regulation and licensing relating to the regulation of bingo, raffles or crane games and that are in effect on October 1, 1992, remain in effect and are transferred to the gaming commission. The gaming commission shall carry out any contractual obligations.

(f) All rules promulgated by the bingo control board, and all rules promulgated by the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until amended or repealed by the gaming commission acting under the authority granted by this act. All orders issued by the bingo control board, and all orders issued by the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until modified or rescinded by the gaming commission acting under the authority granted by this act.

(g) Any matter pending with the bingo control board, and any matter pending with the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, on October 1, 1992, is transferred to the gaming commission, and all materials submitted to or actions taken by the bingo control board or department of regulation and licensing with respect to the pending matter are considered to have been submitted to or taken by the gaming commission.

(h) The gaming commission may collect any amount payable under the statutes before October 1, 1992, for the costs of materials, activities or services provided by the bingo control board or the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, and the amounts collected shall be credited to the appropriation under section 20.197 (1) (g) or (4) (g) of the statutes, as appropriate.

SECTION 9149. Nonstatutory provisions; revenue.
The study may include an investigation of other factors relevant to the formula and shall include the public's input component of the shared revenue formula. The department shall report the findings and recommendations by September 1 to the chief clerk of each house of the legislature for distribution to the appropriate standing committees and the manner provided under section 13.172 (3) of the statutes.

SECTION 9151. Nonstatutory provisions; secretary of state.

(1) **STATEWIDE LIEN SYSTEM REPORT.** The secretary of state shall prepare a report that describes the status of the statewide lien system authorized under section 409.410 of the statutes and that specifies when full implementation of the system may be expected. The secretary of state shall submit the report by July 1, 1992, to the governor and 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.

SECTION 9154. Nonstatutory provisions; supreme court.

(1) **DIRECTOR OF STATE COURTS; REPORTING OF PRIOR ANNUAL EARNINGS OF JUDGES.** Not later than the first day of the 7th month beginning after the effective date of this subsection, the director of state courts shall report to the department of employe trust funds the earnings of each justice or judge who is participating employe under the Wisconsin retirement system on the effective date of this subsection for the 3 annual earnings periods, as defined in section 40.02 (3) (b) of the statutes, as created by this act, immediately preceding the effective date of this subsection.

Vetoed in Part

**RESEARCH AND LEGAL ACTIVITY.** The authorized FTE positions for the supreme court, funded from the appropriation under section 20.680 (1) (a) of the statutes, are decreased by 1.0 GPR position for a public information officer.
created by this act. The department shall submit a report providing summary data on the designations and requests for information made under these sections and any findings and recommendations for improving the administration of these sections to the governor and the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes on or before the first day of the 15th month beginning after the effective date of this subsection.

(1p) **Physically disabled parking privileges.** The department of transportation shall develop a plan for the automation and periodic renewal of the special identification cards under section 343.51 of the statutes for the physically disabled persons that are required for compliance with the federal Americans with disabilities act of 1990, 42 USC 12101 et seq. The department shall report its findings, conclusions and recommendations, including recommended statutory changes, by October 1, 1992, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.

(1q) **Milwaukee county satellite district office.** The department of transportation shall develop a plan for establishing a satellite district office in Milwaukee county. The plan shall consider the following locations for the office: the area near the intersection of Fond du Lac and North avenues; the area near the intersection of Martin Luther King drive and North avenue; and the area near the Milwaukee Amtrak station. The plan shall also consider assigning functions and personnel associated with the light rail, airport, railroad, harbor and demand management activities of the department to this office. The department shall submit the plan for the proposed satellite district office to the joint committee on finance no later than January 1, 1993.

(1x) **General Mitchell international airport grant.**

(a) From the appropriation under section 20.395 (2) (dq) of the statutes, as affected by this act, the secretary of transportation shall award a grant of $125,000 in fiscal year 1992-93 to General Mitchell international airport for the purpose of marketing the airport if all of the following conditions are met:

1. General Mitchell international airport submits a plan to the department of transportation detailing the proposed use of the grant, and the secretary of transportation approves the plan.
2. General Mitchell international airport enters into a written agreement with the department of transportation specifying the terms of the grant, including reporting and auditing requirements.
3. General Mitchell international airport agrees to submit to the department of transportation a report, describing how the grant proceeds were used, within 6 months after the expenditure of all grant proceeds.

(b) The grant under paragraph (a) may be used to provide traditional or innovative marketing services and to fund the furnishing of personal services. Any marketing services funded by this grant shall concentrate on the northern Illinois market, including the Chicago vicinity market, with the intention of increasing the utilization of the airport, encouraging the development of commercial and industrial areas adjacent to the airport and promoting the use of the airport by tourists from other states.

(c) No grant may be made under this subsection after June 30, 1993.

(2j) **Lake Arterial project.** From the appropriation under section 20.395 (3) (bq) and (bx) of the statutes, the department of transportation shall allocate sufficient funds in the 1992-93 fiscal year to reimburse the cities of Milwaukee and St. Francis for all costs related to removal, relocation, alteration or other rearrangement required to restore equivalent function as necessary, in-kind if feasible, of any existing utility, including sewer mains, water mains and street lighting, that directly interferes with the construction of the Lake Arterial project authorized under section 84.013 (3) (wg) of the statutes and that are not otherwise reimbursable by the department of transportation.

(3f) **Assistance for Forest county.** Within 30 days after the effective date of this subsection, the department of transportation shall pay $540,500 from the appropriation under section 20.395 (1) (av) of the statutes, as created by this act, to Forest county solely for the purpose of payment of the arbitration award specified in this subsection.

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SECTION 9157. Nonstatutory provisions; university of Wisconsin system.

(1) POSITIONS. The authorized FTE positions for the board of regents of the university of Wisconsin system, funded from the appropriation under section 20.285 (3) (a) of the statutes, are decreased by 4.5 GPR positions on July 1, 1992, to reflect the termination of certain audit functions.

Vetoed in Part

SECTION 9160. Nonstatutory provisions; veterans.

(c) In addition to the 3 members of the commission and the executive assistant to the chairperson of the commission authorized under this act, of the amounts authorized under this act which are lapsed under this act, there is authorized for the commission a 1.0 FTE SEG position on October 1, 1992, to be funded from the appropriation under section 20.197 (1) (q) of the statutes, as created by this act, for the purpose of providing assistance to the legal staff of the commission.

SECTION 9160. Nonstatutory provisions; other.

(1) GAMING COMMISSION.

(a) Notwithstanding section 15.06 (1) (f) of the statutes, as created by this act, the initial members appointed under paragraph (a) 1. and 2. may be appointed to the commission on July 1, 1992 and on July 1, 1993, respectively.

(b) Notwithstanding section 15.06 (2) of the statutes as created by this act, the initial members appointed under paragraph (a) 1. and 2. may be appointed to the commission on July 1, 1992 and on July 1, 1993, respectively.

SECTION 9160. Nonstatutory provisions; other.

(1) GAMING COMMISSION.

(a) Notwithstanding section 15.06 (1) (f) of the statutes, as created by this act, the initial members appointed under paragraph (a) 1. and 2. may be appointed to the commission on July 1, 1992 and on July 1, 1993, respectively.

(b) Notwithstanding section 15.06 (2) of the statutes as created by this act, the initial members appointed under paragraph (a) 1. and 2. may be appointed to the commission on July 1, 1992 and on July 1, 1993, respectively.

SECTION 9160. Nonstatutory provisions; certain appropriations.

(a) In this subsection:

1. “State agency” has the meaning given in section 20.001 (1) of the statutes.

2. “State operations” means all purposes except aids to or for the benefit of local governmental units, individuals and organizations.
state agencies in the 1991-92 fiscal year, as affected by the acts of 1991, and shall lapse the amounts to the general fund prior to the end of that fiscal year:

<table>
<thead>
<tr>
<th>State Agency</th>
<th>Appropriation</th>
<th>Amount of Lapse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board on aging and long-term care</td>
<td>20.432 (1) (a)</td>
<td>$300</td>
</tr>
<tr>
<td>Elections board</td>
<td>20.510 (1) (a)</td>
<td>300</td>
</tr>
<tr>
<td>Office of the lieutenant governor</td>
<td>20.540 (1) (a)</td>
<td>400</td>
</tr>
<tr>
<td>Personnel commission</td>
<td>20.547 (1) (a)</td>
<td>200</td>
</tr>
</tbody>
</table>

(c) In addition to the report submitted under 1991 Wisconsin Act 39, section 9160 (1xg) (c), each of the following state agencies shall report in writing to the secretary of administration no later than May 1, 1992, unless another date is specified by the secretary, concerning its preference for allocation of appropriation reductions between sum certain appropriations made to the state agency from general purpose revenue for state operations, if any, or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, if any, or a combination of both, in the following amounts in the 1992-93 fiscal year:

<table>
<thead>
<tr>
<th>Amount of Reduction or Reestimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Agency</td>
</tr>
<tr>
<td>Department of agriculture, trade and consumer protection</td>
</tr>
<tr>
<td>Department of corrections</td>
</tr>
<tr>
<td>Department of development</td>
</tr>
<tr>
<td>Educational communications board</td>
</tr>
<tr>
<td>Department of employment relations</td>
</tr>
<tr>
<td>Office of the governor</td>
</tr>
<tr>
<td>Department of health and social services</td>
</tr>
<tr>
<td>Higher educational aids board</td>
</tr>
<tr>
<td>Department of industry, labor and human relations</td>
</tr>
<tr>
<td>Department of justice</td>
</tr>
<tr>
<td>Legislature</td>
</tr>
<tr>
<td>Department of military affairs</td>
</tr>
<tr>
<td>Department of natural resources</td>
</tr>
<tr>
<td>Public defender board</td>
</tr>
<tr>
<td>Department of public instruction</td>
</tr>
<tr>
<td>Department of revenue</td>
</tr>
<tr>
<td>Supreme court</td>
</tr>
<tr>
<td>Office of the state treasurer</td>
</tr>
<tr>
<td>Board of regents of the university of Wisconsin system</td>
</tr>
<tr>
<td>Board of vocational, technical and adult education</td>
</tr>
<tr>
<td>Wisconsin conservation corps board</td>
</tr>
</tbody>
</table>

(d) Each of the following state agencies, in its report to the secretary of administration under 1991 Wisconsin Act 39, section 9160 (1xg) (c) for the 1992-93 fiscal year, shall indicate its preference for allocation of the following additional appropriation reductions between sum certain appropriations made to the state agency from general purpose revenue for state operations, if any, or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, if any, or a combination of both, in the following amounts in the 1992-93 fiscal year:

<table>
<thead>
<tr>
<th>Amount of Reduction or Reestimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Agency</td>
</tr>
<tr>
<td>Department of agriculture, trade and consumer protection</td>
</tr>
<tr>
<td>Arts board</td>
</tr>
<tr>
<td>Circuit courts in Part Vetoed</td>
</tr>
<tr>
<td>Department of corrections in Part Vetoed</td>
</tr>
<tr>
<td>Department of development in Part Vetoed</td>
</tr>
</tbody>
</table>
Educational communications board 185,400
Department of employment relations 59,600
Office of the governor 26,300
Department of health and social services 1,304,200
Higher educational aids board 19,400
Historical society 68,000
Department of industry, labor and human relations 161,800
Judicial commission 3,300
Department of justice 265,900
Legislature 360,800
Department of military affairs 113,500
Department of natural resources 977,700
Public defender board 232,400
Department of revenue 500,400
Supreme court 87,000
Office of the state treasurer 3,800
Board of regents of the university of Wisconsin system 4,450,600
Board of vocational, technical and adult education 24,400
Wisconsin conservation corps board 14,500

(e) The supreme court shall file the report required under paragraph (d) for the supreme court and the circuit courts. The joint committee on legislative organization shall file the reports required under paragraphs (c) and (d) for all appropriations under section 20.765 of the statutes made from general purpose revenue for state operations.

(f) In addition to the amounts lapsed or reestimated under 1991 Wisconsin Act 39, section 9160 (1xg) (e), the secretary of administration shall, no later than the end of the 1991-92 fiscal year, lapse to the general fund from the sum certain appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or shall reestimate from the sum sufficient appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or a combination of both, the amounts specified in paragraph (c) for each state agency allocated between such appropriations in the manner determined by the secretary.

