

1 ***b0724/2.1* 322.** Page 418, line 18: after that line insert:

2 ***b0724/2.1* "SECTION 649x.** 20.926 of the statutes is created to read:

3 **20.926 State spending for certain billboards prohibited.** No state
4 constitutional officer, other than the governor, may expend state funds, other than
5 funds disbursed under ch. 11, to place his or her name or any picture or other likeness
6 of himself or herself on a billboard or on any other outdoor sign that is used for the
7 purpose of advertising or providing information to the public.”.

8 ***b0773/2.4* 323.** Page 418, line 25: after that line insert:

9 ***b0773/2.4* "SECTION 650d.** 20.9273 of the statutes is created to read:

10 **20.9273 Prohibitions on funding for family planning services.** (1) In
11 this section:

12 (a) “Family planning” means voluntary action by individuals to prevent or aid
13 conception. “Family planning” includes the performance, promotion,
14 encouragement or counseling in favor of, or referral either directly or through an
15 intermediary for, voluntary termination of pregnancy, but does not include the
16 providing of nondirective information explaining any of the following:

- 17 1. Prenatal care and delivery.
18 2. Infant care, foster care or adoption.

19 (b) “Family planning services” mean counseling by trained personnel
20 regarding family planning; distribution of information relating to family planning;
21 and referral to licensed nurse practitioners within the scope of their practice,
22 licensed physicians or local health departments for consultation, examination,
23 medical treatment and prescriptions for the purpose of family planning.

1 (2) Except for the provision of family planning services under ss. 49.43 to
2 49.499, no state agency or local governmental unit may authorize payment of funds
3 of this state, of any local governmental unit or of federal funds passing through the
4 state treasury for the provision of family planning services.”.

5 ***b0859/2.1* 324.** Page 418, line 25: after that line insert:

6 ***b0859/2.1* “SECTION 650r.** 20.9274 of the statutes is created to read:

7 **20.9274 Prohibition on the use of public employes and public property**
8 **to perform abortions or engage in abortion-related activity.** (1) It is the
9 intent of the legislature that this section shall further the profound and compelling
10 state interest in protecting the life of an unborn child throughout pregnancy by
11 favoring childbirth over abortion and implementing that value judgment through
12 the allocation of public resources.

13 (2) In this section:

14 (a) “Abortion” has the meaning given in s. 253.10 (2) (a).

15 (b) “Authority” means an authority created in chs. 231 and 233.

16 (c) “Local governmental unit” means a city, village, town or county or an agency
17 or subdivision of a city, village, town or county.

18 (d) “Public property” means a public facility, public institution or other building
19 or part of a building that is owned, leased or controlled by the state, a state agency,
20 a local governmental unit or an authority, or any equipment or other physical asset
21 that is owned, leased or controlled by the state, a state agency, a local governmental
22 unit or an authority.

23 (e) “State agency” means an office, department, agency, institution of higher
24 education, association, society or other body in state government created or

1 authorized to be created by the constitution or any law, which is entitled to expend
2 moneys appropriated by law, including the legislature and the courts.

3 (3) Beginning on the effective date of this subsection [revisor inserts date],
4 no person employed by this state, by a state agency, by a local governmental unit or
5 by an authority may do any of the following while acting within the scope of his or
6 her employment:

7 (a) Provide or assist in providing an abortion, unless the abortion is directly and
8 medically necessary to save the life of the pregnant woman.

9 (b) Aid or encourage a pregnant woman to have an abortion, unless the abortion
10 is directly and medically necessary to save the life of the pregnant woman.

11 (c) Make abortion referrals either directly or through an intermediary, unless
12 the abortion is directly and medically necessary to save the life of the pregnant
13 woman.

14 (d) Provide instruction on how to perform a medical treatment or surgical
15 procedure for the purpose of performing or inducing an abortion.

16 (4) (a) Except as provided in pars. (b) and (c), beginning on the effective date
17 of this paragraph [revisor inserts date], no public property may be used to do any
18 of the following:

19 1. Provide or assist in providing an abortion, unless the abortion is directly and
20 medically necessary to save the life of the pregnant woman.

21 2. Aid or encourage a pregnant woman to have an abortion, unless the abortion
22 is directly and medically necessary to save the life of the pregnant woman.

23 3. Make abortion referrals either directly or through an intermediary, unless
24 the abortion is directly and medically necessary to save the life of the pregnant
25 woman.

1 4. Provide instruction on how to perform a medical treatment or surgical
2 procedure for the purpose of performing or inducing an abortion.

3 (b) Paragraph (a) does not prohibit a private person from using police or fire
4 protection services or any services provided by a public utility.

5 (c) Paragraph (a) does not apply to public property that is leased to a private
6 person under a lease agreement entered into before the effective date of this
7 paragraph [revisor inserts date], until the date on which the lease agreement
8 expires or is extended, modified or renewed.

9 (5) (a) Any person who violates sub. (3) shall be required to forfeit not more than
10 \$1,000 for each offense.

11 (b) Any person who violates sub. (4) shall be required to forfeit not more than
12 \$5,000 for each offense.

13 (c) The penalties under pars. (a) and (b) may not be construed to limit the power
14 of the state, a state agency, a local governmental unit or an authority to discipline
15 an employe.”.

16 ***b0773/2.5* 325.** Page 419, line 4: after that line insert:

17 ***b0773/2.5*** “SECTION 651d. 20.9275 (1) (e) of the statutes is amended to read:

18 20.9275 (1) (e) “Pregnancy program, project or service” means a program,
19 project or service of an organization that provides services for pregnancy prevention,
20 family planning, as defined in s. ~~253.07 (1) (a)~~ 49.001 (1r), pregnancy testing,
21 pregnancy counseling, prenatal care, pregnancy services and reproductive health
22 care services that are related to pregnancy.”.

23 ***b0867/2.1* 326.** Page 419, line 12: after that line insert:

24 ***b0867/2.1*** “SECTION 652g. 20.9276 of the statutes is created to read:

1 **20.9276 Prohibitions on funding for contraceptive articles prescribed**
2 **for minors without parental consent. (1) In this section:**

3 (a) “Contraceptive article” means any drug, medicine, mixture, preparation,
4 instrument, article or device of any nature or any hormonal compound that is taken
5 orally, that is approved by the federal food and drug administration for use to prevent
6 a pregnancy and that is prescribed by a licensed health care provider for use to
7 prevent a pregnancy. “Contraceptive article” does not include any drug, medicine,
8 mixture, preparation, instrument, article or device of any nature prescribed for use
9 in terminating the pregnancy of a woman who is known by the prescribing licensed
10 health care provider to be pregnant.

11 (b) “Entity” has the meaning given in s. 180.0103 (8), except that “entity” does
12 not mean the United States or a foreign government and “entity” includes a nonprofit
13 corporation, as defined in s. 66.504 (1) (b).

14 (c) “Family planning services” has the meaning given in s. 49.001 (1s).

15 (d) “Local governmental unit” means a city, village, town or county or an agency
16 or subdivision of a city, village, town or county.

17 (e) “Program funds” means all of the following funds distributed or attributable
18 to an entity, public agency or individual for providing family planning services:

19 1. Funds specified under sub. (2).

20 2. Income derived from a grant, subsidy or other funding specified under sub.
21 (2) or from family planning services funded by a grant, subsidy or other funding
22 specified under sub. (2).

23 3. Funds that are matching funds to a grant, subsidy or other funding specified
24 under sub. (2).

25 (f) “Public agency” has the meaning given in s. 46.93 (1m) (e).

1 (g) “State agency” has the meaning given in s. 20.9275 (1) (g).

2 (2) No state agency or local governmental unit may authorize payment of funds
3 of this state, of any local governmental unit or, subject to sub. (4), of federal funds
4 passing through the state treasury as a grant, subsidy or other funding that wholly
5 or partially funds family planning services, if the entity, public agency or individual
6 that receives the funding prescribes a contraceptive article for a minor other than a
7 married or emancipated minor, as defined in s. 48.375 (2) (e), without the written
8 consent of one of the minor’s parents or his or her legal guardian or custodian.

9 (3) Subject to sub. (4), no entity, public agency or individual that receives funds
10 specified under sub. (2) may use program funds to prescribe a contraceptive article
11 for a minor other than a married or emancipated minor, as defined in s. 48.375 (2)
12 (e), without the written consent of one of the minor’s parents or his or her legal
13 guardian or custodian.

14 (4) The restriction under subs. (2) and (3) on the authorization of payment and
15 the use of federal funds passing through the state treasury shall apply only to the
16 extent that the application of the restriction does not result in the loss of any federal
17 funds.

18 (5) If an entity, public agency or individual that receives funds specified under
19 sub. (2) violates sub. (3), all of the following shall apply:

20 (a) The entity, public agency or individual may not receive funds specified
21 under sub. (2) for 24 months after the date on which the state agency or local
22 governmental unit last authorized payment or the date on which the entity, public
23 agency or individual last violated sub. (3), whichever is later.

24 (b) The grant, subsidy or other funding under which an entity, public agency
25 or individual has used funds in violation of sub. (3) is terminated; and the entity,

1 public agency or individual shall return to the state agency or local governmental
2 unit all funds that have been paid to the entity, public agency or individual under the
3 grant, subsidy or other funding.

4 (6) If a state agency or local governmental unit authorizes payment in violation
5 of sub. (2), the grant, subsidy or other funding under which the state agency or local
6 governmental unit authorized payment in violation of sub. (2), is terminated; and the
7 entity, public agency or individual shall return to the state agency or local
8 governmental unit funds that have been paid to the entity, public agency or
9 individual under the grant, subsidy or other funding.”.

10 *b0872/2.1* **327.** Page 419, line 12: after that line insert:

11 *b0872/2.1* “**SECTION 652d.** 20.9275 (2m) (intro.) of the statutes is amended
12 to read:

13 20.9275 (2m) (intro.) Nothing in sub. (2) prohibits the ~~providing of nondirective~~
14 ~~information explaining promotion, encouragement or counseling in favor of, or~~
15 ~~referral either directly or through an intermediary for,~~ any of the following:

16 *b0872/2.1* **SECTION 652e.** 20.9275 (2m) (c) of the statutes is repealed.

17 *b0872/2.1* **SECTION 652f.** 20.9275 (2n) of the statutes is created to read:

18 20.9275 (2n) None of the funds specified under sub. (2) (intro.) may be paid to
19 an organization or affiliate of an organization that engages in an activity that is
20 specified under sub. (2) (a) 1. to 3.

21 *b0872/2.1* **SECTION 652g.** 20.9275 (3) of the statutes is amended to read:

22 20.9275 (3) Subject to sub. (3m), no organization that receives funds specified
23 under sub. (2) (intro.) may use program funds or any other public funds for an activity
24 that is specified under sub. (2) (a) 1. to 3. No organization that receives funds

1 specified under sub. (2) (intro.) may transfer any program funds or any other public
2 funds to an organization or affiliate of an organization that engages in an activity
3 that is specified under sub. (2) (a) 1. to 3.”.

4 *b0757/2.8* **328.** Page 431, line 15: after that line insert:

5 “(am) “Available bonding authority” means the annual bonding authority as it
6 may be adjusted under sub. (4g) (b), (4m) (k), (4r) (b), (5) or (5m).”.

7 *b0757/2.9* **329.** Page 431, line 22: after that line insert:

8 “(dm) “Nonprofit conservation organization” has the meaning given in s.
9 23.0955 (1).”.

10 *b0757/2.10* **330.** Page 432, line 5: after that line insert:

11 “(h) “State conservation reserve enhancement subprogram” means the
12 subprogram under sub. (2) (a) 5.

13 (i) “Total bonding authority” means the total amount that may be obligated
14 under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000
15 program over the entire duration of the program.”.

16 *b0757/2.11* **331.** Page 432, line 7: delete “for conservation and
17 recreational”. purposes

18 *b0757/2.12* **332.** Page 432, line 9: after “acquisition” insert “for
19 conservation or recreational”.

20 *b0757/2.13* **333.** Page 432, line 10: after that line insert:

21 “3. A subprogram for bluff protection.

22 4. A subprogram for land acquisition in the Baraboo Hills for conservation
23 purposes.

1 5. A subprogram to enable the state to participate in the state conservation
2 reserve enhancement program as approved by the secretary of the federal
3 department of agriculture under 16 USC 3834 (f) (4).”.

4 ***b0757/2.14* 334.** Page 432, line 11: substitute “Except as provided in sub.
5 (5m), no” for “No”.

6 ***b0757/2.15* 335.** Page 433, line 8: delete that line.

7 ***b0757/2.16* 336.** Page 433, line 10: delete that line.

8 ***b0757/2.17* 337.** Page 433, line 11: delete lines 11 to 12 and substitute:
9 “(dm) Except as provided in subs. (4m) (k), (4r) (b), (5) and (5m), the department
10 may not obligate under the subprogram for land acquisition more than the following
11 amounts:

12 1. For fiscal year 2000–01, \$10,000,000.

13 2. For fiscal year 2001–02, \$13,500,000.

14 3. For fiscal year 2002–03, \$15,500,000.

15 4. For fiscal year 2003–04, \$19,000,000.

16 5. For each fiscal year beginning with 2004–05 and ending with fiscal year
17 2009–10, \$19,500,000.”.

18 ***b0757/2.18* 338.** Page 434, line 9: delete lines 9 to 19 and substitute:

19 “(dm) Except as provided in subs. (4r) (b) and (5), the department may not
20 obligate under the subprogram for property development and local assistance more
21 than the following amounts:

22 1. For fiscal year 2000–01, \$8,100,000.

23 2. For fiscal year 2001–02, \$11,000,000.

24 3. For fiscal year 2002–03, \$12,700,000.

1 4. For each fiscal year beginning with 2003–04 and ending with fiscal year
2 2009–10, \$15,500,000.”