(g) Each of the agencies enumerated in 1991 Wisconsin Act 39, section 9160 (1xg) (c) and in paragraph (d) shall file a copy of the report required under 1991 Wisconsin Act 39, section 9160 (1xg) (c) and paragraph (d) with the cochairpersons of the joint committee on finance. At its 2nd quarterly meeting in 1992 under section 13.10 of the statutes, the committee shall approve, disapprove or modify, consistently with 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection, the allocations indicated in the report of each agency for the 1992-93 fiscal year.

(fg) Except in the case of a reduction applied to an appropriation to the board of regents of the university of Wisconsin system, any reduction of a sum certain appropriation made under paragraph (fg) constitutes an appropriation decrease. Any appropriations decreased under this subsection and any expenditures reestimated under this subsection shall be reflected in the composite amended schedule under section 20.004 (2) of the statutes submitted in 1992.

(fw) For each sum certain appropriation made to the board of regents of the university of Wisconsin system from general purpose revenue for state operations that is affected by a reduction reported by the cochairpersons of the committee under paragraph (fr), the secretary of administration shall, no later than the end of the 1992-93 fiscal year, lapse to the general fund from the sum certain appropriations made to the board the amount specified in paragraph (d) allocated between such appropriations in a manner determined by the secretary.

(g) In addition to the amounts lapsed or reestimated under 1991 Wisconsin Act 39, section 9160 (1xg) (f), the secretary of administration shall, no later than the end of the 1991-92 fiscal year, lapse to the general fund from the sum certain appropriations made to the department of administration from general purpose revenue for state operations or reestimate from the sum sufficient appropriations made to the department of administration from general purpose revenue for state operations, or a combination of both, a total of $4,200 in the 1991-92 fiscal year, allocated between such appropriations in a manner determined by the secretary.

(gm) The secretary of administration shall report to the cochairpersons of the joint committee on finance, no later than June 1, 1992, concerning his or her pref-
erence for allocation of appropriation reductions between sum certain appropriations made to the
department of administration from general purpose revenue for state operations or allocation of expendi-
ture reestimates between sum sufficient appropriations made to the department of administration from
general purpose revenue for state operations, or a combination of both, totaling $350,000 in the 1992-93 fiscal year. The committee shall report to the secre-
tary approved reductions or reestimates in accordance with paragraph (fr). For purposes of section 20.004
(2) of the statutes, the amounts shall be treated as pro-
vided in paragraph (fr).

(j) In addition to the amounts reestimated under 1991 Wisconsin Act 39, section 9160 (1xg) (e), the sec-
retary of administration shall reestimate the estimate shown in section 20.005 (3) (figure) of the statutes, as
affected by the acts of 1991, to reduce the estimate shown under section 20.660 (1) (a) of the statutes by
$1,000 in fiscal year 1991-92 and by $37,100 in fiscal year 1992-93.

(k) In its report under 1991 Wisconsin Act 39, section
9160 (1xg) (c) for the 1992-93 fiscal year, the depart-
ment of development shall not indicate a prefer-
ence for a reduction in the appropriation under section
20.143 (2) (b) of the statutes greater than $232,100 in the 1992-93 fiscal year and the joint com-
mittee on finance shall not approve any greater reduc-
tion in that appropriation in that fiscal year.

(L) The board of regents of the university of Wis-
sconsin system shall not apply any reduction in the
appropriation under section 20.285 (1) (fm) of the statutes under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1992-93 fiscal year to reduce funding for laboratories and computers to a greater extent than funding for that purpose was reduced under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1991-92 fiscal year.

(m) The board of regents of the university of Wis-
sconsin system shall not apply any reduction in the
appropriation under section 20.285 (1) (a) of the statutes under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1992-93 fiscal year to reduce funding for library acquisitions to a greater extent than funding for that purpose was reduced under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1991-92 fiscal year.

(2) RECORDS RETENTION SCHEDULES.
(a) In this subsection:
1. “Board” means the public records and forms
board.
2. “Personally identifiable information” has the
meaning given in section 19.62 (5) of the statutes.
3. “Records series” has the meaning given in sec-
tion 16.61 (2) (c) of the statutes.
4. “State agency” has the meaning specified in sec-
tion 16.61 (2) (d) of the statutes.
(b) For each records series maintained by a state
agency that contains personally identifiable informa-
tion and that is subject to a records retention schedule
approved by the board under section 16.61 (4) (c) of
the statutes on or before the effective date of this para-
graph, the state agency maintaining the records series
shall submit to the board by June 30, 1993, on a form
prescribed by the board, a supplement to the records
retention schedule for the records series that contains
information necessary for the board to create the reg-
istry under section 16.61 (3) (u) of the statutes, as
affected by this act.

(3X) APPOINTMENT OF MUNICIPAL JUDGE. Notwith-
standing section 17.245 of the statutes, if a municip-
ality adopts an ordinance or bylaw creating a municipal
court under section 755.01 of the statutes before
December 1, 1992, the office of municipal judge for
that court shall be considered vacant and a temporary
appointment may be made by the municipal gov-
erning body pending the election of the incumbent for
the first term. The person appointed to fill the
vacancy may not be a candidate in the election of the
municipal judge for the first term.

(3X) APPOINTMENT OF MUNICIPAL JUDGE. Notwith-
standing section 17.245 of the statutes, if a municip-
ality adopts an ordinance or bylaw creating a municipal
court under section 755.01 of the statutes before
December 1, 1992, the office of municipal judge for
that court shall be considered vacant and a temporary
appointment may be made by the municipal gov-
erning body pending the election of the incumbent for
the first term. The person appointed to fill the
vacancy may not be a candidate in the election of the
municipal judge for the first term.

SECTION 9201. Appropriation changes;
administration.

(2) COMPUTER PURCHASES. In the schedule under
section 20.005 (3) of the statutes for the appropriation
to the department of administration under section
20.505 (1) (a) of the statutes, as affected by the acts of
1991, the dollar amount is decreased by $30,000 for
fiscal year 1991-92 to reduce funding for computer
purchases.
adjustment review functions performed by the department.

(4) **Tax Appeals Commission.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $2,000 for fiscal year 1991-92 and the dollar amount is decreased by $5,200 for fiscal year 1992-93 to reduce funding for general program operations of the tax appeals commission.

(5) **Sentencing Commission.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (dm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $5,200 for fiscal year 1991-92 and the dollar amount is decreased by $5,200 for fiscal year 1992-93.

(6) **Waste Facility Siting Board.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,000 for fiscal year 1992-93.

(7) **Privacy Council.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (fz) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $50,700 for fiscal year 1991-92 and the dollar amount is decreased by $50,700 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 2.0 GPR positions.

(8) **Facilities Management.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $249,000 for fiscal year 1992-93 to finance the costs of operation of the state office building located at 3319 West Beltline highway in Dane county.

(9) **Housing Grants and Loans.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (7) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $600,000 for fiscal year 1992-93.

(10) **Transitional Housing Grants.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (7) (dm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $87,500 for fiscal year 1991-92 and the dollar amount is decreased by $87,500 for fiscal year 1992-93.

(11) **Mobile Home Parks.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (7) (jf) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $75,000 for fiscal year 1992-93 to provide initial funding for licensing and regulation of mobile home parks.

(12) **Risk Management.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (2) (ki) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $208,800 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 5.0 PR positions.

SECTION 9202. Appropriation changes; adolescent pregnancy prevention and pregnancy services board.

(1) **Adolescent Pregnancy Prevention Services.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the adolescent pregnancy prevention and pregnancy services board under section 20.434 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $132,000 for fiscal year 1992-93 to reduce to 2 the number of grants awarded under section 46.935 (5) (g) of the statutes, as affected by this act.

SECTION 9203. Appropriation changes; aging and long-term care board.

(12) **General Program Operations.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the board on aging and long-term care under section 20.432 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $7,000 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9204. Appropriation changes; agriculture, trade and consumer protection.

(1) **Animal Health Services; Lyme Disease Research.** 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 20.111 (2) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $50,000 for fiscal year 1992-93.

(3) **General Program Operations.** 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 (7) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $148,800 for fiscal year 1992-93.
to the department of agriculture, trade and consumer protection under section 20.115 (7) (u) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,156,600 for fiscal year 1992-93 for laboratory analysis relating to pesticides.

(5q) GYPSY MOTH ERADICATION. 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 (7) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $235,300 for fiscal year 1992-93 to reduce funding for the eradication of gypsy moths and to decrease the authorized FTE positions for the department by 1.0 GPR project position and 1.0 GPR position for the performance of gypsy moth eradication services.

(2) ADMINISTRATION FUNDING.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $50,000 for fiscal year 1992-93.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (2) (q) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $50,000 for fiscal year 1992-93.

SECTION 9212. Appropriation changes; corrections.

(1) PRISONER MEDICAL COSTS. 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 1991, the dollar amount is increased by $472,000 for fiscal year 1991-92 and the dollar amount is decreased by $121,300 for fiscal year 1992-93 for increased medical costs of prisoners at the state correctional institutions.

(2W) GENERAL PROGRAM OPERATIONS. 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 1991, the dollar amount is decreased by $449,000 for fiscal year 1991-92 and the dollar amount is decreased by $281,200 for fiscal year 1992-93 to decrease, effective July 1, 1992, the authorized FTE positions for the department by 1.0 GPR position and to reduce funding for the operation of institutions and provision of field services and administrative services.

(3) OVERTIME. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $205,100 for fiscal year 1992-93 to reduce the funding for overtime compensation.

(4g) PRISON EXPANSION. 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 1991, the dollar amount is decreased by $449,000 for fiscal year 1991-92 and the dollar amount is decreased by $1,156,600 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 3.2 GPR positions in fiscal year 1991-92 and an additional 53.65 GPR positions in fiscal year 1992-93, to implement the prison expansion program and to reflect revised starting dates for various projects, units and programs.

(6) PRISONER POPULATION ESTIMATES. 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 1991, the dollar amount is increased by $129,200 for fiscal year 1991-92 and the dollar amount is decreased by $118,700 for fiscal year 1992-93 to
reflect revised population estimates for prisoners at the state correctional institutions.

(7) INSTITUTIONS AND SERVICES, LIMITED TERM EMPLOYES. 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 1991, the dollar amount is decreased by $173,100 for fiscal year 1992-93 to reduce funding for limited term employees.

(9) CENTRAL OFFICE STAFF. 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 1991, the dollar amount is decreased by $25,400 for fiscal year 1991-92 and the dollar amount is decreased by $12,000 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 1.0 GPR position for central office staff.

(10) PHYSICIANS. 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 1991, the dollar amount is decreased by $20,000 for fiscal year 1991-92 and the dollar amount is increased by $5,000 for fiscal year 1992-93 to increase, effective July 1, 1992, the authorized FTE positions for the department by 1.5 GPR positions for physician services and to decrease the funding for contracts for physician services.

(10g) PRISONER COSTS, MOTHER-YOUNG CHILD CARE PROGRAM. There is transferred from the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, to the appropriation to the department of corrections under section 20.410 (1) (cw) of the statutes, as affected by the acts of 1991, $7,800 in fiscal year 1992-93 for costs of prisoners in the mother-young child care program.

(11) INSTITUTIONAL REPAIR AND MAINTENANCE. 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 1991, the dollar amount is increased by $33,000 for fiscal year 1991-92 and the dollar amount is increased by $40,000 for fiscal year 1992-93.

(12) INTENSIVE SANCTIONS, PROBATION AND PAROLE SERVICES, FUNDING SOURCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (ai) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $351,300 for fiscal year 1991-92 and the dollar amount is decreased by $351,300 for fiscal year 1992-93 to reflect a change in funding source for probation and parole services.

(13w) INTENSIVE SANCTIONS, FUNDING SOURCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aii) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $34,200 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 GPR position and to reflect a change in the funding source for the operation of the state correctional institutions.

(14) INTENSIVE SANCTIONS, DELAYED IMPLEMENTATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aii) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $203,200 for fiscal year 1991-92 to reflect a delay in the implementation of the intensive sanctions program.