3 ***b0757/2.19* 339.** Page 434, line 21: after that line insert:

4 “(4g) BLUFF PROTECTION. (a) Except as provided in par. (b) and subs. (4r)(b) and
5 (5), the department may not obligate under the subprogram for bluff protection more
6 than the following amounts:

7 1. For fiscal year 2000–01, \$1,900,000.

8 2. For each fiscal year beginning with 2001–02 and ending with fiscal year
9 2003–04, \$500,000.

10 (b) If the total amount obligated for the subprogram for bluff protection on June
11 30, 2004, is less than \$3,400,000, the department shall calculate the unobligated
12 amount by subtracting the total obligated amount from \$3,400,000. The department
13 shall then adjust the available bonding authority for the subprogram for property
14 development and local assistance by increasing the available bonding authority in
15 an amount equal to the unobligated amount.

16 (c) The department may not obligate moneys for the subprogram for bluff
17 protection after June 30, 2004.

18 (4m) BARABOO HILLS. (a) *Definitions.* In this subsection:

19 1. “Assigned amount” means the sum of the amounts made available for
20 expenditure under par. (g) and the amounts set aside by the department under par.

21 (h) 1.

22 2. “Federal nontransportation moneys” means moneys received from the
23 federal government that are not deposited in the transportation fund and that are
24 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

1 3. “Local governmental unit” means a city, village, town, county, lake sanitary
2 district, as defined in s. 30.50 (4q) or a public inland lake protection and
3 rehabilitation district.

4 4. “Nonprofit conservation organization” has the meaning given in s. 23.0955
5 (1).

6 (b) *Matching funding.* The department shall provide funding under the
7 subprogram for the Baraboo Hills to match the value of land acquisitions that are
8 certified as qualifying matching land acquisitions under par. (e).

9 (c) *Overall requirements.* 1. Except as provided in sub. (4r) (b), the department
10 may obligate not more than \$5,000,000 under the subprogram for the Baraboo Hills.

11 2. The amount of moneys, other than federal moneys, that may be used by local
12 governmental units or nonprofit conservation organizations to make land
13 acquisitions that are certified as qualifying matching land acquisitions under par.
14 (e) may not exceed \$2,500,000.

15 3. Land that is either certified as a qualifying matching land acquisition under
16 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.
17 (g) or (h) 2. may not be department land or land that is otherwise owned or under the
18 jurisdiction of the state on the effective date of this subdivision [revisor inserts
19 date].

20 (d) *Matching land acquisitions; requirements.* The department may only
21 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition
22 to which all of the following apply:

23 1. The land is being acquired for conservation purposes.

24 2. The land is being acquired by the federal government, by a local
25 governmental unit or by a nonprofit conservation organization.

1 3. Any federal moneys being used for the acquisition are federal
2 nontransportation moneys.

3 (e) *Matching land acquisitions; certification.* The department shall certify
4 which land acquisitions qualify as matching land acquisitions for the subprogram for
5 the Baraboo Hills and shall determine the values of these matching land acquisitions
6 as provided in par. (f).

7 (f) *Matching land acquisitions; valuation.* The value of a land acquisition that
8 is certified as a qualifying matching land acquisition under par. (e) shall be
9 calculated as follows:

10 1. For land that is acquired by purchase at fair market value, the value shall
11 equal the sum of the purchase price and the costs incurred by the federal
12 government, local governmental unit or nonprofit conservation organization in
13 acquiring the land.

14 2. For land that is acquired by gift or bequest or by purchase at less than fair
15 market value, the value shall equal the sum of the appraised fair market value of the
16 land at the time of the acquisition and the costs incurred by the acquiring entity in
17 acquiring the land. The acquiring entity shall supply the appraisal upon which the
18 appraised fair market value is based.

19 (g) *Matching land acquisitions; available moneys.* For each land acquisition
20 that is certified as a qualifying matching land acquisition under par. (e) the
21 department shall make available for expenditure moneys in an amount that equals
22 the value of the land acquisition, as calculated under par. (f). This paragraph does
23 not apply to a land acquisition that is acquired with moneys committed by the federal
24 government, local governmental unit or nonprofit conservation organization under
25 par. (h).

1 (h) *Matching land acquisitions; future commitments.* 1. In addition to the
2 moneys made available for expenditure under par. (g), the department shall set aside
3 moneys in amounts that equal amounts that the federal government, local
4 governmental units or nonprofit conservation organizations commit for the
5 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys
6 that are committed under this paragraph shall be federal nontransportation
7 moneys. The department may set aside moneys under this paragraph only for
8 commitments that are made before January 1, 2006.

9 2. For each land acquisition that is made by using moneys that are committed
10 by the federal government, a local governmental unit or a nonprofit conservation
11 organization under this paragraph and that is certified as a qualifying matching
12 land acquisition under par. (e), the department shall make available for expenditure
13 moneys in an amount that equals the value of the land acquisition, as calculated
14 under par. (f), after the acquisition is certified.

15 (i) *Available moneys; uses.* The moneys made available for expenditure under
16 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills
17 for conservation purposes and to award grants to local governmental units and
18 nonprofit conservation organizations.

19 (j) *Available moneys; grant requirements.* A local governmental unit or
20 nonprofit conservation organization that receives a grant under par. (i) does not need
21 to provide any matching funding. Land acquired with moneys from a grant awarded
22 under par. (i) may not be certified by the department as a qualifying matching land
23 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land
24 for conservation purposes in the Baraboo Hills.

1 (k) *Unassigned amount.* If the assigned amount for the subprogram for the
2 Baraboo Hills on January 1, 2006, is less than the available bonding authority, the
3 department shall calculate the unassigned amount by subtracting the assigned
4 amount from the available bonding authority. The department shall then adjust the
5 annual bonding authority for the subprogram for land acquisition by increasing its
6 annual bonding authority by an amount equal to this unassigned amount. The
7 department shall expend any assigned amount that has not been expended before
8 January 1, 2006, for acquisitions by the department of land for conservation
9 purposes and for grants that meet the requirements under par. (j).

10 (L) *Highway construction required.* No moneys may be obligated for the
11 subprogram for the Baraboo Hills before the department of transportation certifies
12 to the department of natural resources that highway construction that will result in
13 at least 4 traffic lanes has begun on the portion of USH 12 between the city of
14 Middleton and the village of Sauk City.

15 (4r) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) *Limits.*
16 Except as provided in par. (b) 2. and sub. (5), the department may not obligate under
17 the subprogram for state conservation reserve enhancement more than the following
18 amounts:

- 19 1. For fiscal year 2000–01, \$10,000,000.
- 20 2. For fiscal year 2001–02, \$10,000,000.
- 21 3. For fiscal year 2002–03, \$6,300,000.

22 (b) *Transfers to other subprograms; removal of limits.* 1. If the available
23 bonding authority for a given fiscal year under the subprogram under this subsection
24 is more than the subprogram's annual bonding authority, the department of
25 agriculture, trade and consumer protection may transfer an amount not to exceed

1 the difference between the subprogram's available bonding authority less the annual
2 bonding authority to one or more of the other subprograms under sub. (3), (4), (4g)
3 or (4m) if the board of agriculture, trade and consumer protection determines that
4 all of the conditions under sub. (5) (e) apply.

5 2. If the total amount obligated for the state conservation reserve enhancement
6 subprogram on June 30, 2003, is less than \$26,300,000, the department of
7 agriculture, trade and consumer protection shall calculate the unobligated amount
8 by subtracting the obligated amount from \$26,300,000. The department of
9 agriculture, trade and consumer protection may then expend for this subprogram
10 any portion of or all of this unobligated amount in one or more subsequent fiscal
11 years.

12 3. The department of agriculture, trade and consumer protection may also
13 transfer a portion or all of the unobligated amount under subd. 2. to one or more of
14 the other subprograms under sub. (3), (4), (4g) or (4m) if the board of agriculture,
15 trade and consumer protection determines that all of the conditions under sub. (5)
16 (e) apply.”.

17 *b0757/2.20* **340.** Page 434, line 22: delete lines 22 to 25 and substitute:

18 “(5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year
19 the amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram
20 under sub. (3), (4), (4g) or (4r) is less than the annual bonding authority for that
21 subprogram for that given fiscal year, the department that obligates moneys under
22 the subprogram shall adjust”.

23 *b0757/2.21* **341.** Page 435, line 6: delete lines 6 to 9 and substitute:

1 “(b) If for a given fiscal year the amount from the moneys appropriated under
2 s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), (4g) or (4r) is more than the
3 annual bonding authority for that subprogram for that given fiscal year, the
4 department that obligates moneys under the subprogram shall adjust the annual
5 bonding authority for that”.

6 *b0757/2.22* **342.** Page 435, line 13: after “(c)” insert “, (cm), (d)”.

7 *b0757/2.23* **343.** Page 435, line 14: substitute “(e)” for “(d)”.

8 *b0757/2.24* **344.** Page 435, line 16: substitute “(3), (4) or (4g)” for “(3) or (4)”.

9 *b0757/2.25* **345.** Page 435, line 19: after that line insert:

10 “(cm) The department of agriculture, trade and consumer protection may not
11 obligate in a fiscal year an amount from the moneys appropriated under s. 20.866 (2)
12 (ta) for the subprogram under sub. (4r) that exceeds the amount equal to the annual
13 bonding authority for that subprogram as it may have been previously adjusted
14 under pars. (a) and (b), except as provided in par. (e).”.

15 *b0757/2.26* **346.** Page 435, line 21: substitute “(3), (4) or (4g)” for “(3) or (4)”.

16 *b0757/2.27* **347.** Page 436, line 9: after that line insert:

17 “(e) For a given fiscal year, in addition to obligating the amount of the annual
18 bonding authority for the subprogram under sub. (4r), or the amount equal to the
19 annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),
20 whichever amount is applicable, the department of agriculture, trade and consumer
21 protection may also obligate for that subprogram up to 100% of the subprogram’s
22 annual bonding authority for that given fiscal year if the board of agriculture, trade
23 and consumer protection determines that the conditions specified in par. (d) 1. to 3.
24 apply.

1 **(5m)** ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year
2 1999–2000, the department, subject to the approval of the governor and the joint
3 committee on finance under sub. (6), may obligate under the subprogram for land
4 acquisition any amount not in excess of the total bonding authority for that
5 subprogram for the acquisition of land.

6 (b) For each land acquisition transaction under this subsection, all of the
7 following apply:

8 1. The department shall sell a portion of the acquired land.

9 2. All proceeds from the sale of the land up to the amount obligated under par.
10 (a) as determined by the secretary of administration shall be deposited into the
11 general fund and credited to the appropriation account under s. 20.370 (7) (ag).
12 Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated
13 under par. (a) shall be deposited into the general fund.

14 3. For bonds that are retired from the proceeds of the sale of the acquired land
15 within 3 years after the date that the land was acquired by the department, the
16 department shall adjust the available bonding authority for the subprogram for land
17 acquisition by increasing the available bonding authority for the fiscal year in which
18 the bonds are retired by an amount equal to the total amount of the bonds issued for
19 the sale that have been retired in that fiscal year.

20 4. For bonds that are not retired from the proceeds of the sale of the acquired
21 land within 3 years after the date that the land was acquired by the department, the
22 department shall adjust the available bonding authority for the subprogram for land
23 acquisition by decreasing the available bonding authority for the next fiscal year
24 beginning after the end of that 3–year period by an amount equal to the total amount
25 of the bonds that have been retired from such proceeds in that fiscal year and, if

1 necessary, shall decrease for each subsequent fiscal year the available bonding
2 authority in an amount equal to that available bonding authority or equal to the
3 amount still needed to equal the total amount of the bonds retired from such
4 proceeds, whichever is less, until the available bonding authority has been decreased
5 by an amount equal to the total of the ~~total~~ retired bonds *not retired*

6 (c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need
7 not be for conservation or recreational purposes.

8 (d) The department of administration shall monitor all transactions under this
9 subsection to ensure compliance with federal law and to ensure that interest on the
10 bonds is tax-exempt for the holders of the bonds.”.

11 *b0757/2.28* 348. Page 436, line 10: delete lines 10 to 19 and substitute:

12 “(6) REVIEW BY JOINT COMMITTEE ON FINANCE. (a) The department of natural
13 resources or the department of agriculture, trade and consumer protection may not
14 obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity
15 unless it first notifies the joint committee on finance in writing of the proposal. If the
16 cochairpersons of the committee do not notify the department making the proposal
17 within 14 working days after the date of that department’s notification that the
18 committee has scheduled a meeting to review the proposal, the department making
19 the proposal may obligate the moneys. If, within 14 working days after the date of
20 the notification by the department making the proposal, the cochairpersons of the
21 committee notify that department that the committee has scheduled a meeting to
22 review the proposal, the department making the proposal may obligate the moneys
23 only upon approval of the committee.

1 (b) Paragraph (a) applies only to an amount for a project or activity that exceeds
2 \$250,000 except as provided in par. (c).

3 (c) Paragraph (a) applies to any land acquisition under sub. (5m)."

4 *b0757/2.29* **349.** Page 436, line 21: substitute "(b), (c) and (dm)" for "(b) and
5 (c)".

6 *b0757/2.30* **350.** Page 437, line 2: after "price" insert ", except as provided
7 in par. (dm)".

8 *b0757/2.31* **351.** Page 437, line 5: after "increase" insert ", except as
9 provided in par. (dm)".

10 *b0757/2.32* **352.** Page 437, line 12: after that line insert:

11 "(dm) The amount that the department provides as a grant or state aid from
12 the appropriation under s. 20.866 (2) (ta) to a governmental unit under s. 23.09 (19),
13 (20) or (20m) or 30.277 may not exceed an amount equal to the lowest property tax
14 assessment of the land under s. 70.32 in the three taxable years preceding the year
15 in which the acquisition of the land occurs."