(14m) PROBATION AND PAROLE AGENTS, INTENSIVE SANCTIONS, FUNDING SOURCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aii) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $141,600 for fiscal year 1991-92 to reflect that 10.0 intensive supervision probation and parole agent positions received 4 additional months of federal funding.

(15) INTENSIVE SANCTIONS, LIMITED TERM EMPLOYEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aii) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $16,900 for fiscal year 1992-93 to reduce funding for limited term employees.

(16) PROBATION AND PAROLE SERVICES. 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 1991, the dollar amount is increased by $351,300 for fiscal year 1991-92 and the dollar amount is increased by $351,300 for fiscal year 1992-93.

(17) PROBATIONER AND PAROLEE POPULATION ESTIMATES. 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 1991, the dollar amount is increased by $700,600 for fiscal year 1992-93 to reflect revised population estimates for probationers and parolees.

(18g) PROBATION AND PAROLE HOLDS. 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 1991, the dollar amount is decreased by
$1,330,700 for fiscal year 1991-92 and the dollar amount is decreased by $144,700 for fiscal year 1992-93 to reflect a revised payment schedule for probation and parole holds.

(19) **Probation and Parole, Limited Term Employees.** 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 1991, the dollar amount is decreased by $3,000 for fiscal year 1992-93 to reduce funding for limited term employees.

(20) **Mother-Young Child Care Program.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (cw) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $24,500 for fiscal year 1992-93.

(21v) **Vocational, Technical and Adult Education.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $366,700 for fiscal year 1992-93 to make payments pursuant to contracts for vocational, technical and adult education services for prisoners at the state correctional institutions.

(22) **Purchased Services for Offenders.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $147,000 for fiscal year 1992-93 to reflect a change in the funding source for purchased services for offenders.

(24) **Utilities, Fuel, Heating and Cooling.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (l) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $60,000 for fiscal year 1991-92 and the dollar amount is increased by $60,000 for fiscal year 1992-93.

(25f) **Correctional Farms.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (kf) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $920,700 for fiscal year 1991-92 and the dollar amount is decreased by $549,400 for fiscal year 1992-93 to decrease funding for the operation of correctional farms and the purchase of institutional farmland.

**SECTION 9215.** Appropriation changes; development.

(1) **Capital Access Program Grant.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (cm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $200,000 for fiscal year 1991-92.

(2) **Wisconsin Development Fund Repayments.** Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 1992, there shall lapse to the general fund $311,500 from the appropriation to the department of development under section 20.143 (1) (ie) of the statutes, as affected by the acts of 1991.

(3) **Economic Development Promotion.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $47,000 for fiscal year 1992-93.

(4) **Forward Wisconsin, Inc.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $100,000 for fiscal year 1992-93.

(5) **Economic and Community Development.** 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 1991, the dollar amount is decreased by $23,300 for fiscal year 1992-93 to decrease the authorized FTE positions for the department of development by 0.45 GPR position because of the transfer of municipal boundary adjustment review functions from the department of development to the department of administration as specified in 1991 Wisconsin Act 39.

(6) **Wisconsin Information Centers Rent Payments.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.143 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reduce the amount of rent paid to the department of transportation for use of the Wisconsin information centers.

(7) **Wisconsin Healthcare Program.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.143 (2) (am) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93.

(8) **Wisconsin Veterans Home.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.143 (2) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for veterans home.

(9) **Wisconsin State Veterinary Laboratory.** 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 20.143 (2) (ar) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin State Veterinary Laboratory.

(10) **Wisconsin Department of Natural Resources.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Natural Resources.

(11) **Wisconsin Department of Agriculture, Trade and Consumer Protection.** 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 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Agriculture, Trade and Consumer Protection.

(12) **Wisconsin Department of Health and Family Services.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Health and Family Services.

(13) **Wisconsin Department of Corrections.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Corrections.

(14) **Wisconsin Department of Education.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of education under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Education.

(15) **Wisconsin Department of Workforce Development.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of workforce development under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Workforce Development.

(16) **Wisconsin Department of Revenue.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Revenue.

(17) **Wisconsin Department of Administration.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Administration.

(18) **Wisconsin Department of Commerce and Community Development.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of commerce and community development under section 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Commerce and Community Development.

(19) **Wisconsin Department of Agriculture, Trade and Consumer Protection.** 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 20.143 (2) (au) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,100 for fiscal year 1992-93 to reflect a revised payment schedule for the Wisconsin Department of Agriculture, Trade and Consumer Protection.
(12) **HERITAGE TOURISM PROGRAM.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (2) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $40,000 for fiscal year 1992-93 to reduce the amount of the grant to each local heritage tourism program under 1991 Wisconsin Act 269 section 20.143 (2) (bm).

(13) **WISCONSIN DEVELOPMENT FUND; 1991-92.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,250,000 for fiscal year 1991-92.

(14) **GENERAL PROGRAM OPERATIONS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $50,400 for fiscal year 1991-92.

(16) **AMERICAN INDIAN ECONOMIC DEVELOPMENT TECHNICAL ASSISTANCE.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.143 (1) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $43,200 for fiscal year 1992-93 to increase the authorized FTE positions for the educational communications board by 1.0 GPR position for the performance of duties of the telecommunications center.

(17) **Distance Education Project.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $142,700 for fiscal year 1992-93 to reduce funding for general program operations.

(19) **Assistant District Attorney; Racine County.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $40,500 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to fully fund a previously authorized assistant district attorney position for Racine county.

(1p) **Dane County Assistant District Attorney.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $42,700 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to reflect the savings associated with the transfer of funding source for an experienced assistant district attorney from general purpose revenue to program revenue.

(2g) **Assistant District Attorneys; Milwaukee County.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $36,400 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to fund an increase in the authorized FTE assistant district attorney positions for Milwaukee county.

**SECTION 9216. Appropriation changes; district attorneys.**

(1) **Assistant District Attorney, Racine County.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $40,500 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to fully fund a previously authorized assistant district attorney position for Racine county.

(1p) **Dane County Assistant District Attorney.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $42,700 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to reflect the savings associated with the transfer of funding source for an experienced assistant district attorney from general purpose revenue to program revenue.

(2g) **Assistant District Attorneys; Milwaukee County.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $36,400 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to fund an increase in the authorized FTE assistant district attorney positions for Milwaukee county.

**SECTION 9217. Appropriation changes; educational communications board.**

(1) **General Program Operations.**

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $50,400 for fiscal year 1991-92.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $142,700 for fiscal year 1992-93 to reduce funding for general program operations.

(2) **Utilities, Fuel, Heating and Cooling.**
(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $10,400 for fiscal year 1991-92.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $10,400 for fiscal year 1992-93.

(4) PROGRAMMING.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (f) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,901,500 for fiscal year 1992-93 to fund programming of the educational communications board.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (f) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $83,600 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9218. Appropriation changes; elections board.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the elections board under section 20.510 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $600 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9219. Appropriation changes; employe trust funds.

(1) HEALTH INSURANCE INFORMATION SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employe trust funds under section 20.515 (1) (w) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $24,100 for fiscal year 1991-92 and the dollar amount is increased by $83,600 for fiscal year 1992-93 to fund 1.0 FTE SEG project position and 1.0 FTE SEG position authorized under SECTION 9119 (1p) of this act.

SECTION 9220. Appropriation changes; employment relations commission.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the employment relations commission under section 20.425 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $24,200 for fiscal year 1991-92 and the dollar amount is decreased by $61,300 for fiscal year 1992-93 to decrease the authorized FTE positions for the commission by 1.5 GPR positions and to decrease administrative support.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the employment relations commission under section 20.425 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $33,800 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9221. Appropriation changes; employment relations department.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employment relations under section 20.512 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $12,000 for fiscal year 1991-92 and the dollar amount is decreased by $12,000 for fiscal year 1992-93 to reflect a change in the funding source for certain costs related to publications.

(2) PUBLICATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employment relations under section 20.512 (1) (ka) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $12,000 for fiscal year 1991-92 and the dollar amount is increased by $12,000 for fiscal year 1992-93.

SECTION 9222. Appropriation changes; ethics board.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the ethics board under section 20.521 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,700 for fiscal year 1992-93.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the ethics board under section 20.521 (1) (ka) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $12,000 for fiscal year 1991-92 and the dollar amount is increased by $1,800 for fiscal year 1992-93.

SECTION 9225. Appropriation changes; health and social services.

(1g) ALCOHOL AND OTHER DRUG ABUSE. 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) (hx) of the statutes, as affected by the acts of 1991, the dollar amount
is increased by $1,614,700 for fiscal year 1992-93 to fund alcohol and other drug abuse programs in the community aids program under section 46.40 of the statutes.

(2) Aid to Families with Dependent Children; Child Care. 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 (4) (cn) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $3,774,700 for fiscal year 1992-93.

(3) Income Maintenance Administration. 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 (4) (de) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $25,833,400 for fiscal year 1992-93.

(3p) Management Stabilization Grant. 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 (4) (df) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $200,000 for fiscal year 1992-93 to provide a grant to the Opportunities Industrialization Center of Greater Milwaukee for the management and operation of the job training services that that agency provides to recipients of aid to families with dependent children.

(4) Acquired Immunodeficiency Syndrome Services. 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) (am) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,182,200 for fiscal year 1992-93.

(6) Disease AIDS. 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) (e) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $3,452,000 for fiscal year 1992-93.

(7) Medical Assistance Program Benefits. 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 1991, the dollar amount is increased by $39,856,200 for fiscal year 1991-92 and the dollar amount is increased by $49,223,000 for fiscal year 1992-93 to increase funding for the state share of medical assistance program benefits to reflect changes in medical assistance base costs, reimbursement methods and levels for providers of medical assistance goods and services, departmental auditing of the medical assistance program and implementation dates for care coordination and for certain provider rate changes.

(8) General Administration Program Operations. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (8) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $231,400 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 4.0 GPR positions.

(9) Hospice Regulation. 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) (gm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $46,500 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 PR position on July 1, 1992, for the regulation of hospices.

(10) Medical Assistance Administration. 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 1991, the dollar amount is increased by $8,760,500 for fiscal year 1991-92 and the dollar amount is decreased by $362,200 for fiscal year 1992-93 to establish a base level of funding for the state share of administrative contract costs for the medical assistance program in fiscal year 1991-92 and to reduce funding for the contract costs in fiscal year 1992-93.

(11) Mental Health Services to Homeless Individuals. 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) (ce) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $50,000 for fiscal year 1992-93 to reduce funds for providing certain mental health services under section 46.972 (3) (b) of the statutes, in response to a reduction in federal funds under 42 USC 290cc-23.

(11g) Homeless Individuals; Mental Health Services. Notwithstanding section 20.001 (3) (c) of the statutes, from the unencumbered balance in the appropriation under section 20.435 (7) (ce) of the statutes, $200,000 in fiscal year 1992-93 shall be lapsed to the general fund on July 1, 1992.

(12) Day Care Programs for Student Parents. 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) (eg) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $79,200 for fiscal year 1992-93 to reflect the elimination of funding for that department to contract with school boards for the provision of day care programs, as defined in section 46.99 (1) (a), 1989 stats., for student parents, as defined in section 46.99 (1) (d), 1989 stats.

(14) Health Program Operations. 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 1991, the dollar amount is
increased by $15,806,500 for fiscal year 1992-93 to establish the base level health general program operations funding and to decrease the authorized FTE positions for the department by 8.68 GPR positions for the purpose of reducing support for the health functions of the department.

(15) ECONOMIC SUPPORT OPERATIONS. 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 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $17,635,300 for fiscal year 1992-93 to establish the base level economic support operations funding and to decrease the authorized FTE positions for the department by 1.57 GPR positions for the purpose of reducing support for the economic support functions of the department.

Vetoed in Part

In Part

(16) GENERAL RELIEF AID. 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 (4) (df) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $18,255,200 for fiscal year 1992-93.

Vetoed in Part

(17) EMPLOYMENT AND TRAINING. 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 (4) (df) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $18,255,200 for fiscal year 1992-93.

Vetoed in Part

(18) GENERAL RELIEF AID. 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 (4) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $25,676,400 for fiscal year 1992-93 and the dollar amount is increased by $25,676,400 for fiscal year 1992-93 to reflect a change in the reimbursement date.