16 *b0757/2.33* **353.** Page 438, line 4: after that line insert:

17 "(d) The department may not acquire land using moneys from the
18 appropriation under s. 20.866 (2) (ta) without the prior approval of a majority of the
19 members—elect, as defined in s. 59.001 (2m), of the county board of supervisors of the
20 county in which the land is located if at least 66% of the land in the county is owned
21 or under the jurisdiction of the state, the federal government or a local governmental
22 unit, as defined in s. 66.299 (1) (a). Before determining whether to approve the
23 acquisition, the county in which the land is located shall post notices that inform the
24 residents of the community surrounding the land of the possible acquisitions.

1 (e) If moneys from the appropriation under s. 20.866 (2) (ta) are used by a
2 nonprofit conservation organization or an organization under s. 23.197 (4) to acquire
3 land to which public access exists on the effective date of this paragraph [revisor
4 inserts date], the nonprofit conservation organization shall ensure that adequate
5 and appropriate public access, as determined by the department, continues to exist.”.

6 *b1252/3.3* **354.** Page 438, line 9: after that line insert:

7 “(9m) BARABOO HILLS; REIMBURSEMENT TO DEPARTMENT OF TRANSPORTATION. (a)
8 Upon receipt of a certification from the secretary of transportation under s. 85.197
9 (7) for a given fiscal year, the department shall contract revenue obligations from the
10 appropriation under s. 20.866 (2) (ta) in an amount that equals the amount certified.
11 The proceeds from the revenue obligations shall be deposited into the transportation
12 fund and credited to the appropriation under s. 20.395 (3) (bs).

13 (b) The department shall designate the proceeds under par. (a) as having been
14 obligated from one or more of the subprograms under this section.”.

15 *b1039/2.3* **355.** Page 444, line 21: after that line insert:

16 *b1039/2.3* “SECTION 665rc. 23.0955 (2) (a) (intro.) of the statutes is amended
17 to read:

18 23.0955 (2) (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the
19 department shall provide one grant of \$75,000 \$250,000 in fiscal year 1996–97 years
20 1999–2000 and 2000–01 to a nonstock, nonprofit corporation that is described under
21 section 501 (c) (3) or (4) of the internal revenue code Internal Revenue Code, in
22 existence on the effective date of this paragraph [revisor inserts date], and
23 organized in this state if the corporation meets all of the following requirements:

1 ***b1039/2.3* SECTION 665rd.** 23.0955 (2) (a) 3. of the statutes is amended to
2 read:

3 23.0955 (2) (a) 3. The corporation has a board of directors whose members
4 represent, to the greatest extent practicable, all geographic areas of the state and
5 that has a majority of members who are representatives of nonprofit conservation
6 organizations.

7 ***b1039/2.3* SECTION 665re.** 23.0955 (2) (am) of the statutes is repealed.

8 ***b1039/2.3* SECTION 665rf.** 23.0955 (2) (b) (intro.) of the statutes is amended
9 to read:

10 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection
11 shall do all of the following, but shall emphasize the activities described in subds. 1.
12 and 2.:

13 ***b1039/2.3* SECTION 665rg.** 23.0955 (2) (b) 2m., 4. and 5. of the statutes are
14 created to read:

15 23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring
16 property for conservation purposes and in managing property acquired for
17 conservation purposes.

18 4. Acquire a property for conservation purposes where no other nonprofit
19 conservation organization exists that is willing to assist or capable of effectively
20 assisting in the transfer of the property or that can adequately manage the property
21 after it is acquired.

22 5. For each fiscal year, prepare a report detailing the activities for which a grant
23 under this section was expended, describing any property acquired by the
24 corporation and explaining how the acquisition of that property furthers the goal of

1 conservation in the state. Copies of the report shall be submitted to the department
2 and to the legislature under s. 13.172 (2).

3 ***b1039/2.3* SECTION 665rh.** 23.0955 (3) of the statutes is created to read:

4 23.0955 (3) (a) Between January 1, 2004, and July 1, 2004, the department
5 shall prepare a comprehensive report describing the cost of, and accomplishments
6 achieved by, activities funded with grants under this section, commencing with the
7 grants provided in the 1999–2000 fiscal year. The report shall evaluate all of the
8 following:

9 1. How grants under this section have furthered the goal of encouraging private
10 resource conservation.

11 2. The extent to which grants under this section complement the resource
12 conservation goals of the department.

13 (b) The report shall contain a recommendation to the legislature on whether
14 the grant program under this section should be continued, eliminated or revised.

15 (c) The report shall be distributed to the speaker of the assembly and the
16 president of the senate under s. 13.172 (3).

17 ***b1039/2.3* SECTION 665ri.** 23.0956 of the statutes is created to read:

18 **23.0956 Assistance for private conservation activities.** (1) From the
19 appropriation account under s. 20.370 (5) (aw), the department shall provide an
20 annual grant of \$85,000 in fiscal year 2000–01 to a nonstock, nonprofit corporation
21 that is described under section 501 (c) (3) or (4) of the Internal Revenue Code and
22 organized in the state if the corporation meets all of the following requirements:

23 (a) The corporation is exempt from taxation under section 501 (a) of the
24 Internal Revenue Code.

1 (b) The corporation was created to accept and to utilize private contributions
2 made to protect and enhance the state's natural resources.

3 (2) A corporation receiving a grant under sub. (1) shall use the grant to do all
4 of the following:

5 (a) Encourage private corporations and other private entities to undertake
6 activities, including the contribution of money, that encourage management and
7 restoration of the state's endangered wild animals, wild plants and natural
8 communities.

9 (b) Encourage private corporations and other private entities to engage in land
10 management practices that protect and preserve natural resources.

11 (c) Provide grants to nonprofit and other groups to encourage education,
12 restoration and management activities to enhance the state's natural resources.”.

13 *b0756/2.1* **356.** Page 448, line 4: after that line insert:

14 *b0756/2.1* “SECTION 667b. 23.145 of the statutes is created to read:

15 **23.145 Restrictions on land acquisitions. (1)** In this section:

16 (a) “Assistance” means financial, technical or other assistance or support.

17 (b) “Interest in land” means land in fee simple, an easement or a property
18 development right or other partial interest in land.

19 (c) “Local governmental unit” means a city, village, town or county.

20 (d) “Members–elect” has the meaning given in s. 59.001 (2m).

21 (e) “Nonprofit conservation organization” has the meaning given in s. 23.0955

22 (1).

23 (2) The department may not provide assistance to a nonprofit conservation
24 organization or to the federal government in order to assist the nonprofit

1 conservation organization or the federal government in the acquisition of an interest
2 in land if the land to be acquired, or the land subject to the interest in land to be
3 acquired, exceeds 5,000 acres in area unless at least one of the following applies:

4 (a) The department submits a request for approval of an interest in the
5 assistance to any local governmental unit in which the land to be acquired is located
6 and a majority of the members—elect of the governing body of the local governmental
7 unit approves the department’s request.

8 (b) The department submits a request for approval of the assistance to the
9 governor and the governor approves the department’s request.

10 (3) The governor shall maintain a list of all requests for approval submitted by
11 the department under sub. (2) (b). For each request for approval, the list shall state
12 whether the governor approved or denied the request.”.

13 *b0979/2.1* **357.** Page 448, line 4: after that line insert:

14 *b0979/2.1* “SECTION 665zd. 23.10 (1m) of the statutes is created to read:

15 23.10 (1m) Not later than 180 days after the effective date of this subsection
16 (revisor inserts date), the department shall designate a conservation warden as
17 the chief warden and shall designate one or more deputy chief wardens. The chief
18 warden shall have the duty to direct, supervise and control conservation wardens in
19 the performance of their duties under sub. (1) and s. 29.921. The chief warden shall
20 designate an employe of the department as an internal affairs officer to investigate
21 complaints against conservation wardens when the chief warden determines an
22 investigation is necessary and shall designate an employe of the department as a
23 complaint officer to resolve complaints against conservation wardens.”.

24 *b0757/2.34* **358.** Page 451, line 23: after that line insert:

1 “(5) MILWAUKEE LAKESHORE STATE PARK. (a) From the appropriation under s.
2 20.866 (2) (tz), the department may expend up to \$500,000 for the development of a
3 state park which will provide access to Lake Michigan in the city of Milwaukee. For
4 the purposes of s. 23.0915 (1), moneys provided from the appropriation under s.
5 20.866 (2) (tz) shall be treated as moneys expended for general property
6 development.

7 (b) From the appropriation under s. 20.866 (2) (ta), the department may expend
8 up to \$500,000 for the development of a state park which will provide access to Lake
9 Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided from
10 the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under
11 the subprogram for property development and local assistance.

12 (6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2)
13 (tz), the department shall provide \$173,763 for the development and expansion of
14 Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s.
15 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be
16 treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a)
17 to (k) or any combination of those purposes.”.

18 ***b1054/2.1* 359.** Page 457, line 16: after that line insert:

19 ***b1054/2.1* “SECTION 672p.** 23.317 of the statutes is created to read:

20 **23.317 In-service training.** At least once during each fiscal biennium, the
21 department shall offer an in-service training course that provides training on the
22 topic of natural resources and public relations. The department may offer the
23 training course in one or more sessions during the fiscal biennium. The department
24 shall model its training course on the training course on the topic of natural resources

1 and public relations that is part of the course offerings of the University of
2 Wisconsin–Stevens Point on the effective date of this section [revisor inserts
3 date].”.

4 *b1070/1.1* **360.** Page 459, line 21: after that line insert:

5 *b1070/1.1* “SECTION 681g. 23.33 (4) (c) (title) of the statutes is amended to
6 read:

7 23.33 (4) (c) (title) *Exceptions; municipal, state and utility operations; races and*
8 *derbies; land surveying operations.*

9 *b1070/1.1* SECTION 681h. 23.33 (4) (c) 1m. of the statutes is created to read:

10 23.33 (4) (c) 1m. Paragraphs (a) and (b) do not apply to the operator of an
11 all-terrain vehicle who is engaged in land surveying operations, if safety does not
12 require strict adherence to the restrictions under pars. (a) and (b).”.

13 *b0793/2.3* **361.** Page 462, line 19: after that line insert:

14 *b0793/2.3* “SECTION 691c. 24.66 (3) (b) of the statutes is amended to read:

15 24.66 (3) (b) *For long-term loans by unified school districts.* Every application
16 for a loan, the required repayment of which exceeds 10 years, shall be approved and
17 authorized for a unified school district by a majority vote of the members of the school
18 board at a regular or special meeting of the school board. Every vote so required shall
19 be by ayes and noes duly recorded. In addition, the application shall be approved for
20 a unified school district by a majority vote of the electors of the school district at a
21 special election referendum as provided under sub. (4).

22 *b0793/2.3* SECTION 691d. 24.66 (4) of the statutes is amended to read:

23 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
24 by law to incur indebtedness for a particular purpose without first submitting the

1 question to its electors, the application for a state trust fund loan for that purpose
2 must be approved and authorized by a majority vote of the electors at a ~~special~~
3 ~~election referendum~~ called, in accordance with s. 8.065, and noticed and held in the
4 manner provided for other ~~special elections referenda~~. The notice of the ~~election~~
5 referendum shall state the amount of the proposed loan and the purpose for which
6 it will be used.”.

7 *b0777/2.8* **362.** Page 464, line 10: delete “Tobacco control” and substitute
8 “Cigarette use resistance education”.

9 *b0754/2.10* **363.** Page 465, line 23: after that line insert:

10 *b0754/2.10* **SECTION 702m.** 25.29 (3m) of the statutes is created to read:
11 25.29 (3m) The department may not expend in any fiscal year an amount for
12 administration that exceeds 10% of the amounts in the fish and wildlife account of
13 the conservation fund.”.

14 *b0822/3.4* **364.** Page 465, line 23: after that line insert:

15 *b0822/3.4* **SECTION 702m.** 25.29 (7) (intro.) of the statutes is amended to
16 read:
17 25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58, and
18 all moneys paid into the state treasury as the counties’ share of compensation of
19 emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and
20 developing the forests of the state, including the acquisition of lands owned by
21 counties by virtue of any tax deed and of other lands suitable for state forests, and
22 for the development of lands so acquired and the conduct of forestry thereon,
23 including the growing and planting of trees; for forest and marsh fire prevention and
24 control; for grants to forestry cooperatives under s. 36.56; for compensation of

1 emergency fire wardens; for maintenance, permanent property and forestry
2 improvements; for other forestry purposes authorized by law and for the payment of
3 aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.”.

4 *b0982/3.6* **365.** Page 466, line 16: after that line insert:

5 *b0982/3.6* **SECTION 704mh.** 25.40 (1) (fm) of the statutes is created to read:
6 25.40 (1) (fm) All moneys received as fees under s. 101.9208 (1), except fees
7 received under s. 101.9208 (1) (b), and all moneys received as fees under 101.9223.

8 *b0982/3.6* **SECTION 704pd.** 25.40 (2) (b) 19g. of the statutes is created to read:
9 25.40 (2) (b) 19g. Section 20.143 (3) (sa).”.

10 *b0786/1.3* **366.** Page 466, line 17: delete lines 17 to 23.

11 *b0982/3.7* **367.** Page 467, line 21: delete “(2)” and substitute “(1) (b)”.

12 *b0917/2.1* **368.** Page 468, line 22: delete “and (9m)”.

13 *b0777/2.9* **369.** Page 470, line 6: delete “**Tobacco control**” and substitute
14 “**Cigarette use resistance education**”.

15 *b0777/2.10* **370.** Page 470, line 7: delete “tobacco control” and substitute
16 “cigarette use resistance education”.

17 *b0777/2.11* **371.** Page 470, line 8: delete that line and substitute:

18 “(a) The first \$15,000,000 of the moneys received in fiscal year 2000–01 under”.

19 *b0777/2.12* **372.** Page 470, line 10: delete that line and substitute:

20 “(b) Beginning in fiscal year 2001–02, the first \$13,000,000 of the moneys”.