Vetoed in Part

(19) STATE AID FOR GENERAL RELIEF. 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 (4) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,032,100 for fiscal year 1992-93 to increase state aid for reimbursement of general relief medical costs.

Vetoed in Part

(20) VOCATIONAL REHABILITATION GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (5) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $23,400 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 1.0 GPR position.

Vetoed in Part

(21) COMMUNITY SERVICES GENERAL PROGRAM OPERATIONS. 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 1991, the dollar amount is decreased by $107,900 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 2.0 GPR positions and to increase the estimated turnover savings from 3% to 4%.

Vetoed in Part

(22) COMMUNITY AIDS. 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) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $234,000 for fiscal year 1991-92 and the dollar amount is increased by $4,239,600 for fiscal year 1992-93.

Vetoed in Part

(23) GRANTS FOR COMMUNITY PROGRAMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (bc) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $75,923,200 for fiscal year 1992-93 to reflect the removal of community youth and family aids from community aids.

Vetoed in Part

(23k) YOUTH AIDS REMOVAL. 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) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $75,923,200 for fiscal year 1992-93 to reflect the removal of community youth and family aids from community aids.

Vetoed in Part

(23p) EARLY INTERVENTION FOR HIGH-RISK YOUTHS. 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) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $250,000 for fiscal year 1992-93 to eliminate funding for fiscal years 1991-92 and 1992-93 for the early intervention program for high-risk youths under section 46.264 of the statutes, as affected by this act.

Vetoed in Part
24 COMMUNITY OPTIONS AND LONG-TERM SUPPORT.

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 1991, the dollar amount is increased by $2,710,600 for fiscal year 1992-93.

(25) EARLY INTERVENTION SERVICES. 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) (bt) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $226,400 for fiscal year 1992-93 to implement federal requirements for state participation under 20 USC 1475 (c) for the program under section 51.44 of the statutes, as affected by this act.

(26) DOMESTIC ABUSE GRANTS. 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 1991, the dollar amount is increased by $6,181,900 for fiscal year 1992-93.

(27) STATE FOSTER CARE AND ADOPTION SERVICES. 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) (dd) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $54,069,000 for fiscal year 1992-93.

(29b) BENEFIT SPECIALIST SERVICES; CERTAIN COUNTIES. 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) (dj) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $11,100 for fiscal year 1992-93 so that each aging unit which in fiscal year 1991-92 received funds under section 46.81 (2) of the statutes sufficient to provide at least 38 hours per week of benefit specialist services receives, beginning January 1, 1993, a 10% increase over the amount that it received under section 46.81 (2) of the statutes in fiscal year 1991-92.

(29p) ENVIRONMENTAL HEALTH REGULATORY PROGRAM REVENUE. Notwithstanding section 20.001 (3) (a) of the statutes, $2,500,000 shall lapse to the general fund from the unencumbered balance in the appropriation under section 20.435 (1) (gm) of the statutes on June 30, 1992.

(29g) BENEFIT SPECIALIST SERVICES; GENERAL. 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) (dj) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $82,600 for fiscal year 1992-93 to provide benefit specialist services under section 46.81 (2) of the statutes, as affected by this act, in all counties on a full-time basis, beginning January 1, 1993.
SECTION 9226. Appropriation changes; higher educational aids board.

(1) Tuition Grants. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $150,500 for fiscal year 1992-93.

(2) Indian Student Assistance Grants. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $7,000 for fiscal year 1992-93.

(3) Wisconsin Higher Education Grants. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fe) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $318,000 for fiscal year 1992-93.

(4) Minority Undergraduate Grants; Private. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fg) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $4,600 for fiscal year 1992-93.

(5) Minority Undergraduate Grants; Vocational. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fh) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $2,300 for fiscal year 1992-93.

(6) Academic Excellence Higher Education Scholarships. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fy) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $140,000 for fiscal year 1992-93.

(7) Dental Education Contract. In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $165,000 for fiscal year 1992-93.

SECTION 9227. Appropriation changes; historical society.

(1) Archives and Research Services. In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,141,000 for fiscal year 1992-93.

(2) General Program Operations; Historic Sites. In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $20,500 for fiscal year 1992-93 to decrease the authorized FTE positions for the historical society by 0.5 GPR position.

(a) Old Wade House.

In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (bg) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $19,300 for fiscal year 1992-93 to decrease the authorized FTE positions for the historical society by 0.75 GPR position.

In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (bg) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $40,000 for fiscal year 1992-93 to increase the authorized FTE positions for the historical society by 1.0 GPR position to care for the collection at Old Wade House.

(4e) Administrative Services. In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $44,300 for fiscal year 1992-93 to reduce funding for administrative services.

(4f) Fund-Raising Position. In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $31,300 for fiscal year 1992-93.
to fund 1.0 GPR project position authorized under Section 9127 (2g) of this act.

(1g) Growth stock division. In the schedule under section 20.005 (3) of the statutes for the appropriation to the investment board under section 20.536 (1) (k) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $88,900 for fiscal year 1991-92 and the dollar amount is increased by $411,800 for fiscal year 1992-93 to provide increased funding for a growth stock division.

SECTION 9232. Appropriation changes; joint committee on finance.

(1) General purpose revenue program supplementation. 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 1991, the dollar amount is increased by $658,400 for fiscal year 1991-92 and the dollar amount is decreased by $1,832,300 for fiscal year 1992-93.

(1z) Spearfishing law enforcement costs. 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 1991, the dollar amount is increased by $500,000 for fiscal year 1992-93 to reduce the funding for state and local law enforcement costs associated with spearfishing.

(2m) Lottery credit administrative costs. 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 1991, the dollar amount is decreased by $2,700 for fiscal year 1992-93 to reduce the funding available for costs associated with administering the lottery property tax credit.

SECTION 9234. Appropriation changes; judicial council.

(1Z) General program operations. In the schedule under section 20.005 (3) of the statutes for the appropriation to the judicial council under section 20.645 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $306,700 for fiscal year 1992-93.

(2p) Gaming law enforcement.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $44,600 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 4.0 SEG positions for administration of the petroleum storage remedial action program and related costs.

SECTION 9235. Appropriation changes; justice.

(1Z) General program operations. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $99,000 for fiscal year 1992-93 to reflect the savings associated with the transfer of funding source for experienced agents from general purpose revenue to program revenue.

(3) Law enforcement services; general program operations. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department
of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $9,835,700 for fiscal year 1992-93.

(4) LEGAL SERVICES. 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 1991, the dollar amount is decreased by $59,200 for fiscal year 1992-93 to eliminate funding for attorney regrades.

(5) TRANSACTION INFORMATION FOR MANAGEMENT OF ENFORCEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (h) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $19,000 for fiscal year 1992-93 and the dollar amount is increased by $67,000 for fiscal year 1992-93 for disaster recovery costs for the department's transaction information for management of enforcement system.

(5h) MILWAUKEE CRIME LABORATORY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $41,500 for fiscal year 1992-93 to increase the authorized FTE positions for the state crime laboratory located in the city of Milwaukee by 1.0 GPR position.

(6) TRUST LANDS AND INVESTMENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (4) (h) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $25,100 for fiscal year 1992-93 and the dollar amount is increased by $25,100 for fiscal year 1992-93.

SECTION 9238. Appropriation changes; lottery board.

(1m) TRANSFER TO GAMING COMMISSION. On October 1, 1992, the unencumbered balances in the appropriations under section 20.195 (1) (q), (r), (s) and (v) of the statutes are transferred to the appropriations under section 20.197 (1) (q) and (2) (r), (s) and (v) of the statutes, respectively.

SECTION 9239. Appropriation changes; lower Wisconsin state riverway board.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the lower Wisconsin state riverway board under section 20.360 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $3,100 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9240. Appropriation changes; medical college of Wisconsin.

(1) FAMILY PRACTICE RESIDENCY PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the medical college of Wisconsin, Inc., under section 20.250 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $85,000 for fiscal year 1992-93.

(2) TRAINING OF HEALTH MANPOWER. In the schedule under section 20.005 (3) of the statutes for the appropriation to the medical college of Wisconsin, Inc., under section 20.250 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,056,600 for fiscal year 1992-93.

SECTION 9241. Appropriation changes; military affairs.

(2m) EMERGENCY CLEANUP FUNDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of military affairs under section 20.465 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $75,000 for fiscal year 1991-92 to remove the moneys provided for emergency cleanup costs associated with a May 28, 1991, windstorm.

SECTION 9242. Appropriation changes; natural resources.

(1) WATER RESOURCES MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,556,800 for fiscal year 1992-93 for water resources management.
(2) **WASTEWATER MANAGEMENT.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,368,500 for fiscal year 1992-93 for wastewater management.

(3) **SOLID WASTE MANAGEMENT.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $2,575,500 for fiscal year 1992-93 for solid waste management.

(4) **WATER SUPPLY MANAGEMENT.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $2,614,000 for fiscal year 1992-93 for water supply management.

(5) **TECHNICAL SERVICES.** 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 1991, the dollar amount is increased by $762,600 for fiscal year 1992-93 for technical services related to environmental standards.

(6) **RESOURCE MANAGEMENT; GENERAL PROGRAM OPERATIONS; POSITION AUTHORIZATIONS.**

(a) 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 1991, the dollar amount is increased by $1,860,400 for fiscal year 1992-93.

(b) 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) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $294,600 for fiscal year 1992-93.

(c) 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) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $188,400 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 4.33 SEG positions for wildlife management.

(d) 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) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $188,600 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 4.33 SEG positions for fisheries management.

(e) 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) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $324,800 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 7.66 SEG positions for property management.

(f) 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) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $52,200 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 SEG position for aeronautics and communications.

(7) **GRANTS FOR SMALL POINT SOURCE PROJECTS.** 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) (ca) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $50,000 for fiscal year 1992-93 to reduce funding for grants to small point source projects.

(8) **GREAT LAKES REMEDIAL ACTION.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (af) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $1,419,500 for fiscal year 1992-93.

(9) **NONPOINT SOURCE PROGRAM LAPSE.** On the effective date of this subsection, there is lapsed to the general fund $15,800,900 from the appropriation to the department of natural resources under section 20.370 (4) (cc) of the statutes, as affected by the acts of 1991.
(9) **DUMP CLOSURE COST SHARE GRANTS.** 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) (bu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,500,000 for fiscal year 1992-93 to provide additional funding for recreational boating aids for Great Lakes projects.

(9p) **GREAT LAKES RECREATIONAL BOATING AIDS.** 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) (bu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,000,000 for fiscal year 1992-93 to provide additional funding for recreational boating aids for Great Lakes projects.

(9q) **LAKE MANAGEMENT GRANTS.** 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) (cs) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,500,000 for fiscal year 1992-93 to provide funding for lake management grants.

(9t) **PETROLEUM SPILLS ADMINISTRATION.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (dw) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $432,900 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 6.0 SEG positions for administration of the petroleum storage remedial action program and related costs.

(9tp) **LAPSE FROM APPROPRIATION FOR GASOLINE VAPOR RECOVERY GRANTS.** On August 31, 1992, there is lapsed from the appropriation under section 20.370 (4) (cg) of the statutes to the general fund an amount equal to the unencumbered balance in the appropriation on August 31, 1992, less $500,000.

(9w) **URBAN RIVERS GRANT PROGRAM.**

(a) 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) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $39,500 for fiscal year 1992-93 to increase the authorized FTE positions for the purpose of administering the urban rivers grant program and for the purpose of providing technical assistance to municipalities in planning and developing urban river projects under this program.

(b) 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) (mi) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $50,400 for fiscal year 1992-93 to increase the authorized FTE positions for the purpose of administering the urban rivers grant program and for the purpose of providing technical assistance to municipalities in planning and developing urban river projects under this program.

(c) 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) (ii) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $50,400 for fiscal year 1992-93 to increase the authorized FTE positions for the purpose of administering the urban rivers grant program and for the purpose of providing technical assistance to municipalities in planning and developing urban river projects under this program.

(9x) **SCENIC URBAN WATERWAYS.** 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) (dd) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $50,000 for fiscal year 1992-93 to reduce funding for scenic urban waterways.

(9y) **GENERAL FUND SUPPLEMENT FOR ENVIRONMENTAL REPAIR.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (md) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $469,400 for fiscal year 1992-93 to reduce the general fund supplement to the environmental fund for environmental repair.

(9z) **WASTE TIRE REMOVAL AND RECOVERY TRANSFER.** On July 1, 1992, there is transferred from the appropriation under section 20.370 (2) (dj) of the statutes, as affected by the acts of 1991, to the environmental fund, for environmental repair, $469,400.

(10) **SPEARFISHING LAW ENFORCEMENT COSTS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (8) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $5,000 for fiscal year 1992-93 to fund the study specified under Section 9142 (9m) of this act.

(10m) **BLACK HAWK WAR EXHIBIT.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (8) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $5,000 for fiscal year 1992-93 to fund the study specified under Section 9142 (9m) of this act.

(10t) **SPEARFISHING LAW ENFORCEMENT COSTS.** 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 1991, the dollar amount is increased by $5,000 for fiscal year 1992-93 to fund the study specified under Section 9142 (9m) of this act.
ments for law enforcement costs associated with spearfishing.

(11p) COUNTY FOREST LOANS. 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) (at) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $400,000 for fiscal year 1992-93.

(11w) SNOWMOBILE ENFORCEMENT AND SAFETY.

(a) 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) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $65,000 for fiscal year 1992-93 to provide funding for state law enforcement operations.

(am) 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) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $17,000 for fiscal year 1992-93 to provide state law enforcement operations for certain events or during certain periods of time.

(b) 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) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $26,000 for fiscal year 1992-93 for the department to purchase snowmobiles and trailers to carry snowmobiles.

(c) 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) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $10,000 for fiscal year 1992-93 for snowmobile safety education and information.

(d) 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) (ft) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $75,000 for fiscal year 1992-93 to provide law enforcement aids to counties.

(12w) AIR PERMIT ENFORCEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ci) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $550,000 for fiscal year 1992-93 to decrease funding for air permit review and enforcement.

SECTION 9243. Appropriation changes; personnel commission.

(12) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the personnel commission under section 20.547 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $8,800 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9244. Appropriation changes; public defender board.

(1) TRIAL REPRESENTATION. 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 1991, the dollar amount is increased by $23,488,100 for fiscal year 1992-93.

(2) PRIVATE BAR REIMBURSEMENT. 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 1991, the dollar amount is increased by $19,580,800 for fiscal year 1992-93.

SECTION 9245. Appropriation changes; public instruction.

(1) SUPPLEMENTAL STATE SCHOOL AID. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.835 (7) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $36,827,900 for fiscal year 1992-93.

(2) PUBLIC LIBRARY SYSTEMS. 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 1991, the dollar amount is increased by $11,072,200 for fiscal year 1992-93.

(6) VOCATIONAL EDUCATION POSITIONS. 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 1991, the dollar amount is increased by $172,300 for fiscal year 1992-93 to fund the positions authorized for the department in 1991 Wisconsin Act 93.

(8) GENERAL EQUALIZATION AIDS. 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 1991, the dollar amount is increased by $1,641,327,300 for fiscal year 1992-93.

(9) AIDS FOR HANDICAPPED EDUCATION. 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) (ba) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $253,957,200 for fiscal year 1992-93.

(9w) SPECIAL ADJUSTMENT AID. 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) (ba) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $890,000 for fiscal year 1992-93 to reduce funding of special adjustment aid.

(10) AID FOR CHILDREN-AT-RISK PROGRAMS. 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) (bc) of the statutes, as
affected by the acts of 1991, the dollar amount is increased by $3,500,000 for fiscal year 1992-93.

(12) AID TO COUNTY HANDICAPPED CHILDREN'S EDUCATION BOARDS. 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) (bh) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $2,316,300 for fiscal year 1992-93.

(13) MINIMUM STATE AID. 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) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $15,700,000 for fiscal year 1992-93.

(14) BILINGUAL-BICULTURAL EDUCATION AIDS. 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) (cc) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $8,291,400 for fiscal year 1992-93.

(15) TUITION PAYMENTS. 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) (cg) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $5,347,100 for fiscal year 1992-93.

(16) AID FOR PUPIL TRANSPORTATION. 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) (cr) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $97,500 for fiscal year 1992-93.

(17) LEARNING ASSISTANCE PROGRAM GRANTS. 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) (cz) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,000,000 for fiscal year 1992-93.

(18) DRIVER EDUCATION AID. 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) (cz) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $8,291,400 for fiscal year 1992-93.

(19) STAFF DEVELOPMENT. 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) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $158,000 for fiscal year 1992-93 to do all of the following:

(a) Increase the authorized FTE positions for the department by 0.75 GPR position associated with testing boards.

(b) Provide additional funding for the

(c) Provide additional funding for other staff development projects, including projects that have been identified by the department of public instruction.

(d) Vetoed in Part

(20) MANAGEMENT RESTRUCTURING PROGRAMS; TRAINING SESSIONS. 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) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $120,000 for fiscal year 1992-93 to fund the training sessions required under section 118.013 (1) (b) of the statutes, as created by this act.

(20k) HEAD START SUPPLEMENT. 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) (dm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $2,250,000 for fiscal year 1992-93 to reflect separate funding of head start supplements under section 115.3615 of the statutes, as affected by this act.

(20L) LEARNING ASSISTANCE PROGRAMS; EARLY CHILDHOOD EDUCATION. 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) (ez) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $120,000 for fiscal year 1992-93 to provide grants to school districts for programs under section 115.363 (1) (f) of the statutes, as created by this act.

SECTION 9247. Appropriation changes; racing board.

(120) GAMING LAW ENFORCEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the racing board under section 20.192 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $40,300 for fiscal year 1992-93 to reflect the transfer of gaming law enforcement responsibilities to the department of justice.

SECTION 9248. Appropriation changes; regulation and licensing.
(1) **TRANSFER TO GAMING COMMISSION.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of regulation and licensing under section 20.165 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased on October 1, 1992, by $117,200 for fiscal year 1992-93 to reflect the transfer to the gaming commission of 3.5 FTE PR positions under Section 9148 (1) of this act.

**SECTION 9249. Appropriation changes; revenue.**

(1) **COUNTY SALES AND USE TAXES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $57,300 for fiscal year 1992-93 to reflect funding for limited term employes and supplies.

(2) **GENERAL PROGRAM OPERATIONS; TAX COLLECTIONS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $57,300 for fiscal year 1992-93 to reflect the transfer of bulk tax forms order processing to a program revenue appropriation.

(3) **GENERAL PROGRAM OPERATIONS; LIMITED TERM EMPLOYES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $34,400 for fiscal year 1992-93 to decrease funding for limited term employees.

(8gX) **SHARED REVENUE STUDY.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $147,100 for fiscal year 1992-93 to increase funding for an interdepartmental agreement to administer the county sales and use taxes.

(1w) **APPROPRIATION LAPSE.** On June 30, 1992, there is lapsed to the general fund from the appropriation to the department of revenue under section 20.566 (1) (g) of the statutes, as affected by the acts of 1991, $1,400,000.

(2) **GENERAL PROGRAM OPERATIONS; TAX COLLECTIONS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $34,000 for fiscal year 1992-93 to reflect funding for an interdepartmental agreement to administer the county sales and use taxes.

(3) **GENERAL PROGRAM OPERATIONS; LIMITED TERM EMPLOYES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $34,400 for fiscal year 1992-93 to decrease funding for limited term employees.

(8gX) **SHARED REVENUE STUDY.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $34,400 for fiscal year 1992-93 to decrease funding for limited term employees.

(5h) **INVESTMENT AND LOCAL IMPACT FUND SUPPLEMENT.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (7) (e) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $34,400 for fiscal year 1992-93 to fund the grant under Section 9149 (2g) of this act.

(6) **RECYCLING SURCHARGE ADMINISTRATION.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (q) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $147,100 for fiscal year 1992-93 to increase funding for limited term employees and supplies.

**SECTION 9253. Appropriation changes; state fair park board.**

(1) **CROWD AND TRAFFIC CONTROL SERVICES GRANT PROGRAM.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the state fair park board under section 20.190 (1) (h) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $35,000 for fiscal year 1992-93 to fund the grant program under section 42.12 of the statutes, as created by this act.

(2) **DIRECTOR OF STATE COURTS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $52,900 for fiscal year 1992-93 to increase the authorized FTE positions for the supreme court by 1.0 GPR position for the period beginning on October 1, 1992, and ending on September 30, 1993, to conduct an inventory of existing legal research resources in court law libraries.

(3) **DIRECTOR OF STATE COURTS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $20,000 for fiscal year 1992-93.

(3X) **RESEARCH AND LEGAL ACTIVITY.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $43,800 for fiscal year 1991-92 and the dollar amount is increased
by $57,100 for fiscal year 1992-93 to increase the authorized FTE positions for the director of state courts by 1.0 GPR position to perform research and legal activities.

4) LAW LIBRARY OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $10,000 for fiscal year 1992-93 to reflect a transfer of expenses to the program revenue appropriation under section 20.680 (4) (g) of the statutes.

5) LAW LIBRARY COLLECTIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (4) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $10,000 for fiscal year 1992-93 to reflect increased collections.

SECTION 9255. Appropriation changes; transportation.

1) GENERAL MITCHELL INTERNATIONAL AIRPORT GRANT.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (2) (dq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $125,000 for fiscal year 1992-93 to provide funding for a grant to General Mitchell international airport under section 9155 (1x) of this act.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (2) (hq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $125,000 for fiscal year 1992-93 to provide funds for a grant to General Mitchell international airport under section 9155 (1x) of this act.

2) HIGHWAY AND LOCAL BRIDGE IMPROVEMENT ASSISTANCE; STATE FUNDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (2) (eq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $41,014,300 for fiscal year 1992-93. Vetoed in Part

3) MAJOR HIGHWAY DEVELOPMENT; STATE FUNDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (bq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,183,200 for fiscal year 1992-93.

4) STATE HIGHWAY REHABILITATION; STATE FUNDS.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (eq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $6,000,000 for fiscal year 1991-92 and the dollar amount is decreased by $13,500,000 for fiscal year 1992-93.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $3,773,200 for fiscal year 1992-93 to provide funds for aids for handicapped education transportation.

5) TRANSPORTATION REGULATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (7) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $1,049,400 for fiscal year 1992-93.

6) MASS TRANSIT OPERATING ASSISTANCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (1) (bq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $185,000 for fiscal year 1992-93.

SECTION 9257. Appropriation changes; university of Wisconsin system.

1) GENERAL PROGRAM OPERATIONS. 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 1991, the dollar amount is increased by $313,350,000 for fiscal year 1992-93.

2) ADVANCED OPPORTUNITY PROGRAM. 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) (fm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $41,014,300 for fiscal year 1992-93.

3) UTILITIES, FUEL, HEATING AND COOLING. 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) (e) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $41,014,300 for fiscal year 1992-93.

4) LABORATORIES. 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) (fm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $4,183,200 for fiscal year 1992-93.
the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (4) (dd) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $19,100 for fiscal year 1992-93.

(10h) MECHANICAL HEART RESEARCH. 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 1991, the dollar amount is increased by $2,104,500 for fiscal year 1991-92 and $192,000 in fiscal year 1992-93 to provide the university of Wisconsin medical school department of cardiology with funds for the Milwaukee heart project to build and test working prototypes of a fully implantable mechanical heart. The board of regents may not spend any money appropriated under this section unless an equal amount is received from private contributions.

(11g) RURAL LEADERSHIP PROGRAM. 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 1991, the dollar amount is increased by $25,000 for fiscal year 1992-93 for direct expenses of seminars held by the rural leadership program in the university of Wisconsin-extension. The board of regents may not spend the funds appropriated under this subsection unless it receives an equal amount of funds from other sources.

SECTION 9258. Appropriation changes; veterans affairs.

(1) HOME FOR VETERANS GENERAL FUND SUPPLEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $2,104,500 for fiscal year 1991-92 and $2,121,000 in fiscal year 1992-93 to supplement the operations of the veterans home at King.

Vetoed in Part

$732,300

(1b) VETERANS TRUST FUND LOAN TO GENERAL FUND. There is transferred from the veterans trust fund to the general fund $2,104,500 in fiscal year 1991-92 and $2,121,000 in fiscal year 1992-93.