21 *b1145/3.16* **373.** Page 470, line 14: after that line insert:

22 *b1145/3.16* **SECTION 717xa.** 25.75 (1) (b) of the statutes is amended to read:

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

7 ***b1145/3.16* SECTION 717xb.** 25.75 (1) (b) of the statutes, as affected by 1999
8 Wisconsin Act (this act), is repealed and recreated to read:

9 25.75 (1) (b) “Gross lottery revenues” means gross revenues from the sale of
10 lottery tickets and lottery shares under ch. 565 and revenues from the imposition of
11 fees, if any, under s. 565.10 (8) and includes compensation, including bonuses, if any,
12 paid to retailers under s. 565.10 (14), regardless of whether the compensation is
13 deducted by the retailer prior to transmitting lottery ticket and lottery share
14 revenues to the commission.

15 ***b1145/3.16* SECTION 717xf.** 25.75 (1) (c) 3. of the statutes is repealed.

16 ***b1145/3.16* SECTION 717xg.** 25.75 (1) (c) 3. of the statutes is created to read:

17 25.75 (1) (c) 3. Amounts for other expenses including compensation paid to
18 retailers under s. 565.10 (14) and amounts paid to vendors for on-line services and
19 supplies provided by the vendors under contract under s. 565.25 (2) (a).

20 ***b1145/3.16* SECTION 717xi.** 25.75 (3) (b) of the statutes is repealed.

21 ***b1145/3.16* SECTION 717xj.** 25.75 (3) (b) of the statutes is created to read:

22 25.75 (3) (b) *Expenses.* No more than an amount equal to 10% of gross lottery
23 revenues for each year may be expended to pay the expenses for the operation and
24 administration of the lottery, except that expenses for the operation and
25 administration of the lottery may exceed 10% of gross lottery revenues if so approved

1 by the joint committee on finance under s. 13.10. In computing expenses subject to
2 the 10% limitation under this paragraph:

3 1. Compensation paid to retailers under s. 565.10 (14) shall not be included.

4 2. Capital expenditures may be amortized.

5 3. Payments to vendors for on-line services and supplies provided by the
6 vendors under contract under s. 565.25 (2) (a) shall be included.

7 4. Moneys appropriated from the lottery fund under s. 20.455 (2) (r) shall not
8 be included.

9 *b1145/3.16* SECTION 717ym. 25.75 (3) (e) of the statutes is repealed.

10 *b1145/3.16* SECTION 717yn. 25.75 (3) (e) of the statutes is created to read:

11 25.75 (3) (e) From the appropriation under s. 20.566 (2) (r), lottery proceeds
12 shall be used to offset department of revenue expenses in administering the lottery
13 credit.”.

14 *b0777/2.13* 374. Page 470, line 14: delete that line and substitute “ss.
15 20.115 (4) (t) and 255.15.”.

16 *b0983/1.1* 375. Page 473, line 10: after that line insert:

17 *b0983/1.1* “SECTION 722tm. 29.024 (2g) (a) 1. of the statutes is amended to
18 read:

19 29.024 (2g) (a) 1. Any license issued under this chapter except for any group
20 fishing license issued under s. 29.193 (5).”.

21 *b0983/1.2* 376. Page 476, line 23: after that line insert:

22 *b0983/1.2* “SECTION 727m. 29.193 (5) of the statutes is created to read:

23 29.193 (5) GROUP FISHING LICENSE FOR THE DEVELOPMENTALLY DISABLED. (a)
24 “Developmental disability” has the meaning given in s. 51.01 (5) (a).

1 (b) The department shall issue one-day group fishing licenses to groups
2 consisting of individuals with developmental disabilities and their caregivers. Not
3 more than 12 individuals may fish under the privilege conferred by each license.”.

4 ***b0983/1.3* 377.** Page 481, line 10: after that line insert:

5 ***b0983/1.3*** “SECTION 760m. 29.563 (3) (a) 7m. of the statutes is created to
6 read:

7 29.563 (3) (a) 7m. One-day group fishing issued under s. 29.193 (5): \$24.25.”.

8 ***b0820/1.1* 378.** Page 486, line 18: after that line insert:

9 ***b0820/1.1*** “SECTION 785m. 30.103 of the statutes is amended to read:

10 **30.103 Identification of ordinary high-water mark by town sanitary**
11 **district.** A town sanitary district may identify the ordinary high-water mark of a
12 lake that lies wholly within unincorporated territory and wholly within the town
13 sanitary district. The department may not identify an ordinary high-water mark of
14 a lake that is different than the ordinary high-water mark identified by a town
15 sanitary district under this section. Notwithstanding s. 30.02, a dispute between a
16 town sanitary district and a riparian owner regarding the high-water mark
17 identified under this section shall be resolved by an administrative process as
18 established by rule by the public service commission.”.

19 ***b0902/2.1* 379.** Page 486, line 18: after that line insert:

20 ***b0902/2.1*** “SECTION 785dd. 30.01 (1n) of the statutes is created to read:

21 30.01 (1n) “Drain” has the meaning given in s. 88.01 (8).

22 ***b0902/2.1*** SECTION 785dh. 30.10 (2) of the statutes is amended to read:

23 30.10 (2) STREAMS. Except as provided under sub. (4) (c) and (d), all streams,
24 sloughs, bayous and marsh outlets, which are navigable in fact for any purpose

1 whatsoever, are declared navigable to the extent that no dam, bridge or other
2 obstruction shall be made in or over the same without the permission of the state.

3 ***b0902/2.1* SECTION 785dm.** 30.10 (4) (d) of the statutes is created to read:

4 30.10 (4) (d) A drainage district drain operated by a county drainage board
5 under ch. 88 is not navigable unless it is shown, by means of a U.S. geological survey
6 map or other similarly reliable scientific evidence, that the drain was a navigable
7 stream before it became a district drain.

8 ***b0902/2.1* SECTION 785dp.** 30.12 (1) (intro.) of the statutes is amended to
9 read:

10 30.12 (1) GENERAL PROHIBITION. (intro.) Except as provided under ~~sub.~~ subs.
11 (4) and (4m), unless a permit has been granted by the department pursuant to
12 statute or the legislature has otherwise authorized structures or deposits in
13 navigable waters, it is unlawful.”.

14 ***b1211/2.1* 380.** Page 486, line 18: after that line insert:

15 ***b1211/2.1* “SECTION 785m.** 30.058 of the statutes is created to read:

16 **30.058 Exemption from permit requirements for deposits in navigable**
17 **waters.** Notwithstanding s. 30.12, a riparian owner need not obtain a permit or
18 other approval from the department to place riprap or similar material as a bulkhead
19 and to fill the area landward from the bulkhead on the bed of a navigable lake if all
20 of the following apply:

21 (1) The riparian owner is an individual who has owned for at least 25 years the
22 land abutting the bed where the bulkhead and fill is to be placed.

23 (2) The riparian owner has committed at least 30 acres of his or her land to
24 environmental or conservation purposes.

1 (3) The area to be filled does not exceed 7 acres.

2 (4) The lake is an inland lake that is located in a county that meets all of the
3 following conditions:

4 (a) The county seat abuts a different inland lake.

5 (b) The population of the county is at least 135,000 but not more than 145,000,
6 as shown in the 1990 federal decennial census.”.

7 ***b0902/2.2* 381.** Page 487, line 4: after that line insert:

8 ***b0902/2.2* “SECTION 792m.** 30.12 (4m) of the statutes is created to read:

9 30.12 (4m) DRAINAGE DISTRICT STRUCTURES AND DEPOSITS. (a) Subsection (1) does
10 not apply to a structure or deposit that a county drainage boards places in a drain
11 that the board operates within a drainage district under ch. 88 if either of the
12 following applies:

13 1. The department of agriculture, trade and consumer protection, after
14 consulting with the department of natural resources, specifically approves the
15 structure or deposit.

16 2. The structure or deposit is required, under rules promulgated by the
17 department of agriculture, trade and consumer protection, in order to conform the
18 drain to specifications approved by the department of agriculture, trade and
19 consumer protection after consulting with the department of natural resources.

20 (b) The exemption from sub. (1) under par. (a) does not apply to a drain that is
21 classified as a Class I trout stream on the effective date of this paragraph [revisor
22 inserts date] by the department of natural resources under rules promulgated under
23 s. 23.09 (2) (m).”.

24 ***b0902/2.3* 382.** Page 489, line 13: after that line insert:

1 ***b0902/2.3*** “SECTION 802mg. 30.20 (1) (b) of the statutes is amended to read:

2 30.20 (1) (b) Except as provided under ~~par. (e)~~ pars. (c) and (d), no person may
3 remove any material from the bed of any lake or stream not mentioned under par.
4 (a) without first obtaining a permit from the department under sub. (2) (c).

5 ***b0902/2.3*** SECTION 802mr. 30.20 (1) (d) of the statutes is created to read:

6 30.20 (1) (d) A county drainage board may without a permit under sub. (2) (c)
7 remove material from a drain that the county drainage board operates in a drainage
8 district under ch. 88 if all of the following apply:

9 1. The removal is required, under rules promulgated by the department of
10 agriculture, trade and consumer protection, in order to conform the drain to
11 specifications imposed by the department of agriculture, trade and consumer
12 protection after consulting with the department of natural resources.

13 2. The drain is not classified as a Class I trout stream on the effective date of
14 this subdivision [revisor inserts date], by the department of natural resources
15 under rules promulgated under s. 23.09 (2) (m).”

16 ***b0757/2.35* 383.** Page 489, line 21: after “in bluff land” insert “along the
17 Great Lakes”.

18 ***b0768/3.1* 384.** Page 493, line 8: after that line insert:

19 ***b0768/3.1*** “SECTION 847y. 30.475 of the statutes is created to read:

20 **30.475 Closed area.** (1) In this section, “Mazomanie unit” means land that
21 is all of the following:

22 (a) Located in sections 28, 29, 30, 31 and 32 in township 9 north, range 6 east
23 in the Lower Wisconsin State Riverway.

24 (b) Owned or leased by this state.

1 (c) Under the jurisdiction of the department.

2 (d) Part of the Mazomanie unit of the Lower Wisconsin State Wildlife Area, as
3 designated by the department.

4 (2) Beginning on April 1 and ending on September 15 of each year, the
5 department shall close, and prohibit persons from entering, the Mazomanie unit.

6 (3) Notwithstanding sub. (2), the closure of the Mazomanie unit does not apply
7 to any of the following:

8 (a) A person who enters the Mazomanie unit to engage in nonrecreational
9 activities for which the department has issued a permit including a person who holds
10 a permit under s. 29.614.

11 (b) A person who enters the Mazomanie unit to engage in the training of
12 hunting dogs or to conduct dog trials if the person holds a permit under rules
13 promulgated by the department under s. 29.321.

14 (c) A person who enters the islands and sandbars of the Mazomanie unit
15 between 6:00 a.m. and 9:00 p.m.

16 (4) The department shall post notice of the closure of the Mazomanie unit in
17 a manner that gives the public sufficient notice of the closure.

18 *b0768/3.1* SECTION 847z. 30.49 (1) (dm) of the statutes is created to read:

19 30.49 (1) (dm) Any person who violates s. 30.475 shall forfeit not less than \$100
20 nor more than \$1,000 for each violation.”.

21 *b0827/1.2* 385. Page 496, line 13: delete lines 13 to 22.

22 *b0829/1.1* 386. Page 499, line 8: after that line insert:

23 *b0829/1.1* “SECTION 867xg. 30.92 (4) (b) 8. am. of the statutes is created to
24 read:

1 30.92 (4) (b) 8. am. A project that uses chemicals to remove Eurasian water
2 milfoil.”.

3 ***b0755/1.1* 387.** Page 499, line 9: after that line insert:

4 ***b0755/1.1* “SECTION 867xp.** 31.02 (title) of the statutes is amended to read:

5 **31.02 (title) Powers and duties of department.**

6 ***b0755/1.1* SECTION 867xr.** 31.02 (4) (c) of the statutes is amended to read:

7 31.02 (4) (c) With good and sufficient ~~fishway or fishways~~ or fish ladders, or in
8 lieu thereof the owner may be permitted to enter into an agreement with the
9 department to pay for or to supply to the state of Wisconsin annually such quantities
10 of game fish for stocking purposes as may be agreed upon by the owner and the
11 department.

12 ***b0755/1.1* SECTION 867xs.** 31.02 (4g) of the statutes is created to read:

13 31.02 (4g) The department may not impose the requirement under sub. (4) (c)
14 on an owner of a dam unless all of the following apply:

15 1. The rules promulgated under sub. (4r) are in effect.

16 2. The federal government or the state implements a program to provide
17 cost-sharing grants to owners of dams for equipping dams with fishways or fish
18 ladders and a grant is available to the dam owner under the program.

19 ***b0755/1.1* SECTION 867xt.** 31.02 (4r) of the statutes is created to read:

20 31.02 (4r) The department shall promulgate rules specifying the rights held
21 by the public in navigable waters that are dammed. The rules shall include
22 provisions on the rights held by public that affect the placement of fishways or fish
23 ladders in navigable waters that are dammed.”.

24 ***b0902/2.4* 388.** Page 499, line 9: after that line insert:

1 ***b0902/2.4*** “SECTION 867xo. 31.02 (6) of the statutes is amended to read:

2 31.02 (6) ~~The department shall~~ Except as provided in sub. (7m), the
3 department may operate, repair and maintain the dams and ~~dykes~~ dikes constructed
4 across drainage ditches and streams in drainage districts, in the interest of drainage
5 control, water conservation, irrigation, conservation, pisciculture and to provide
6 areas suitable for the nesting and breeding of aquatic wild bird life and the
7 propagation of fur-bearing animals.

8 ***b0902/2.4*** SECTION 867xq. 31.02 (7) of the statutes is repealed.