Vetoed in Part

(1g) INSTITUTIONAL OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (1) (gk) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $205,100 for fiscal year 1992-93 to fund increased costs for drugs for residents of the veterans home at King.

Vetoed in Part

(2g) VETERANS AID AND TREATMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (vm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $180,000 for fiscal year 1991-92 and the dollar amount is decreased by $186,200 for fiscal year 1992-93 to reduce funding for the grant programs.

(2h) VETERANS LOANS AND EXPENSES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (y) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $627,100 for fiscal year 1991-92 and the dollar amount is increased by $640,900 for fiscal year 1992-93 to increase funding for economic assistance loans.

SECTION 9259. Appropriation changes; vocational, technical and adult education.

(3) STATE AID. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of vocational, technical and adult education under section 20.292 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by $99,034,500 for fiscal year 1992-93.

SECTION 9260. Appropriation changes; other.

(1) FINANCIAL SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.865 (1) (em) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $192,000 for fiscal year 1991-92 and the dollar amount is decreased by $192,000 for fiscal year 1992-93.

(2) EXECUTIVE RESIDENCE FURNISHINGS. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.865 (2) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by $25,000 for fiscal year 1991-92.

(3z) GAMING COMMISSION POSITION FUNDING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the gaming commission under section 20.197 (1) (g) of the statutes, as created by this act, the dollar amount is increased by $117,200 for fiscal year 1992-93 on October 1, 1992, to provide funding for the positions transferred to the gaming commission under SECTION 9148 (1) of this act.

(4x) PAYMENTS FOR MUNICIPAL SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.835 (5) (a) of the statutes, the dollar amount is increased by $675,000 for fiscal year 1992-93 to increase funding for the purpose of this appropriation.
SECTION 9304. Initial applicability; agriculture, trade and consumer protection.

(2) Grain dealer bond and security requirements. The treatment of section 127.07 (6) (c) and (7) (c) of the statutes first applies to the registration year that begins on September 1, 1992.

(2p) Payments for condemned and slaughtered commercially raised deer. The treatment of sections 95.31 (3) and 95.31 (5m) of the statutes, as created by this act, that are destroyed on or after January 1, 1992.

Vetoed in Part

SECTION 910. Initial applicability; circuit courts.

(2t) Tax warrant court fees. The treatment of section 814.61 (5) (b) and (c) of the statutes first applies to the filing and docketing of a withdrawal, satisfaction or voidance of a tax warrant performed by the clerk of courts on the effective date of this subsection.

(7p) Child support fee. The treatment of section 814.61 (12) (b) (intro.) of the statutes first applies to annual fees becoming due on the effective date of this subsection.

SECTION 9312. Initial applicability; corrections.

(1) Inmate wages. The treatment of section 303.06 (2) of the statutes first applies to wages earned on the effective date of this subsection.

SECTION 9325. Initial applicability; health and social services.

(3g) State agents, certain provisions. The treatment of section 146.89 (5) of the statutes first applies to actions or special proceedings commenced on the effective date of this subsection.

(5jo) Physicians supervising immunization programs. The treatment of sections 140.05 (16) (f) and (fm), 165.25 (6) (c), 893.82 (2) (d) (1) r and 895.46 (5) of the statutes and the creation of section 895.46 (5) (b) of the statutes first apply to actions or special proceedings that are commenced on the effective date of this subsection.

SECTION 9329. Initial applicability; industry, labor and human relations.

(1l) Relocation plans. The treatment of section 32.25 (1) and (3) of the statutes first applies to appraisals and options obtained on the effective date of this subsection.

SECTION 9330. Initial applicability; insurance.

(1) Confidential information. The treatment of section 601.465 of the statutes first applies to testimony, reports, records and information in existence on the effective date of this subsection.

(1z) Motor vehicle glass repair. The treatment of section 632.37 of the statutes first applies to policies issued or renewed on the effective date of this subsection.

(2p) Vetoed in Part

SECTION 9341. Initial applicability; military affairs.

(1z) Tuition grants. The treatment of section 21.49 (2) (b) of the statutes first applies to applications submitted on the effective date of this subsection.

SECTION 9342. Initial applicability; natural resources.

(1p) Boat titling. The treatment of sections 30.531 (1) (intro.) and (3) (a), 30.541 (3) (d) and 30.578 of the statutes first applies to an application for a certificate of title that is made on the effective date of this subsection.

(2v) Snowmobile violations.

(a) The treatment of section 350.11 (3) (a) 1 of the statutes first applies to violations committed on the effective date of this paragraph.

(b) The treatment of section 350.11 (1) (b) and (2) of the statutes and the creation of section 350.11 (1) (b) and (2) of the statutes first apply to violations committed on the effective date of this paragraph, but do not preclude the counting of other violations as prior violations for purposes of sentencing.

(3) Zoning for Trenton Island in Pierce County.

(a) The treatment of section 59.972 of the statutes first applies to provisions under the county shoreland
zoning ordinance for Pierce county on the effective date of this paragraph regardless of when the county shoreland zoning ordinance was enacted.

(b) The treatment of section 59.972 of the statutes first applies to alterations, repairs, additions and reconstruction that begin on the effective date of this paragraph.

(c) The treatment of section 87.307 of the statutes first applies to provisions under the floodplain zoning ordinance for Pierce county on the effective date of this paragraph regardless of when the floodplain zoning ordinance was enacted.

(d) The treatment of section 87.307 of the statutes first applies to modifications, additions, replacement and reconstruction that begin on the effective date of this paragraph.

SECTION 9344. Initial applicability; public defender board.

(1p) REIMBURSEMENT FOR INVESTIGATORY OR EXPERT SERVICES. The treatment of sections 977.03 and 977.05 (4r) (a) of the statutes and the creation of section 977.05 (2) of the statutes first apply to investigatory or expert services in cases assigned by the state public defender that are retained on the effective date of this subsection.

SECTION 9345. Initial applicability; public instruction.

(3m) Filing of documents by nonprofit cemetery. The treatment of section 157.062 (9) of the statutes first applies to certifications, resolutions and copies of proceedings filed on the effective date of this subsection by a cemetery association described in section 157.062 (9) of the statutes.

SECTION 9348. Initial applicability; regulation and licensing.

(1g) Filing of documents by nonprofit cemetery. The treatment of section 157.062 (9) of the statutes first applies to certifications, resolutions and copies of proceedings filed on the effective date of this subsection by a cemetery association described in section 157.062 (9) of the statutes.

SECTION 9349. Initial applicability; revenue.

(1) EXTENSIONS. The treatment of section 71.03 (7) of the statutes first applies to taxable years beginning on January 1, 1992.

(1m) EARNED INCOME TAX CREDIT. The treatment of section 71.07 (9e) (a) 1 to 3 of the statutes first applies to taxable years beginning on January 1, 1992.

(2) FAILURE TO FILE SALES OR USE TAX RETURN. The treatment of section 77.59 (9) of the statutes first applies to returns due on the first day of the 3rd month beginning after publication.

(2u) INDIVIDUAL INCOME TAX MEDICAL INSURANCE DEDUCTION. The treatment of section 71.07 (5) (a) 15 of the statutes first applies to taxable years beginning on January 1, 1993.

(3n) LATE FILING FEES. The treatment of section 71.83 (3) of the statutes first applies to assessments, determinations or other actions taken by the department of revenue on the effective date of this subsection, regardless of the taxable year to which they apply.

(4u) DEPRECIATION UPDATE. The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1 m) and 71.45 (2) (a) 13 of the statutes first applies to taxable years beginning on January 1, 1992.

(5) RETAILER DISCOUNT. The treatment of section 77.61 (4) (c) of the statutes first applies to taxes payable on returns filed for periods that end on January 1, 1993.

(6g) CLERGY, RECYCLING. The treatment of sections 77.92 (4) and (5) and 77.93 (2) of the statutes first applies to taxable years that begin on January 1, 1992.

(6h) SHARED REVENUE POPULATION ESTIMATES. The treatment of section 16.96 (2) (f) of the statutes first applies to shared revenue payments made in 1993.

(7e) LOTTERY CREDIT PAYMENTS. The treatment of section 79.10 (7m) (b) 1. a. of the statutes first applies to lottery credit distributions in 1993.

(7f) MANUFACTURING PROPERTY. The treatment of sections 70.995 (8) (a), (b), (c) and (d) and 71.45 (2) (a) 13 of the statutes first applies to taxable years beginning on January 1, 1992.

(7g) SMALL MUNICIPALITIES SHARED REVENUE. The treatment of sections 20.835 (1) (b) and 79.03 (3e) of the statutes first applies to small municipalities shared revenue payments made in 1993.

(7h) LOTTERY CREDIT MORTGAGES. The treatment of section 79.10 (7m) (b) 1. a. of the statutes first applies to lottery credit distributions in 1993.

(8) UNDERREPORTING PENALTY. The treatment of section 77.60 (3) of the statutes first applies to returns filed on the effective date of this subsection.

(9g) DEPRECIATION UPDATE. The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1 m) and 71.45 (2) (a) 13 of the statutes first applies to taxable years beginning on January 1, 1992.

(10x) MANUFACTURING PROPERTY. The treatment of sections 70.995 (8) (a), (b), (c) and (d) and 71.45 (2) (a) 13 of the statutes first applies to changes in responsibility for assessment as of January 1, 1991.

(11y) SHARED REVENUE POPULATION ESTIMATES. The treatment of section 16.96 (2) (f) of the statutes first applies to shared revenue payments made in 1993.

(11z) MANUFACTURING PROPERTY. The treatment of sections 70.995 (8) (a), (b), (c) and (d) and 71.45 (2) (a) 13 of the statutes first applies to shared revenue payments made in 1992.

SECTION 9351. Initial applicability; secretary of state.

(1f) SECURED TRANSACTIONS FILING FEES. The treatment of sections 409.403 (5) (a) 1, 1m and 2 and (b) 1, 1m and 2, 409.404 (3) (a), (b) and (c), 409.405 (1), (1m) and (2), 409.406 and 409.407 (2) (a) and (b) of the statutes first applies to taxable years beginning on January 1, 1992.
Vetoed in Part

(a) The treatment of sections 193.79 (2) (a) and (b) of the statutes first applies to federal, state or municipal entities first applying for federal, state or municipal entities fixed fees charged on the first day of the first month beginning after publication.

(b) The treatment of section 193.79 (4) (a) of the statutes first applies to a certificate or permit issued on the effective date of this subsection.

SECTION 9355. Initial applicability; transportation.

(1e) Revocation of license and registration. The treatment of sections 341.36 (1), (1m), (2) and (3), 343.10 (10) (am), 343.34 (intro.), 344.02 (title) and (4), 344.04, 344.08, 344.09, 344.12, 344.13, 344.14 (title), (1), (1g), (1m) (intro.) and (2) (h) and (k), 344.18 (title), (3) (b), (3r) and (4), 344.19 (2) and (3g), 344.40 (2) and 344.46 (1) and (3) of the statutes, the amendment of sections 344.02 (1) and (3), 344.18 (1) and (3) (intro.) and 344.19 (3) of the statutes and the creation of sections 344.08 (3) and 344.09 (3) of the statutes first apply to accidents occurring on the effective date of this subsection.

(1f) Proof of financial responsibility. The treatment of sections 344.18 (1m) and (3m), 344.19 (3m), 344.24, 344.29, 344.40 (1) and 344.41 (1) (intro.), (1m) and (3) of the statutes, the repeal and recreation of sections 344.18 (1) (intro.) and (3) (intro.), 344.19 (3) and 344.40 (2) of the statutes and the creation of sections 344.40 (1) (b) and 344.41 (3) (b) of the statutes first apply to suspended or revoked operating privilege and registrations renewed or reinstated on the effective date of this subsection.

(1mt) Mass transit operating assistance. The treatment of section 85.20 (4m) (a) and (em) 1 of the statutes first applies to state mass transit operating assistance payments under section 85.20 (4m) of the statutes for calendar year 1993.

SECTION 9358. Initial applicability; veterans affairs.

(1h) Vietnam veterans health care. The treatment of section 45.351 (1m) of the statutes first applies to applications for health care aid submitted to the department of veterans affairs on the effective date of this subsection.

SECTION 9360. Initial applicability; other.

(2f) Child enticement. The treatment of section 939.74 (2) (c) of the statutes first applies to offenses occurring on the effective date of this subsection.

(3f) Personal information practices.

(a) The treatment of sections 19.35 (1) (a) and (am) 1 and 2 and (4) (c), 19.36 (6) and 19.73 (2) and (4) (intro.) and (a) to (e) of the statutes first applies to requests submitted under section 19.35 (1) (a) or (am) of the statutes, as affected by this act, on the effective date of this paragraph.

(b) The treatment of sections 19.365 (title) and (2) (intro.) and 19.73 (3) and (4) (intro.) and (a) to (e) of the statutes first applies to challenges submitted to an authority under section 19.365 (1) of the statutes, as affected by this act, on the effective date of this paragraph, except that the requirement for notice of reasons for a denial under section 19.365 (1) (b) of the statutes, as affected by this act, first applies to challenges submitted to an authority under section 19.365 (1) of the statutes, as affected by this act, on the first day of the first month beginning after the effective date of this paragraph.

(c) The treatment of sections 19.37 (2) and 19.80 (1) (e) of the statutes first applies to violations of section 19.35 (1) (am) of the statutes, as created by this act, occurring on the effective date of this paragraph.

(d) The treatment of section 19.69 (1) (intro.) (as it relates to requiring that matching program specifications be in writing) of the statutes first applies to matches conducted on the first day of the third month beginning after publication.

(e) The treatment of section 146.81 (2) (b) and (c) of the statutes first applies to an informed consent signed on the effective date of this paragraph.

(g) The treatment of section 908.03 (6m) (c) 3 and (d) of the statutes first applies to requests made under section 908.03 (6m) (c) of the statutes, as affected by this act, on January 1, 1993.

(3g) Future service contracts. The treatment of section 136.001 (3) of the statutes and the creation of section 136.001 (3) (a), (b) and (c) of the statutes first apply to future service contracts, as defined in section 136.01 (5) of the statutes, entered into, renewed, extended or modified on the effective date of this subsection.

(5f) Notification of crime victims. The treatment of sections 51.37 (10) (a), (dg), (dm), (dx) and (e), 895.54, 950.045 and 971.17 (3) (e), (4m) and (6m) of the statutes and the creation of section 51.37 (10) (a) of the statutes first applies to extended home visits and leaves, releases, terminations and discharges of persons committed on the effective date of this subsection.

(5h) Prize notices. (a) The treatment of section 134.74 (1) to (5) of the statutes first applies to prize notices, as defined in section 134.74 (1) (b) of the statutes, as created by this act, that are received on the effective date of this paragraph.

(b) The treatment of section 134.74 (6) to (9) of the statutes first applies to causes of action that accrue on the effective date of this paragraph.

(5p) Pawnbrokers and secondhand dealers. The treatment of section 134.71 (2), (3) (a), (4), (5) (intro.) and (9) (a) 3 and 4 of the statutes first applies to the operation of business by a pawnbroker, secondhand article dealer, secondhand jewelry dealer or owner of a secondhand article dealer mall or flea market on the effective date of this subsection.
SECTION 9400. Effective dates; general statement. Except as otherwise provided in Sections 9401 to 9460, this act takes effect on the day after publication.

SECTION 9401. Effective dates; administration.

(1) ABOLEISHING BOARD ON THE U.S.S. WISCONSIN. The treatment of Sections 15.07 (2) (c), 15.105 (13), 16.03 and 20.505 (4) (fn) and (i) of the statutes takes effect on July 1, 1994.

SECTION 9404. Effective dates; agriculture, trade and consumer protection.

(1q) MILK PROCUREMENT FEES. The treatment of Section 97.20 (2) (b) and (2g) (a) of the statutes takes effect on July 1, 1992.

SECTION 9406. Effective dates; banking.

(1z) COLLECTION AGENCY TRUST ACCOUNTS. The treatment of Sections 186.113 (19), 215.13 (48) and 218.04 (9g) and (9m) (b) of the statutes takes effect on the first day of the 3rd month beginning after publication.

SECTION 9410. Effective dates; circuit courts.

(1) RESERVE JUDGE COMPENSATION. The treatment of Section 753.075 (3) (a) of the statutes takes effect on August 1, 1994.

SECTION 9412. Effective dates; correctional institutions.

(1) LACTATION COUNSELOR EDUCATOR PROGRAM. The treatment of Section 121.01 (2) of the statutes takes effect on July 1, 1993.

SECTION 9415. Effective dates; development.

(1) GRANT TO CENTRAL WISCONSIN ENTREPRENEURIAL DEVELOPMENT CENTER. The repeal and recreation of Section 20.143 (1) of the statutes takes effect on July 1, 1993.

(2) MUNICIPAL BOUNDARY ADJUSTMENT REVIEW. Section 9115 (1g) of this act takes effect on July 1, 1992.

(2p) GRANTS FOR URBAN INDESTRUCTIBLE BANK AND BELOIT RIVERFRONT DEVELOPMENT. The repeal and recreation of Section 20.143 (1) (c) of the statutes takes effect on July 1, 1993.
(1) Vetoed in Part. The repeals and reenactments of sections 20.435 (2) (b) and (18) of the statutes take effect on July 1, 1993.

SECTION 9417. Effective dates; educational communications board.

(1) Vetoed in Part. Section 9117 (1f) of this act takes effect on July 1, 1992.

SECTION 9419. Effective dates; employee trust funds.

(1) Vetoed in Part. The renumbering and amendment of section 146.024 (1) (a) (by SECTION 765cc) of the statutes takes effect on July 1, 1993.

(19X) ASSESSMENTS ON OCCUPIED, LICENSED BEDS. The treatment of sections 20.002 (2), 49.45 (6m) (ag) 8, (am) 4 and (av) 4. (intro.) and b. and 50.14 of the statutes takes effect on July 1, 1992.

SECTION 9425. Effective dates; health and social services.

(1) Vetoed in Part. Section 27.01 (6) (L) of the statutes takes effect on July 1, 1992.

(18) HOSPICE REGULATION. The treatment of section 20.435 (1) (dv) of the statutes takes effect on July 1, 1992.

(18j) DISCRIMINATION RELATED TO AIDS. The treatment of section 146.024 (1) (a) (by SECTION 765cc) of the statutes takes effect on July 1, 1993.

(19A) STATE HEALTH INSURANCE PROGRAM. The treatment of sections 20.435 (1) (hb), (gp) and (gq) and 146.99 of the statutes takes effect on the day after publication or retroactively to June 30, 1992, whichever is earlier.

(7) MEDICAL ASSISTANCE PRESUMPTIVE ELIGIBILITY. The treatment of section 49.465 (2) (intro.), (a), (b) and (c) and (4) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(9) ANNUAL APPROPRIATIONS. The repeal and recreation of section 20.435 (4) (df) of the statutes takes effect on June 30, 1993.

(12) DAY CARE PROGRAMS FOR STUDENT PARENTS. The treatment of sections 20.435 (7) (cg), 46.99, 115.91 (intro.), (1) and (2), 115.93 (1m) and (2) and 119.72 (2) (c) of the statutes takes effect on July 1, 1992.

(16) HOME HEALTH SERVICES REIMBURSEMENT. The treatment of section 49.45 (8) of the statutes takes effect on July 1, 1992.

(17) MEDICAL ASSISTANCE PAYMENT TO NURSING FACILITIES. The treatment of section 49.45 (6m) (ag) 8 and (av) 4. (intro.) and b. of the statutes, 1993 Wisconsin Act 39, section 9125 (15f) and 1991 Wisconsin Act 80, section 17 (2) takes effect on July 1, 1992.

SECTION 9430. Effective dates; insurance.

(1a) PARTIAL HOSPITALIZATION. The treatment of sections 20.435 (1) (fb) and 20.435 (1) (fg) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(1g) COVERAGE OF DENTAL SERVICES. The treatment of sections 40.51 (8) (by SECTION 276id), 66.184 (by SECTION 487j), 120.13 (2) (g) (by SECTION 651d), 185.981 (4) (by SECTION 798gg), 185.983 (1) (intro.) (by SECTION 798hg) and 632.87 (1) and (4) of the statutes and Section 9330 (3d) of this act take effect on the first day of the 5th month beginning after publication.

(2a) DETERMINATION OF ELIGIBILITY. The treatment of sections 20.435 (2) (d), 20.435 (2) (e) and 20.435 (2) (f) of the statutes takes effect on January 1, 1992.
Vetoed in Part
on the first day of the 12th month beginning after publication.

(2) GENETIC TESTS. The treatment of sections 40.51 (8) (by Section 276ic), (8m), (13), (14) and (15), 66.184 (by Section 487i), 120.13 (2) (g) (by Section 65ic), 185.981 (4t) (by Section 798g), 185.983 (1) (intro.) (by Section 798h) and 631.89 of the statutes and SECTION 9330 (2t) of this act take effect on July 1, 1992.

SECTION 9442. Effective dates; natural resources.

(3m) RECREATIONAL BOATING AIDS. The repeal and recreation of section 20.370 (4) (bu) of the statutes takes effect on July 1, 1993.

(2p) GRANTS FOR SMALL POINT SOURCE PROJECTS. The treatment of sections 20.370 (4) (ca) and 144.21 (3) (c), (6) (a) and (c) and (8) of the statutes takes effect on June 30, 1993.

(3i) NONPOINT SOURCE APPROPRIATION. The treatment of section 20.370 (4) (cc) of the statutes takes effect on the 2nd day after publication.

(5g) SNOWMOBILE SUPPLEMENTAL TRAIL AID PAYMENTS. The treatment of section 350.12 (4) (b) 1, (bg) and (bm) 1 of the statutes takes effect on July 1, 1992.

(5p) LAKE MANAGEMENT GRANTS. The treatment of section 20.370 (4) (cs) of the statutes and the repeal and recreation of section 25.40 (2) of the statutes take effect on July 1, 1992.

(6v) AIR FEES. The treatment of sections 144.399 (1) (a) and (b), (3) and (6) and 144.96 (3) (a) and (d) of the statutes takes effect on November 15, 1992.

(6w) AIR APPROPRIATIONS. The treatment of sections 20.370 (2) (bg), (bh), (bi) and (ci), (4) (ig) and (8) (mg) and (nh) and 144.399 (2) and (4) of the statutes takes effect on July 1, 1992.

SECTION 9445. Effective dates; public instruction.

(4x) DRIVER EDUCATION AID. The treatment of section 121.41 (1) of the statutes takes effect on July 1, 1992.

(4z) PROPERTY TAX DEFERRAL. The treatment of sections 20.505 (9) (title), (a) and (b), 20.566 (8) (title), (a) and (b), 25.38, 77.63 and 77.64 (intro.), (1), (2), (3) to (7) and (8), 77.65, 77.665 and 77.66 (title), (1), (2), (2m), (3), (4), (5) and (6), subchapter X (title) of chapter 16, chapter 77 (title) and subchapters IV (title) of chapter 77 of the statutes and SECTION 9149 (1x) of this act take effect on July 1, 1992.

(4j) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 70.111 (19) (b) of the statutes takes effect on January 1, 1993.

(4a) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of sections 20.395 (2) (dq) and 70.339 (1) (intro.) of the statutes takes effect retroactively to January 1, 1992.

(4k) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 66.058 (3) (c) (intro.) of the statutes takes effect on January 1, 1993.

(4l) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 66.058 (3) (c) (intro.) of the statutes takes effect on January 1, 1993.

(4m) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 66.058 (3) (c) (intro.) of the statutes takes effect on January 1, 1993.

(4n) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 66.058 (3) (c) (intro.) of the statutes takes effect on January 1, 1993.

(4o) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 66.058 (3) (c) (intro.) of the statutes takes effect on January 1, 1993.

(4p) LAKE MANAGEMENT GRANTS. The treatment of sections 20.370 (4) (cs), 121.07 (1) (a) and (b), (3) and (7) of the statutes, the renumbering and amendment of section 24.61 (3) (c) of the statutes and the creation of section 24.61 (3) (c) 2 of the statutes take effect on July 1, 1992.

(5f) SCHOOL DISTRICT AUDITS. The treatment of section 121.02 (2) of the statutes takes effect on July 1, 1993.