9 ***b0902/2.4*** SECTION 867xr. 31.02 (7m) of the statutes is created to read:

10 31.02 (7m) A county drainage board shall operate, repair and maintain dams,
11 dikes and other structures in district drains that the board operates in drainage
12 districts in compliance with ch. 88 and any rules promulgated by the department of
13 agriculture, trade and consumer protection under ch. 88. If a county drainage board
14 fails to perform its duties under this subsection, the department of natural resources
15 may exercise its authority under sub. (6).

16 ***b0902/2.4*** SECTION 867xs. 31.02 (8) of the statutes is repealed.

17 ***b0902/2.4*** SECTION 867xt. 31.02 (9) of the statutes is repealed.”.

18 ***b0780/1.8*** **389.** Page 502, line 23: delete the material beginning with that
19 line and ending with page 503, line 3.

20 ***b0730/1.5*** **390.** Page 502, line 14: after that line insert:

21 ***b0730/1.5*** “SECTION 884a. 34.01 (2) (a) of the statutes is amended to read:

22 34.01 (2) (a) Any loss of public moneys, which have been deposited in a
23 designated public depository in accordance with this chapter, resulting from the
24 failure of any public depository to repay to any public depositor the full amount of

1 its deposit because the office of credit unions, administrator of federal credit unions,
2 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
3 supervision, federal deposit insurance corporation, resolution trust corporation,
4 division of banking or division of savings and loan institutions has taken possession
5 of the public depository or because the public depository has, with the consent and
6 approval of the office of credit unions, administrator of federal credit unions, U.S.
7 office of thrift supervision, federal deposit insurance corporation, resolution trust
8 corporation, division of banking or division of savings and loan institutions, adopted
9 a stabilization and readjustment plan or has sold a part or all of its assets to another
10 credit union, bank, savings bank or savings and loan association which has agreed
11 to pay a part or all of the deposit liability on a deferred payment basis or because the
12 depository is prevented from paying out old deposits because of rules of the office of
13 credit unions, administrator of federal credit unions, U.S. comptroller of the
14 currency, federal home loan bank board, U.S. office of thrift supervision, federal
15 deposit insurance corporation, resolution trust corporation, division of banking or
16 division of savings and loan institutions.

17 ***b0730/1.5* SECTION 885a.** 34.10 of the statutes is amended to read:

18 **34.10 Reorganization and stabilization of financial institutions.**
19 Whenever the office of credit unions, administrator of federal credit unions, U.S.
20 comptroller of the currency, federal home loan bank board, U.S. office of thrift
21 supervision, federal deposit insurance corporation, resolution trust corporation,
22 division of banking or division of savings and loan institutions has taken charge of
23 a credit union, bank, savings bank or savings and loan association with a view of
24 restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting
25 the structure of any national or state credit union, bank, savings bank or savings and

1 loan association located in this state, and has approved a reorganization plan or a
2 stabilization and readjustment agreement entered into between the credit union,
3 bank, savings bank or savings and loan association and depositors and unsecured
4 creditors, or when a credit union, bank, savings bank or savings and loan association,
5 with the approval of the office of credit unions, administrator of federal credit unions,
6 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
7 supervision, federal deposit insurance corporation, resolution trust corporation,
8 division of banking or division of savings and loan institutions proposes to sell its
9 assets to another credit union, bank, savings bank or savings and loan association
10 which agrees to assume a part or all of the deposit liability of such selling credit
11 union, bank, savings bank or savings and loan association and to pay the same on
12 a deferred payment basis, the governing board of the public depositor may, on the
13 approval of the division of banking, join in the execution of any reorganization plan,
14 or any stabilization and readjustment agreement, or any depositor's agreement
15 relative to a proposed sale of assets if, in its judgment and that of the division of
16 banking, the reorganization plan or stabilization and readjustment agreement or
17 proposed sale of assets is in the best interest of all persons concerned. The joining
18 in any reorganization plan, or any stabilization and readjustment agreement, or any
19 proposed sale of assets which meets the approval of the division of banking does not
20 waive any rights under this chapter.”.

21 *b0755/1.2* **391.** Page 502, line 14: after that line insert:

22 *b0755/1.2* “SECTION 877d. 31.385 (4) of the statutes is created to read:

23 31.385 (4) (a) The department shall maintain an inventory of all dams in the
24 state that require dam safety project under this section. The inventory shall list the

1 dam safety projects in the chronological order in which they are required to be
2 undertaken. For each dam safety project on the inventory, the department shall
3 include a statement of which parts of the dam safety project are required to protect
4 the rights held by the public in the navigable waters contained by the dam.

5 (b) The department shall provide notice to the owner of a dam that is included
6 in the inventory. The department shall by rule establish a notice and hearing process
7 for a dam owner to object to the inclusion of the owner's dam on the list. The
8 department shall use this notice and hearing each time a dam is included in the
9 inventory. The process shall include a public hearing in the city, village or town in
10 which the dam is located, a public comment period, and an appeals process.”.

11 ***b0793/2.4* 392.** Page 502, line 14: after that line insert:

12 ***b0793/2.4* SECTION 882m.** 32.72 (1) of the statutes is amended to read:

13 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
14 question is submitted to the electors of the city at a special election referendum called
15 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
16 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
17, thus allowing the city to acquire and condemn property for street
18 widening and similar purposes, financed through assessments of benefits and
19 damages?”.”.

20 ***b1104/3.1* 393.** Page 503, line 3: after that line insert:

21 ***b1104/3.1* SECTION 887d.** 36.11 (36m) of the statutes is created to read:

22 36.11 (36m) SCHOOL SAFETY RESEARCH. The board shall direct the schools of
23 education and other appropriate research-oriented departments within the system,
24 to work with the technical college system board under s. 38.04 (27), school districts,

1 private schools and the department of public instruction to present to school districts
2 and private schools the results of research on models for and approaches to
3 improving school safety and reducing discipline problems in schools and at school
4 activities.”.

5 *b0980/1.14* **394.** Page 503, line 4: delete lines 4 to 7.

6 *b0822/3.5* **395.** Page 503, line 14: after that line insert:

7 *b0822/3.5* “SECTION 887t. 36.11 (40) of the statutes is created to read:

8 36.11 (40) CENTER FOR COOPERATIVES. The board shall maintain a center for
9 cooperatives at the University of Wisconsin–Madison.”.

10 *b1169/1.18* **396.** Page 504, line 5: delete the material beginning with that
11 line and ending with page 505, line 23, and substitute:

12 “36.25 (5) (c) 1. In this paragraph:

13 a. “Broadcasting corporation” has the meaning given in s. 39.81 (2).

14 b. “Broadcasting station” means any broadcasting station for which the board
15 of regents holds a license.

16 c. “Friends group” has the meaning given in s. 39.81 (5).

17 2. The board of regents shall enter into an agreement with the broadcasting
18 corporation that requires the board of regents to do each of the following:

19 a. Allow the broadcasting corporation to operate each broadcasting station.

20 b. Grant the broadcasting corporation operational control over any facility or
21 asset of the board of regents that is necessary for the operation of each broadcasting
22 station.

23 c. Maintain the facilities and assets that are necessary for the operation of each
24 broadcasting station.

- 1 d. Retain the license for each broadcasting station.
- 2 e. Provide administrative services to the broadcasting corporation that are
3 necessary for the broadcasting corporation to operate the each broadcasting station.
- 4 f. Provide assistance in developing and delivering elementary and secondary
5 school educational programming. Any assistance provided under this subd. 2. f.
6 shall be provided at no cost to private and public elementary and secondary schools,
7 unless the broadcasting corporation determines that the assistance shall be provided
8 at cost.
- 9 g. Provide assistance to the technical college system in developing and
10 delivering educational programming. Any assistance provided under this subd. 2.
11 g. shall be provided at no cost to the technical college system, unless the broadcasting
12 corporation determines that the assistance shall be provided at cost.
- 13 3. An agreement under subd. 2. shall satisfy each of the following:
- 14 a. The agreement shall remain in effect until the maturity date of any public
15 debt issued under s. 13.48 (31) (c).
- 16 b. The agreement shall ensure that the board of regents has access to
17 broadcasting facilities and air time that is equal to or greater than the access of the
18 board of regents prior to the effective date of this subdivision 3. b. [revisor inserts
19 date].
- 20 c. The agreement shall provide for transferring to the broadcasting corporation
21 any funds raised by each friends group that is organized to raise funds for a
22 broadcasting station for which the board of regents holds a license.
- 23 5. An agreement under subd. 2. may not take effect without the approval of the
24 secretary of administration.

1 6. This paragraph does not apply unless the secretary of administration
2 determines under s. 39.88 (1) that the federal communications commission has
3 approved the transfer of all broadcasting licenses held by the educational
4 communications board to the broadcasting corporation.”.

5 ***b0700/1.1* 397.** Page 508, line 8: after that line insert:

6 ***b0700/1.1* “SECTION 895s.** 36.55 of the statutes is created to read:

7 **36.55 Reporting employment harassment and discrimination claims.**

8 By September 1 of each even-numbered year, the president shall submit a report to
9 the chief clerk of each house for distribution to the legislature under s. 13.172 (2) that
10 contains a description of each employment harassment or discrimination claim filed
11 against the board or an employe of the board and resolved in favor of the claimant,
12 the amount of any settlement paid to or judgment entered for the claimant and a
13 description of any discipline of board employes resulting from the resolution of the
14 claim.”.

15 ***b0822/3.7* 398.** Page 508, line 8: after that line insert:

16 ***b0822/3.7* “SECTION 895s.** 36.56 of the statutes is created to read:

17 **36.56 Grants for forestry cooperatives. (1)** From the appropriation under

18 s. 20.285 (1) (kg), the center for cooperatives under s. 36.11 (40) may award grants
19 to persons to form forestry cooperatives under ch. 185 that consist primarily of
20 private, nonindustrial owners of woodland. A grant recipient shall provide matching
21 funds equal to 50% of the grant amount awarded. The match may be in the form of
22 money or in-kind services or both, but may not include money received from the
23 state.

1 (2) In each fiscal year, the center for cooperatives may not encumber funds from
2 the appropriation under s. 20.285 (1) (kg) for administrative expenses if the amounts
3 encumbered in that fiscal year for administrative expenses exceed 5% of the total
4 expenditures from the appropriation for the fiscal year.”.

5 **399.** Page 812, line 2: after that line insert:

6 ***b0822/3.7*** “SECTION 1660m. 70.58 of the statutes is amended to read:

7 **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of
8 one mill for each dollar of the assessed valuation of the property of the state as
9 determined by the department of revenue under s. 70.57, for the purpose of
10 acquiring, preserving and developing the forests of the state and for the purpose of
11 forest crop law and county forest law administration and aid payments, for grants
12 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and
13 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax
14 to be paid into the conservation fund. The tax shall not be levied in any year in which
15 general funds are appropriated for the purposes specified in this section, equal to or
16 in excess of the amount which the tax would produce.”.

17 ***b1186/2.1* 400.** Page 508, line 21: delete the material beginning with “the
18 direct” and ending with “center” on line 22 and substitute “the direct operating costs
19 of services provided at the center and at least 20% of the indirect operating costs of
20 services provided at the center, pursuant to a contract under s. 38.14 (3) (a)”.

21 ***b1186/2.2* 401.** Page 508, line 23: after that line insert:

22 “d. The district board consulted with representatives of business and labor on
23 the development of the center.”.

24 ***b1104/3.2* 402.** Page 509, line 6: after that line insert:

1 ***b1104/3.2* “SECTION 896m.** 38.04 (27) of the statutes is created to read:

2 38.04 (27) SCHOOL SAFETY. The board shall work with schools of education and
3 other departments of the University of Wisconsin System under s. 36.11 (36m),
4 school districts, private schools and the department of public instruction to present
5 to school districts and private schools the results of research on models for and
6 approaches to improving school safety and reducing discipline problems in schools
7 and at school activities.”.

8 ***b1169/1.19* 403.** Page 509, line 7: delete “(3)” and substitute “(4)”.

9 ***b1169/1.20* 404.** Page 509, line 9: delete “(3)” and substitute “(4)”.

10 ***b1169/1.21* 405.** Page 509, line 23: after that line insert:

11 “(d) “Friends group” has the meaning given in s. 39.81 (5).”.

12 ***b1169/1.22* 406.** Page 510, line 1: delete the material beginning with that
13 line and ending with page 511, line 6, and substitute:

14 “38.125 (2) (a) The district board shall enter into an agreement with the
15 broadcasting corporation that requires the district board to do each of the following:

16 1. Allow the broadcasting corporation to operate each broadcasting station.

17 2. Grant the broadcasting corporation operational control over any facility or
18 asset of the district board that is necessary for the operation of each broadcasting
19 station.

20 3. Maintain the facilities and assets that are necessary for the operation of each
21 broadcasting station.

22 4. Retain the license for each broadcasting station.

1 5. Provide assistance to the broadcasting corporation in developing and
2 delivering elementary and secondary school educational programming at no cost to
3 the broadcasting corporation.

4 (b) An agreement under par. (a) shall satisfy each of the following:

5 1. The agreement shall remain in effect until the maturity date of any public
6 debt issued under s. 13.48 (31) (d).

7 2. The agreement shall ensure that the district board has access to
8 broadcasting facilities and air time that is equal to or greater than the access of the
9 district board prior to the effective date of this subdivision [revisor inserts date].

10 3. The agreement shall provide for transferring to the broadcasting corporation
11 any funds raised by each friends group that is organized to raise funds for a
12 broadcasting station for which the district board holds a license.

13 (d) An agreement under par. (a) may not take effect without the approval of the
14 secretary of administration.

15 (e) This subsection does not apply unless the secretary of administration
16 determines under s. 39.88 (1) that the federal communications commission has
17 approved the transfer of all broadcasting licenses held by the educational
18 communications board to the broadcasting corporation.”.

19 ***b1169/1.23* 407.** Page 511, line 6: after that line insert:

20 ***b1169/1.23* “SECTION 897dm.** 38.125 (3) of the statutes is created to read:

21 38.125 (3) At the request of the transitional board and at no charge to the
22 transitional board, the district board shall direct Milwaukee Public Television to
23 provide staff and legal, administrative and technical assistance for the transitional
24 board to carry out the duties under s. 39.82.”.

1 ***b0892/4.10* 408.** Page 518, line 12: after that line insert:

2 ***b0892/4.10*** “SECTION 912h. 39.41 (1) (bm) of the statutes is amended to read:

3 39.41 (1) (bm) “Senior” means a pupil enrolled in the 12th grade in a public or
4 private high school, the Wisconsin school School for the deaf and Deaf or the
5 Wisconsin school for the visually handicapped school operated by the Wisconsin
6 Center for the Blind and Visually Impaired.

7 ***b0892/4.10* SECTION 912g.** 39.41 (1m) (c) 1. of the statutes is amended to
8 read:

9 39.41 (1m) (c) 1. For the ~~Wisconsin school for the visually handicapped school~~
10 operated by the Wisconsin Center for the Blind and Visually Impaired, designate the
11 senior with the highest grade point average in all subjects as a scholar.”.

12 ***b0892/4.11* 409.** Page 520, line 9: after that line insert:

13 ***b0892/4.11*** “SECTION 913mv. 39.41 (1m) (f) of the statutes is amended to
14 read:

15 39.41 (1m) (f) If 2 or more seniors from the ~~Wisconsin school for the visually~~
16 handicapped school operated by the Wisconsin Center for the Blind and Visually
17 Impaired have the same grade point average and, except for the limitation of one
18 designated senior, are otherwise eligible for designation under par. (c) 1., the
19 executive secretary shall make the designation under par. (c) 1. of the senior who may
20 be eligible for a higher education scholarship as a scholar and, if that senior does not
21 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate
22 one or more of the remaining seniors with the same grade point average as eligible
23 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the
24 scholarship may be awarded by the board.”.

1 ***b0976/5.6* 410.** Page 521, line 7: after that line insert:

2 ***b0976/5.6*** “SECTION 918m. 39.435 (7) of the statutes is created to read:

3 39.435 (7) (a) By February 1, 2000, and annually thereafter, the board shall
4 determine all of the following:

5 1. The percentage by which the undergraduate academic fees charged for the
6 current academic year at each institution within the University of Wisconsin System
7 has increased or decreased from the undergraduate academic fees charged for the
8 previous academic year.

9 2. The highest percentage increase determined under subd. 1., except that if
10 the undergraduate academic fees for the current academic year decreased or did not
11 change from the undergraduate academic fees charged for the previous academic
12 year at each institution specified in subd. 1., the highest percentage increase under
13 this subdivision is zero.

14 3. The product of multiplying the sum of 1.0 and the percentage increase under
15 subd. 2., expressed as a decimal, by the sum of the amounts appropriated in the
16 current fiscal year under s. 20.235 (1) (fe) and (ks).

17 (b) On October 1, 2000, and annually thereafter, there is transferred from the
18 appropriation account under s. 20.285 (1) (im) to the appropriation account under s.
19 20.235 (1) (ks) a sum, rounded to the nearest 100 dollars, that is equal to the product
20 determined under par. (a) 3. less the amount appropriated in the current fiscal year
21 under s. 20.234 (1) (fe).”.

22 ***b1169/1.24* 411.** Page 523, line 6: delete the material beginning with that
23 line and ending with page 532, line 2, and substitute:

24 **“39.81 Definitions.** In this subchapter:

1 (1) “Association” means the Wisconsin Public Radio Association.

2 (2) “Broadcasting corporation” means the corporation specified in s. 39.82 (1).

3 (3) “Corporate board” means the board of directors of the broadcasting
4 corporation.

5 (4) “Foundation” means the Wisconsin Public Broadcasting Foundation.

6 (5) “Friends group” means a nonstock, nonprofit corporation described under
7 section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation
8 under section 501 (a) of the Internal Revenue Code that is organized to raise funds
9 for a public broadcasting television or radio station in this state. “Friends group”
10 includes the association.

11 (7) “Transitional board” means the public broadcasting transitional board.

12 **39.82 Transitional board duties.** The transitional board shall do each of the
13 following:

14 (1) Draft and file articles of incorporation for a nonstock corporation under ch.
15 181, including a provision that the corporation will not have members, and take all
16 actions necessary to exempt the corporation from federal taxation under section 501
17 (c) (3) of the Internal Revenue Code.

18 (2) Draft bylaws for adoption by the corporate board under s. 181.0206 (2). The
19 bylaws shall specify each of the following:

20 (a) That the members of the transitional board shall serve as the directors of
21 the corporate board.

22 (b) That directors specified in s. 15.98 (2) (i), (j) or (k) shall serve staggered
23 3-year terms and that, upon expiration of the term or occurrence of a vacancy in the
24 office of director, the remaining directors of the corporate board shall elect a
25 successor who is a member of the same friends group.

1 (c) That a director specified in s. 15.98 (2) (L) shall serve a 3-year term and that,
2 upon expiration of the term or occurrence of a vacancy in the office of director, the
3 remaining directors of the corporate board shall elect a successor who is a
4 representative of public elementary and secondary schools.

5 (d) That a director specified in s. 15.98 (2) (a), (b), (c), (e) or (f) shall vacate the
6 office of director if he or she ceases to hold the office specified in s. 15.98 (2) (a), (b),
7 (c), (e) or (f) and that the remaining directors of the corporate board shall appoint as
8 a successor the individual who is the successor to the office.

9 (e) That the term of a director specified in s. 15.98 (2) (g) or (h) shall expire on
10 the date specified in s. 13.02 (1) and that the remaining directors of the corporate
11 board shall appoint a successor who is an individual appointed as is a member of a
12 standing committee.

13 (f) That a director specified in s. 15.98 (2) (i), (j) or (k) shall vacate the office of
14 director if he or she ceases to be a member of the friends group specified in s. 15.98
15 (2) (i), (j) or (k) and that the remaining directors of the corporate board shall elect as
16 a successor an individual who is a member of the same friends group.

17 **(2m)** No later than March 15, 2000, the transitional board shall submit a report
18 to the governor and to the chief clerk of each house of the legislature for distribution
19 to the legislature under s. 13.172 (2) that includes and describes the bylaws drafted
20 under sub. (2).

21 **(3)** Prepare an application for submission by the corporate board to the federal
22 communications commission to transfer all broadcasting licenses held by the
23 educational communications board to the broadcasting corporation.

24 **39.83 Transitional plan.** (1) The corporate board shall prepare a plan for
25 submission to the secretary of administration that specifies each of the following:

1 (a) The transfer of the unencumbered balances of the appropriations to the
2 educational communications board to the broadcasting corporation.

3 (b) The transfer of positions and related funding from the educational
4 communications board to the University of Wisconsin System.

5 (c) The transfer of assets under s. 39.87 (2) to the broadcasting corporation.

6 (2) If the secretary of administration does not notify the corporate board within
7 14 working days after the date of submittal of the plan under sub. (1) that the
8 secretary intends to modify the plan, the plan may be implemented as proposed. If,
9 within 14 working days after the date of submittal of the plan under sub. (1), the
10 secretary of administration notifies the corporate board that the secretary intends
11 to modify the proposed plan, the plan may be implemented only upon approval of the
12 secretary.

13 (3) If the secretary of administration approves a transfer of unencumbered
14 balances specified in sub. (1) (a) and (b), the unencumbered balances shall be
15 transferred to the appropriation accounts under ss. 20.218 (1) (a), 20.285 (1) (cc) and
16 20.505 (1) (kv).

17 **39.84 Duties of broadcasting corporation.** The broadcasting corporation
18 shall do each of the following as a condition for receiving state aid under s. 20.218

19 (1) (a):

20 (1) Commit to provide editorial integrity in all aspects of public broadcasting
21 that is free from the influence of politics or special interest groups.

22 (2) Provide educational broadcasting that enriches the cultural, civic and
23 educational well-being of the people of this state.

24 (3) Provide access to public broadcasting to all populations and geographic
25 areas of this state.

1 (4) Maintain a state system of radio broadcasting for the presentation of
2 educational, informational and public service programs.

3 (5) Maintain educational television channels reserved for this state and take
4 such action as is necessary to preserve such channels in this state for educational
5 use.

6 (6) Furnish leadership in securing adequate funding for a statewide system of
7 public broadcasting.

8 (7) Lease, purchase or construct radio and television facilities for joint use with
9 state and local agencies.

10 (8) Maintain radio and television transmission equipment in order to provide
11 broadcast service to all areas of this state.

12 (9) Establish and maintain a continuing evaluation of the effectiveness of
13 public broadcasting in this state.

14 (10) Act as a central clearinghouse and source of information concerning
15 educational radio and television activities in this state, including the furnishing of
16 such information to legislators, offices of government, educational institutions and
17 the general public.

18 (11) Provide educational programming for elementary and secondary schools
19 in this state and transmit public radio and television to remote and underserved
20 areas of the state.

21 (12) Hire an executive director in charge of the daily operations of the
22 broadcasting corporation.

23 (13) Enter into the agreements specified in ss. 36.25 (5) (c) 2. and 38.125 (2) (a).

24 **39.85 State aid.** (1) The broadcasting corporation may receive state aid under
25 s. 20.218 (1) (a) if each of the following is satisfied:

1 (a) The articles of incorporation state that the purpose of the broadcasting
2 corporation is to provide public broadcasting to this state and that, if the
3 broadcasting corporation dissolves or discontinues public broadcasting in this state,
4 the broadcasting corporation shall in good faith take all reasonable measures to
5 transfer or assign the broadcasting corporation's assets, licenses and rights to an
6 entity whose purpose is to advance public broadcasting in this state.

7 (b) The broadcasting corporation initially adopts the bylaws drafted by the
8 transitional board under s. 39.82 (2) and does not amend the bylaws regarding
9 election, appointment and terms of the members of the corporate board.

10 (c) The broadcasting corporation permits public inspection and copying of any
11 record of the corporation, as defined in s. 19.32 (1), to the same extent as required
12 of, and subject to the same terms and enforcement provisions that apply to, an
13 authority under subch. II of ch. 19.

14 (d) The broadcasting corporation provides public access to its meetings to the
15 same extent as is required of, and subject to the same terms and enforcement
16 provisions that apply to, a governmental body under subch. V of ch. 19.

17 (e) The broadcasting corporation provides the secretary of administration or
18 his or her designee and the employes of the legislative audit bureau and the
19 legislative fiscal bureau with access to all of the broadcasting corporation's records,
20 as defined in s. 19.32 (2), except records identifying the names of private donors.

21 (f) The broadcasting corporation carries out any obligation of the educational
22 communications board under any contract entered into by the educational
23 communications board that relates to the provision of public broadcasting in this
24 state until the contract is modified or rescinded by the broadcasting corporation to
25 the extent allowed under the contract.

1 (g) The broadcasting corporation maintains public television, public radio and
2 distance education as separate operating divisions within the broadcasting
3 corporation.

4 (2) The secretary of administration shall pay aid under s. 20.218 (1) (a) to the
5 broadcasting corporation in instalments, as determined by the secretary.

6 **39.86 Broadcasting corporation reports.** (1) No later than September 15
7 of each even-numbered year, in the form and content prescribed by the department
8 of administration, the broadcasting corporation shall, as a condition of receiving
9 state aid under s. 20.218 (1) (a), prepare and forward to the department of
10 administration and to the legislative fiscal bureau all of the following information
11 regarding each program administered by the broadcasting corporation for which the
12 broadcasting corporation is requesting state aid:

13 (a) A clear statement of the purpose or goal for each program.

14 (b) Clear statements of specific objectives to be accomplished and, as
15 appropriate, the performance measures used by the broadcasting corporation to
16 assess progress toward achievement of these objectives.

17 (c) Proposed plans to implement the objectives specified in par. (a) and the
18 estimated resources needed to carry out the proposed plans.

19 (d) A statement of legislation required to implement proposed programmatic
20 and financial plans.

21 (e) Any other fiscal or other information that the secretary of administration
22 or the governor requires on forms prescribed by the secretary of administration.

23 (2) No later than December 1 of each year, the broadcasting corporation shall,
24 as a condition of receiving state aid under s. 20.218 (1) (a), submit a report to the

1 governor and to the chief clerk of each house of the legislature for distribution to the
2 legislature under s. 13.172 (2) that describes each of the following:

3 (a) Any use of state aid received by the broadcasting corporation for serving
4 educational communities, diverse populations and rural and remote areas of the
5 state, including a detailed itemization of the use of state aid.

6 (b) Any progress in advancing the transition to digital television and radio,
7 distance education and other technological innovations.

8 (c) The status of federal funding, private donations, other private fund raising
9 and any financially beneficial partnerships.

10 (d) The status of the broadcasting corporation's efforts to satisfy the duties
11 specified in this subchapter.

12 (3) This section does not apply unless the secretary of administration
13 determines that the federal communications commission has approved the transfer
14 of all broadcasting licenses held by the educational communications board to the
15 broadcasting corporation.

16 **39.87 Transfer provisions. (1) DEFINITION.** In this section, "state office
17 building" means the state office building located at 3319 West Beltline Highway in
18 Dane County.

19 (2) ASSETS. (a) If the secretary of administration determines that the federal
20 communications commission has approved the transfer of all broadcasting licenses
21 held by the educational communications board to the broadcasting corporation, each
22 of the following applies:

23 1. Any asset of the state, other than the state office building and the assets
24 specified in subd. 3., that is used by the educational communications board and that,
25 as determined by the secretary of administration, is not a shared asset, as defined

1 in s. 16.26 (1) (b), is transferred, subject to the approval of the secretary of
2 administration under s. 39.83 (2), to the broadcasting corporation. A transfer under
3 this subdivision shall take effect on on the effective date of the last license
4 transferred as determined by the secretary of administration under s. 39.88 (2).