(5h) HEAD START SUPPLEMENT. The treatment of sections 20.255 (2) (dm) and (eh) and 115.361 (1) and (7) (a) of the statutes take effect on July 1, 1992.

SECTION 9448. Effective dates; regulation and licensing.

(1g) INVESTMENT OF CEMETERY FUNDS. The treatment of section 157.19 (7) of the statutes takes effect retroactively to November 1, 1991.

SECTION 9449. Effective dates; revenue.

(1) CIGARETTE TAX. The treatment of section 139.31 (1) (a) and (b) of the statutes takes effect on May 1, 1992.

(2) GENERAL MITCHELL INTERNATIONAL AIRPORT GRANT. The treatment of sections 20.395 (2) (dq) and 70.339 (1) (intro.) of this act take effect on July 1, 1992.
Underscored, stricken, and vetoed text may not be searchable.
If you do not see text of the Act, SCROLL DOWN.
91 WtsAcT 269

-1478-

114 .35 (2) of the statutes and SECTION 9155 (lx) of this
act take effect on July 1, 1992.

Vetoed
in Part

Vetoed
in Part

LICENSES AND IDENTIFICATION CARDS . The
treatment of sections 343 .17 (3) (a) 12, 343 .19 (1) and
343 .50 (3) of the statutes takes effect on January l,
1993 .
INSTRUCTION PERMIT OPERATION . The treatment
of section 343 .07 (1 m) (a) of the statutes takes effect
on April 1, 1992, or the day after publication, whichever is later .

PROOF OF FINANCIAL RESPONSIBILITY . The treatment of sections 344.18 (lm) and (3m), 344.19 (3m),
34424, 344.29, 344.40 (1) and 344.41 (1) (intro .), (1 m)
and (3) of the statutes, the repeal and recreation of
sections 344.18 (1) (intro .) and (3) (intro .), 344.19 (3)
and 344.40 (2) of the statutes, the creation of sections
344.40 (1) (b) and 344.41 (3) (b) of the statutes and
SECTION 9355 (If) of this act take effect on January l,
1993 .
(3jp) ASSISTANCE FOR FOREST COUNTY . The repeal
of section 20 .395 (1) (av) of the statutes takes effect on
June 30, 1993 .

Vetoed
in Part

SECTION 9460.

Effective dates; other.

(1) PERSONAL INFORMATION PRACTICES.

(a) The treatment of section 19 .66 of the statutes
takes effect on the first day of'the 3rd month beginning after publication .
(b) The treatment of sections 341 .08 (lm), 341 .17
(5) and (9), 342.06 (1) (i), 343 .14 (2m), 343 .235, 343.24
(4), 343 .50 (4) and 343.51 (lm) of the statutes and SECTION 9155 (1d) of this act take effect on the first day of
the 12th month beginning after publication .

(2) PROGRAM REVENUE REVERSIONS . The treatment
of section 20 .155 (1) (g) of the statutes takes effect on
July 1, 1992 .
(3g) MUNICIPAL BOUNDARY AGREEMENTS . The treatment of sections 66 .02, 66 .021 (2) (intro .), 66 .022
(intro .), 66.023, 66 .024 (intro .), 66 .025, 66 .026, 66 .027
and 117 .132 (lm) (a) of the statutes takes effect on the
first day of the 6th month beginning after publication .
(3Z) GAMING COMMISSION .

(a) The treatment of sections 13 .94 (1) (dp), 13 .94
(1) (em), 13 .94 (Is) (b), 15 .07 (1) (b) 7, 15 .07 (4), 15 .07
(5) (m), 15 .07 (5) (u), 15 .07 (5) (v), 15 .405 (4m), 15 .71,
15 .81, 16 .71 (3), 16 .72 (4m), 19 .42 (13) (c), 20 .115 (4)
(g), 20 .115 (4) (h), 20.165 (1) (g), 20 .192 (intro .),

20 .192 (1) (title), 20 .192 (1) (g) 1, 20 .192 (1) (g) I r, Is
and 2, 20 .192 (2) (title), 20 .192 (2) (h), (hm) and (i),
20 .195 (intro .), 20 .195 (1) (title), 20 .195 (1) (q), 20 .195
(1) (r), 20 .195 (1) (s), 20 .195 (I) (v), 20 .765 (3) (ka),
20 .923 (4) (e) 6m, 20 .923 (4) (e) 10m, 20 .923 (6) (hd),
20 .923 (6) (hp), 25 .75 (1) (a), 25 .75 (1) (am), 25 .75 (1)
(b), 25 .75 (2), 25 .75 (3) (b) I , 71 .02 (1), 71 .04 (1) (a),
71 .67 (4), 71 .78 (4) (L), 77 .61 (5) (b) 9, 125.06 (10),
163.02, 163 .03 (intro .) and (1) to (3), 163.03 (4), 163 .03
(4e) to (4s), 163.03 (5), 163 .03 (6) to (16), 163 .04
(intro .), 163.04 (I), 163.04 (2) to (5), 163.05 (title) and
(1) (intro .), 163.05 (1) (a) to (c), 163.05 (1) (d), 163 .05
(1) (e) and (f), 163.05 (1) (g), 163.05 (1) (h), 163 .05 (2),
163.05 (3), 163 .055, 163 .10, 163.11, 163.12, 163 .13,
163.135, 163.14, 163.15 (title), 163 .15 (1), 163 .15 (lm)
and (3), 163 .16, 163.17, 163 .18, 163.21, 163 .22, 163 .24,
163.25, 163 .26, 163 .27, 163 .29, 163 .51, 163 .52, 163 .53,
163:55, 163 .61, 163.62, 163 .63, 163 .64, 163 .65, 163 .66,
163 .68, 163 .69, 163.71, 163 .72, 163 .73, 163.80, 163 .90,
163.905, 163 .91, 163 .92 (title), 163.92 (1), 163.92 (4),
163.93, 163.94, 163 .95, 163 .97, 163 .98, 163 .99, 165 .25
(4) (a), 165 .70 (l) (e), 230.08 (2) (L) Se, 230.08 (2) (L)
Ss, 230.08 (2) (qm), 230.08 (2) (qr), 440.05 (intro .),
440.08 (2) (a) (intro .), 440 .23 (1), 440.85, 561 .06 to
561 .14, 562.01 (2), 562.01 (4), 562.01 (14), 562.02
(title), (1) (intro .) and (a), 562.02 (1) (am) (intro .),
562.02 (1) (d), 562.02 (1) (f), 562.02 (1) (h), 562 .02 (2)
(intro .), (a) and (b), 562 .02 (2) (e) 3, 562.02 (2) (g),
562.02 (3), 562 .02 (4), 562.025 (1) (intro .), 562.025 (1)
(e), 562.025 (2) (intro .) and (a), 562 .025 (2) (e), 562.03,
562.04 (1) (a) (intro .) and 1, 562.04 (1) (a) 5, 562.04 (1)
(b) (intro .), 562.04 (1) (b) 5 and 6, 562.04 (2) (intro .),
562.045 (intro .), 562 .045 (6), 562.05 (1) (intro .), 562.05
(1) (d), 562.05 (1 b), 562.05 (1m), 562.05 (2m), 562 .05
(3) and (3m), 562 .05 (3w) (intro .), 562.05 (3wmr),
562 .05 (3wt) and (4), 562,05 (4m) (intro .), 562 .05 (5)
(a) 5 and 6, 562 .05 (5) (b) 4, 562.05 (5) (c) 2, 562 .05
(6m) (b) (intro .), 562.05 (6m) (b) 2, 562.05 (6m) (c), (d)
and (e) (intro .), 562 .05 (7) (a) (intro .), 562.05 (7) (ag)
(intro .), 562.05 (7) (b) and (bg), 562.05 (8) to (10),
562.057 (1), 562.057 (3) (b) (intro .), 562.065 (1),
562.065 (3) (c) 1 . (intro .), 562.065 (3) (c) 2. (intro .),
562.065 (3) (c) 2g . (intro .), 562.065 (3) (c) 4, 562.065
(3) (d) 1, 562.065 (3) (e) (intro .) and l, 562.065 (3m)
(c), 562.075 (1) (a) and (b), 562.075 (2) (c), 562 .077,
562 .08 (3), 562.09 (1) (b) and (2) (a) to (d), 562 .09 (3)
(c) 2, 562 .09 (3) (em) and . (f), 562.105, 562.12 (1),
562.12 (3), 562.124, 562.125 (1), 562.13 (2) (b), 563.05
(title), 563 .05 (4) to (6), 564.02 (2) (g) and (2m) ; 565.01
(2) and (3), 565.01 (4c) (a) and (b), 565.01 (6), 565.02
(title), (1) (a) and (b) (intro .), 565.02 (1) (b) 4, 565.02
(1) (c), 565.02 (2) (a) and (b), 565.02 (2) (c) 3 and (d),
565.02 (2r), 565.02 (3) (intro .) and (a), 565 .02 (3) (b) 6,
565.02 (4) (intro .), 565 .02 (5), 565.02 (6)
~, Vetoed
565.05 (1) (intro .) and (a), 565.05 (1) (c), 565.10 (1), in Part
565.10 (3) (a) 4, 565.10 (3) (c) 4, 565 .10 (4) (b) (intro .),
565.10 (5), 565 .10 (7) (b), 565.10 (8) and (8m), 565.10
(11), 565 :10 (13), 565 .10 (14) (b), 565.10 (14) (c),
565.10 (15), 565 .12 (1) (intro .), 565 .12 (1) (e), 565.12
(2) and (3), 565.15, 565.17 (1) and (2), 565 .17 (5) (title)


and (a), 565.25 (1m), 565.25 (2) (a) 4, (intro.), 565.25 (2) (a) 6 and 7, 565.25 (3) (a) 4, 565.25 (4), 565.27 (1) (intro.), 565.27 (2) (a), 565.27 (2) (b) 4, 565.30 (1) and (2), 565.30 (3) (a), 565.30 (4) and (4m), 565.30 (5), 565.30 (5m), 565.32 (1), 565.32 (3) (a) (intro.), 565.37, 565.40 (1), 565.45, 565.46, 757.69 (3) (e), 945.01 (3) (b) 1, 945.01 (4) (am), 945.01 (5) (am) and 945.041 (10), chapter 163 (title), subchapters I (title), II (title), III (title), IV (title), V (title), VI (title), VII (title), VIII (title) and IX (title) of chapter 163, subchapter VII (title) of chapter 440, chapter 565 (title) and chapter 569 of the statutes, the renumbering of sections 562.01 (1) and 565.01 (1) of the statutes, the renumbering and amendment of section 20.192 (1) (g) (intro.) of the statutes, the amendment of section 165.70 (3m) of the statutes, the repeal and recreation of sections 561.02, 562.02 (2) (f) and (fm), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.06 (1), 562.065 (3) (d) 2 and (e) 2 and (4) and 562.09 (1) (title) and (a) and (2) (e) of the statutes and the creation of sections 562.01 (1) and 565.01 (1) of the statutes take effect on October 1, 1992.

(b) The treatment of section 20.197 (1) (g) 1s and 2 and (3) (hm) of the statutes and the repeal of section 20.197 (4) of the statutes take effect on July 1, 1993.

(5f) NOTIFICATION OF CRIME VICTIMS. The treatment of sections 51.37 (10) (a), (dg), (dm), (dx) and (e), 895.54, 950.045 and 971.17 (3) (e), (4m) and (6m) of the statutes, the creation of section 51.37 (10) (a) of the statutes and SECTION 9360 (5f) of this act take effect on the first day of the 2nd month commencing after publication.

(5x) MOBILE HOME DEALERS AND SALESPERSONS. The treatment of sections 16.367, 218.10 (1g), (1t) and (8m), 218.101, 218.11 (1), (2) (a), (b) and (d), (3), (6) (intro.) and (d) and (7) (a) and (b), 218.12 (1) and (2) (a), (b) and (d), 218.14 (1) (a), (b) and (d), 218.16 and 218.17 (2) of the statutes and 1991 Wisconsin Act 39, section 9155 (13p) (a) and (b) takes effect on July 1, 1992.

(1x) REVISED STATUTES OF 1991. The repeal and recreation of sections 392.28 (2) of the statutes takes effect on January 1, 1992.