5 2. Subject to the approval of the secretary of administration under s. 39.83 (2),
6 the secretary of administration shall transfer title to the state office building from
7 the state to the broadcasting corporation if the broadcasting corporation pays
8 \$476,228 to the foundation or the foundation waives such payment.

9 3. The assets of the state that, as determined by the secretary of
10 administration, are used by educational communications board for the operation of
11 an emergency weather warning system are transferred to the department of
12 administration.

13 (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the
14 asset is not used for the purpose of providing public broadcasting.

15 (3) EDUCATIONAL COMMUNICATIONS BOARD FUNDS. Subject to the approval of the
16 secretary of administration under s. 39.83, if the secretary of administration
17 determines that the federal communications commission has approved the transfer
18 of all broadcasting licenses held by the educational communications board to the
19 broadcasting corporation, each of the following applies on the effective date of the
20 last license transferred as determined by the secretary of administration under s.
21 39.88 (2):

22 (a) To the appropriation account under s. 20.218 (1) (a), there is transferred the
23 unencumbered balance of the appropriation accounts under s. 20.225 (1) (a), (b), (d),
24 (eg), (er) and (f), except for the unencumbered balance of the appropriation accounts
25 that are otherwise transferred under sub. (4).

1 (b) To the appropriation account under s. 20.505 (5) (i), there is transferred the
2 unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the
3 amounts in the schedule for the appropriation account under s. 20.505 (5) (i) are
4 increased by the amount transferred from the appropriation account under s. 20.225
5 (1) (kb).

6 (c) To the appropriation account under s. 20.505 (1) (kv), there is transferred
7 the unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h),
8 (k), (ka) and (m), and, to the extent allowed under federal law, the secretary of
9 administration shall pay the broadcasting corporation a grant equal to the amount
10 of the unencumbered balance of the appropriation account under s. 20.505 (1) (kv).

11 (4) POSITIONS. If the secretary of administration determines that the federal
12 communications commission has approved the transfer of all broadcasting licenses
13 held by the educational communications board to the broadcasting corporation, all
14 positions authorized for the educational communications board and the incumbent
15 employes holding the positions are transferred to the University of Wisconsin
16 System. Employes transferred under this subsection have all rights and the same
17 status under subchapter V of chapter 111 and chapter 230 of the statutes that they
18 enjoyed in the educational communications board. Notwithstanding s. 230.28 (4), no
19 employe so transferred who has attained permanent status in class may be required
20 to serve a probationary period.

21 (5) DUTIES OF FORMER EDUCATIONAL COMMUNICATIONS BOARD EMPLOYES. All
22 employes transferred to the University of Wisconsin System under sub. (4) shall
23 provide broadcasting services to the broadcasting corporation under a contract
24 between the University of Wisconsin System and the broadcasting corporation for

1 such services. The contract shall provide that the services are to be provided to the
2 broadcasting corporation at no charge to the broadcasting corporation.

3 **39.88 Determinations by secretary of administration.** The secretary of
4 administration shall determine each of the following:

5 (1) Whether the federal communications commission has approved the
6 transfer of all broadcasting licenses held by the educational communications board
7 to the broadcasting corporation.

8 (2) If the secretary of administration determines that the federal
9 communications commission has approved the transfer of all the broadcasting
10 licences specified in sub. (1), the effective date of the transfer of the last license
11 transferred to the broadcasting corporation.

12 (3) Determine the date on which the articles of incorporation of the
13 broadcasting corporation become effective under s. 180.0123.”.

14 *b0723/3.6* **412.** Page 532, line 11: after that line insert:

15 *b0723/3.6* “SECTION 930wb. 40.02 (26) (intro.) of the statutes is amended to
16 read:

17 40.02 (26) (intro.) “Employe” means any person who receives earnings as
18 payment for personal services rendered for the benefit of any employer including
19 officers of the employer, except as provided in subch. X. An employe is deemed to
20 have separated from the service of an employer at the end of the day on which the
21 employe last performed services for the employer, or, if later, the day on which the
22 employe–employer relationship is terminated because of the expiration or
23 termination of leave without pay, sick leave, vacation or other leave of absence. A
24 person shall not be considered an employe if a person:

1 ***b0723/3.6* SECTION 930wm.** 40.02 (26) (intro.) of the statutes, as affected by
2 1999 Wisconsin Act (this act), section 930wb, is amended to read:

3 40.02 (26) (intro.) “Employe” means any person who receives earnings as
4 payment for personal services rendered for the benefit of any employer including
5 officers of the employer, ~~except as provided in subch. X.~~ An employe is deemed to
6 have separated from the service of an employer at the end of the day on which the
7 employe last performed services for the employer, or, if later, the day on which the
8 employe–employer relationship is terminated because of the expiration or
9 termination of leave without pay, sick leave, vacation or other leave of absence. A
10 person shall not be considered an employe if a person:”.

11 ***b0779/1.1* 413.** Page 532, line 11: after that line insert:

12 ***b0779/1.1* “SECTION 930x.** 40.02 (17) (n) of the statutes is created to read:
13 40.02 (17) (n) Notwithstanding par. (d), each participant who is a sex offender
14 registration specialist on or after the effective date of this paragraph [revisor
15 inserts date], shall be granted creditable service as a protective occupation
16 participant for all covered service as a sex offender registration specialist that was
17 earned on or after the effective date of this paragraph [revisor inserts date], but
18 may not be granted creditable service as a protective occupation participant for any
19 covered service as a sex offender registration specialist that was earned before the
20 effective date of this paragraph [revisor inserts date], unless that service was
21 earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as
22 a protective occupation participant.”.

23 ***b0725/1.1* 414.** Page 532, line 12: before that line insert:

24 ***b0725/1.1* “SECTION 930y.** 40.02 (20) of the statutes is amended to read:

1 40.02 (20) “Dependent” means the spouse, minor child, including stepchildren
2 of the current marriage dependent on the employe for support and maintenance, or
3 child of any age, including stepchildren of the current marriage, if handicapped to
4 an extent requiring continued dependence. For group insurance purposes only, the
5 department may promulgate rules with a different definition of “dependent” than the
6 one otherwise provided in this subsection for each group insurance plan, except that
7 the department may not promulgate a rule that includes within the definition of
8 “dependent” any adult who resides with an employe and who is not related to the
9 employe or the employe’s spouse by blood, marriage or adoption.”.

10 ***b0723/3.7* 415.** Page 532, line 12: delete lines 12 to 20 and substitute:

11 ***b0723/3.7* SECTION 931b.** 40.02 (28) of the statutes is amended to read:

12 40.02 (28) “Employer” means the state, including each state agency, any
13 county, city, village, town, school district, other governmental unit or
14 instrumentality of 2 or more units of government now existing or hereafter created
15 within the state and any federated public library system established under s. 43.19
16 whose territory lies within a single county with a population of 500,000 or more, a
17 local exposition district created under subch. II of ch. 229 and a family care district
18 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3), or a
19 local exposition district created under subch. II of ch. 229 and subch. X. Each
20 employer shall be a separate legal jurisdiction for OASDHI purposes.

21 ***b0723/3.7* SECTION 931c.** 40.02 (28) of the statutes, as affected by 1999
22 Wisconsin Act (this act), section 931b, is amended to read:

23 40.02 (28) “Employer” means the state, including each state agency, any
24 county, city, village, town, school district, other governmental unit or

1 instrumentality of 2 or more units of government now existing or hereafter created
2 within the state and any federated public library system established under s. 43.19
3 whose territory lies within a single county with a population of 500,000 or more, a
4 local exposition district created under subch. II of ch. 229 and a family care district
5 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3) ~~and~~
6 ~~subch. X~~. Each employer shall be a separate legal jurisdiction for OASDHI
7 purposes.”.

8 *b0779/1.2* **416**. Page 533, line 16: delete “or person” and substitute “~~or~~
9 person”.

10 *b0779/1.3* **417**. Page 533, line 17: after “(1)” insert “or sex offender
11 registration specialist”.

12 *b0779/1.4* **418**. Page 533, line 23: after that line insert:

13 *b0779/1.4* **SECTION 936c.** 40.02 (48) (c) of the statutes is amended to read:
14 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a
15 participating employe who is a police officer, fire fighter, an individual determined
16 by a participating employer under par. (a) or (bm) to be a protective occupation
17 participant, county undersheriff, deputy sheriff, state probation and parole officer,
18 county traffic police officer, conservation warden, state forest ranger, field
19 conservation employe of the department of natural resources who is subject to call
20 for forest fire control or warden duty, member of the state traffic patrol, state motor
21 vehicle inspector, university of Wisconsin system full-time police officer, guard or
22 any other employe whose principal duties are supervision and discipline of inmates
23 at a state penal institution, excise tax investigator employed by the department of

1 revenue, person employed under s. 61.66 (1), ~~or~~ special criminal investigation agent
2 employed by the department of justice or sex offender registration specialist.

3 *b0779/1.4* **SECTION 936r.** 40.02 (53m) of the statutes is created to read:

4 40.02 (53m) “Sex offender registration specialist” means an employe of the
5 department of corrections whose primary duties require direct and ongoing contact
6 with persons registered under s. 301.45 and with the public under s. 301.46.”.

7 *b1184/1.5* **419.** Page 533, line 23: after that line insert:

8 *b1184/1.5* “**SECTION 936s.** 40.02 (54) (a) of the statutes is repealed.”.

9 *b0726/1.1* **420.** Page 533, line 24: delete the material beginning with that
10 line and ending with page 534, line 25.

11 *b0726/1.2* **421.** Page 535, line 7: delete the material beginning with that
12 line and ending with page 536, line 3.

13 *b1184/1.6* **422.** Page 535, line 6: after that line insert:

14 *b1184/1.6* “**SECTION 941m.** 40.22 (2) (c) of the statutes is amended to read:
15 40.22 (2) (c) The employe is excluded from participation by s. ~~40.02 (54) (a) or~~
16 40.21 (3) or (4).”.

17 *b1203/1.1* **423.** Page ⁵³⁶ ~~535~~, line ³ ~~4~~: after that line insert:

18 *b1203/1.1* “**SECTION 941d.** 40.51 (8) of the statutes is amended to read:
19 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
20 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.746 (1) to (8) and (10),
21 632.747, 632.748, 632.85, 632.853, 632.855, 632.87 (3) to (5), 632.872, 632.895 (5m)
22 and (8) to (13) and 632.896.

23 *b1203/1.1* **SECTION 941g.** 40.51 (8m) of the statutes is amended to read:

1 40.51 (8m) Every health care coverage plan offered by the group insurance
2 board under sub. (7) shall comply with ss. 632.746 (1) to (8) and (10), 632.747,
3 632.748, 632.85, 632.853, 632.855, 632.872 and 632.895 (11) to (13).”.

4 ***b0783/2.1* 424.** Page ⁵³⁶585, line ³20: after that line insert:

5 ***b0783/2.1* SECTION 939tc.** 40.41 (6) (b) of the statutes is amended to read:

6 40.41 (6) (b) Services performed by ~~a student or~~ a member of a board or
7 commission, except members of governing bodies, in a position or office which does
8 not normally require actual performance of duty for at least 600 hours in each
9 calendar year. For purposes of this paragraph, a “board” or “commission” is a body
10 referred to in the statutes as a board or commission.

11 ***b0783/2.1* SECTION 939tr.** 40.41 (6) (c) of the statutes is created to read:

12 40.41 (6) (c) Service performed in the employ of a school, college or university,
13 if the service is performed by a student who is enrolled and regularly attending
14 classes at the school, college or university.”.

15 ***b0725/1.2* 425.** Page 536, line 3: after that line insert:

16 ***b0725/1.2* SECTION 944j.** 40.56 of the statutes is created to read:

17 **40.56 Prohibited insurance coverage.** The state may not provide any
18 insurance coverage under this subchapter to an adult who resides with an employe
19 and who is not related to the employe or the employe’s spouse by blood, marriage or
20 adoption.”.

21 ***b0779/1.5* 426.** Page 536, line 12: after that line insert:

22 ***b0779/1.5* SECTION 944r.** 40.65 (4w) of the statutes is created to read:

23 40.65 (4w) A sex offender registration specialist who becomes a protective
24 occupation participant on or after the effective date of this subsection [revisor

1 inserts date], is not entitled to a duty disability benefit under this section for an
2 injury or disease occurring before the effective date of this subsection [revisor
3 inserts date].”.

4 *b0723/3.8* **427**. Page 536, line 13: before that line insert:

5 *b0723/3.8* **SECTION 944ym**. Subchapter X of chapter 40 [precedes 40.98] of
6 the statutes is created to read:

7 **CHAPTER 40**

8 **SUBCHAPTER X**

9 **PRIVATE EMPLOYER HEALTH**

10 **CARE COVERAGE**

11 **40.98 Health care coverage.** (1) In this subchapter:

12 (ag) “Abortion” means the use of an instrument, medicine, drug or other
13 substance or device with intent to terminate the pregnancy of a woman known to be
14 pregnant or for whom there is reason to believe that she may be pregnant and with
15 intent other than to increase the probability of a live birth, to preserve the life or
16 health of the infant after live birth or to remove a dead fetus.

17 (ar) “Board” means the private employer health care coverage board.

18 (b) “Dependent” means a spouse, an unmarried child under the age of 19 years,
19 an unmarried child who is a full-time student under the age of 21 years and who is
20 financially dependent upon the parent, or an unmarried child of any age who is
21 medically certified as disabled and who is dependent upon the parent.

22 (c) “Employe” means any person who receives earnings as payment for personal
23 services rendered for the benefit of any employer including officers of the employer.
24 An employe is considered to have separated from the service of an employer at the

1 end of the day on which the employe last performed services for the employer, or, if
2 later, the day on which the employe–employer relationship is terminated because of
3 the expiration or termination of leave without pay, sick leave, vacation or other leave
4 of absence. A person shall not be considered an employe if any of the following
5 applies:

6 1. The person is employed under a contract involving the furnishing of more
7 than personal services.

8 2. The person is customarily engaged in an independently established trade,
9 business or profession providing the same type of services to more than one employer
10 and the person’s services to an employer are not compensated for on a payroll of that
11 employer.

12 3. The person is a patient or inmate of a hospital, home or institution and
13 performs services in the hospital, home or institution.

14 (d) “Employer” means any person doing business or operating an organization
15 in this state and employing at least 2 employes. “Employer” does not include an
16 employer as defined in s. 40.02 (28).

17 (e) “Health care coverage program” means the health care coverage program
18 established under sub. (2) (a).

19 (f) “Insurer” has the meaning given in s. 600.03 (27).

20 (g) “Nontherapeutic abortion” means an abortion that is not directly and
21 medically necessary to prevent the death of the woman.

22 (2) (a) 1. The department shall design an actuarially sound health care
23 coverage program for employers that includes more than one group health care
24 coverage plan and that provides coverage beginning not later than June 30, 2002.
25 The health care coverage program shall be known as the “Private Employer Health

1 Care Purchasing Alliance”. In designing the health care coverage program, the
2 department shall consult with the office of the commissioner of insurance. The
3 health care coverage program may not be implemented until it is approved by the
4 board.

5 2. The department shall solicit and accept bids and make every reasonable
6 effort to enter into a contract for the administration of the health care coverage plans
7 under the program, based on criteria established by the board. If the department has
8 not entered into a contract for the administration of the health care coverage plans
9 under the program for coverage to begin before June 30, 2002, the department shall
10 submit a report to the cochairpersons of the joint committee on finance specifying the
11 department’s reasons for not entering into a contract. After submitting the report
12 to the cochairpersons of the joint committee on finance and after receiving the
13 approval of the board, the department shall provide all administrative services
14 necessary for the provision of the health care coverage plans under the program.
15 During the period that the department is providing the administrative services, the
16 department shall continue to make every reasonable effort to contract for the
17 administration of the health care coverage plans under the program.

18 3. The administrator selected under subd. 2., or the department if no
19 administrator has been selected under subd. 2., shall enter into contracts with
20 insurers who are to provide health care coverage under the health care coverage
21 program.

22 4. The department shall solicit and accept bids and shall enter into a contract
23 for marketing the health care coverage program.

24 5. The department shall maintain a toll-free telephone number to provide
25 information on the health care coverage program.

1 (b) 1. Except as provided in subd. 2., every health care coverage plan under the
2 health care coverage program is subject to the provisions of chs. 600 to 646 that apply
3 to group health benefit plans, as defined in s. 632.745 (9), to the same extent as any
4 other group health benefit plan, as defined in s. 632.745 (9).

5 2. Notwithstanding ss. 632.85, 632.87 (2), (3), (4) and (5), 632.89 and 632.895
6 (2), (3), (4), (5), (5m), (6), (7), (8), (9), (10), (11), (12) and (13), and subject to subd. 3.,
7 the department may include in the health care coverage program one or more health
8 care coverage plans that do not include one or more of the following coverages:

9 a. Coverage related to treatment of an emergency medical condition, as
10 required under s. 632.85.

11 b. Coverage of vision care provided by an optometrist, as required under s.
12 632.87 (2).

13 c. Coverage of chiropractic services, as required under s. 632.87 (3).

14 d. Coverage of the diagnosis and treatment of a condition by a dentist, as
15 required under s. 632.87 (4).

16 e. Coverage of Papanicolaou tests performed by a nurse practitioner, as
17 required under s. 632.87 (5).

18 f. Coverage of the treatment of alcoholism and nervous and mental disorders,
19 as required under s. 632.89.

20 g. Coverage of home care, as required under s. 632.895 (2).

21 h. Coverage of skilled nursing care, as required under s. 632.895 (3).

22 i. Coverage of kidney disease treatment, as required under s. 632.895 (4).

23 j. Coverage for a newly born child, as required under s. 632.895 (5).

24 k. Coverage for a child of a covered child, as required under s. 632.895 (5m).

25 L. Coverage of diabetes treatment, as required under s. 632.895 (6).

- 1 m. Maternity coverage, as required under s. 632.895 (7).
- 2 n. Coverage of mammograms, as required under s. 632.895 (8).
- 3 o. Coverage of prescription medication for the treatment of human
4 immunodeficiency virus infection, as required under s. 632.895 (9).
- 5 p. Coverage of blood lead tests for children, as required under s. 632.895 (10).
- 6 q. Coverage of treatment for the correction of temporomandibular disorders,
7 as required under s. 632.895 (11).
- 8 r. Coverage related to hospital or ambulatory surgery center charges and
9 anesthetics associated with dental care, as required under s. 632.895 (12).
- 10 s. Coverage of breast reconstruction incident to a mastectomy, as required
11 under s. 632.895 (13).
- 12 3. The department shall ensure that at least one health care coverage plan
13 includes all of the coverages specified in subd. 2.
- 14 (bm) No health care coverage plan under the health care coverage program may
15 provide coverage of a nontherapeutic abortion except by an optional rider or
16 supplemental coverage provision that is offered and provided on an individual basis
17 and for which an additional, separate premium or charge is paid by the individual
18 to be covered under the rider or supplemental coverage provision. Only funds
19 attributable to premiums or charges paid for coverage under the rider or
20 supplemental coverage provision may be used for the payment of any claim, and
21 related administrative expenses, that relates to a nontherapeutic abortion. Such
22 funds may not be used for the payment of any claim or administrative expenses that
23 relate to any other type of coverage provided by the insurer under the health care
24 coverage plan. Nothing in this paragraph requires an insurer or an employer to offer

1 or provide coverage of an abortion under a health care coverage plan under the health
2 care coverage program.

3 (c) The health care coverage program established under par. (a), or any health
4 care coverage plan included in the program, may not be combined with any health
5 care coverage plan under subch. IV.

6 (d) All insurance rates for health care coverage under the program shall be
7 published annually in a single publication that is made available to employers and
8 employes. The rates may be listed by county or by any other regional factor that the
9 board considers appropriate.

10 (e) All plans under the health care coverage program shall have an enrollment
11 period that is established by the board.

12 (f) 1. If the department has selected an administrator under par. (a) 2., the
13 administrator shall charge employers who participate in the health care coverage
14 program a fee to cover the cost of administrative services for the health care coverage
15 program. The administrator shall reimburse the department for the expenses
16 incurred by the department in designing, marketing and contracting for
17 administrative services for the program. All moneys received by the department
18 under this subdivision shall be credited to the appropriation account under s. 20.515
19 (2) (g).

20 2. If the department has not selected an administrator under par. (a) 2., the
21 department shall charge employers who participate in the health care coverage
22 program a fee to cover the costs incurred by the department in designing, marketing
23 and providing administrative services for the health care coverage program. All
24 moneys received by the department under this subdivision shall be credited to the
25 appropriation account under s. 20.515 (2) (g).

1 (g) The department may not sell any health care coverage under the health care
2 coverage program to an employer or enroll any employe in the health care coverage
3 program, but the department shall make information about the program available
4 to employers on a statewide basis.

5 (3) Any employer who participates in the health care coverage program shall
6 do all of the following:

7 (a) Offer health care coverage under one or more plans to all of its permanent
8 employes who have a normal work week of 30 or more hours and may offer health
9 care coverage under one or more plans to any of its other employes.

10 (b) Provide health care coverage under one or more plans to at least 50% of its
11 permanent employes who have a normal work week of 30 or more hours and who do
12 not otherwise receive health care coverage as a dependent under any other plan that
13 is not offered by the employer or a percentage of such employes specified by the board,
14 whichever percentage is greater.

15 (c) Pay for each employe at least 50% but not more than 100% of the lowest
16 premium rate that would be available to the employer for that employe's coverage
17 under the health care coverage program.

18 (d) Make premium payments for the health care coverage of its employes in the
19 manner specified by the board.

20 (4) Any employer that provides health care coverage for its employes under the
21 program and that voluntarily terminates coverage under the program is not eligible
22 to participate in the program for at least 3 years from the date that coverage is
23 terminated.

24 (5) Any insurer that offers a health care coverage plan under the health care
25 coverage program shall provide coverage under the plan to any employer that applies

1 for coverage, and to all of the employer's employees who elect coverage under the
2 health care coverage plan, without regard to the health condition or claims
3 experience of any individual who would be covered under the health care coverage
4 plan if all of the following apply:

5 (a) The employer agrees to pay the premium required for coverage under the
6 health care coverage plan.

7 (b) The employer agrees to comply with all provisions of the health care
8 coverage plan that apply generally to a policyholder or an insured without regard to
9 health condition or claims experience.

10 (6) (a) Health care coverage under the health care coverage program may only
11 be sold by insurance agents licensed under ch. 628.

12 (b) An insurance agent may not sell any health care coverage under the health
13 care coverage program on behalf of an insurer unless he or she is employed by the
14 insurer or has a contract with the insurer to sell the health care coverage on behalf
15 of the insurer.

16 (c) The board shall set, and may adjust as often as semiannually, the
17 commission rate for the sale of a policy under the health care coverage program. The
18 rate shall be based on the average commission rate that insurance agents are paid
19 in the state for the sale of comparable health insurance policies at the time that the
20 rate is set or adjusted.

21 (d) An insurer shall specify on the first page of any policy sold under the health
22 care coverage program the amount of the commission paid to the insurance agent.

23 (7) (a) Annually, on or before December 31, the board shall submit a report to
24 the appropriate standing committees under s. 13.172 (3) and to the governor on the
25 operation of the health care coverage program. The report shall specify the number

1 of employers and employes participating in the health care coverage program,
2 calculate the costs of the health care coverage program to employers and their
3 employes and include recommendations for improving the health care coverage
4 program.

5 (b) No later than January 1, 2008, the board shall submit a report to the
6 appropriate standing committees under s. 13.172 (3) and to the governor that offers
7 recommendations as to whether the department should continue to be involved in
8 the design, marketing and contracting for administrative services for the health care
9 coverage program. If the board recommends that the department not be involved in
10 the performance of these functions, the board shall submit proposed legislation
11 eliminating the department's involvement in the performance of these functions to
12 the appropriate standing committees under s. 13.172 (3) at the time that the board
13 submits its report.

14 *b0723/3.8* SECTION 944yr. Subchapter X of chapter 40 [precedes 40.98] of the
15 statutes, as created by 1999 Wisconsin Act (this act), section 944ym, is repealed.”.

16 *b0778/1.2* 428. Page 537, line 19: after that line insert:

17 *b0778/1.2* “SECTION 945dm. 42.035 of the statutes is created to read:

18 **42.035 Treatment of certain state fair park board employes.**

19 Notwithstanding s. 230.08 (2) (pm), those employes holding positions in the
20 classified service at the state fair park board on the effective date of this section
21 [revisor inserts date], who have achieved permanent status in class before that date,
22 shall retain, while serving in the unclassified service at the state fair park board,
23 those protections afforded employes in the classified service under ss. 230.34 (1) (a)
24 and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction in

1 base pay. Those employes of the state fair park board on the effective date of this
2 section [revisor inserts date], who have not achieved permanent status in class
3 in any position at the state fair park board on that date are eligible to receive the
4 protections, privileges and rights preserved under this section if they successfully
5 complete service equivalent to the probationary period required in the classified
6 service for the position that they hold on that date.”.

7 *b0890/1.2* **429.** Page 537, line 19: after that line insert:

8 *b0890/1.2* “SECTION 945de. 43.24 (1) (intro.) of the statutes is amended to
9 read:

10 43.24 (1) (intro.) Each public library system shall be paid state aid for the
11 operation and maintenance of the system. ~~The~~ Except as provided in pars. (b) and
12 (c), the amount paid to each system shall be determined as follows:

13 *b0890/1.2* SECTION 945dh. 43.24 (1) (a) of the statutes is repealed and
14 recreated to read:

15 43.24 (1) (a) 1. Determine the percentage change in the total amount
16 appropriated under s. 20.255 (3) (e) between the previous fiscal year and the current
17 fiscal year.

18 2. Multiply the amount of state aid received by the system in the previous fiscal
19 year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

20 *b0890/1.2* SECTION 945dp. 43.24 (1) (b) of the statutes is repealed and
21 recreated to read:

22 43.24 (1) (b) If the territory of a public library system is altered, the department
23 shall adjust the aid paid to that system under par. (a). The department shall

1 promulgate rules establishing the method the department will use to make the
2 adjustment.

3 *b0890/1.2* SECTION 945dt. 43.24 (1) (c) of the statutes is repealed and
4 recreated to read:

5 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
6 appropriated for public library systems under s. 20.255 (3) (e), as determined by the
7 department, equals at least 11.25% of the total operating expenditures for public
8 library services from local and county sources in the calendar year ending in that
9 fiscal year, the amount paid to each system shall be determined by adding the result
10 of each of the following calculations:

11 1. Multiply the system's percentage of the state's population by the product of
12 the amount appropriated under s. 20.255 (3) (e) and 0.85.

13 2. Multiply the system's percentage of the state's geographical area by the
14 product of the amount appropriated under s. 20.255 (3) (c) and 0.075.

15 3. Divide the sum of the payments to the municipalities and counties in the
16 system under subch. I of ch. 79 for the current fiscal year, as reflected in the
17 statement of estimated payments under s. 79.015, by the total of all payments under
18 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
19 payments under s. 79.015, and multiply the result by the product of the amount
20 appropriated under s. 20.255 (3) (e) and 0.075.”.

21 *b0739/1.4* 430. Page 541, line 4: after that line insert:

22 *b0739/1.4* “SECTION 946p. 44.51 (2) of the statutes is repealed.

23 *b0739/1.4* SECTION 946r. 44.51 (3) of the statutes is repealed.”.

24 *b0740/2.5* 431. Page 541, line 5: delete lines 5 to 8.