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SECTION 79r
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1 fiscal year, less the amount transferred to the tobacco control fund under s. 13.101
2 (16) (b) in that year.

3 *~~4705/1.2~~* SECTION 81. 25.66 (1) (e) of the statutes is created to read:

4 25.66 (1) (e) Beginning in fiscal year 2003–04, all moneys transferred from the
5 general fund under s. 20.436 (1) (b).

6 *~~4550/8.6~~* SECTION 82. 25.69 of the statutes, as created by 2001 Wisconsin
7 Act 16, is amended to read:

8 **25.69 Permanent endowment fund.** There is established a separate
9 nonlapsible trust fund designated as the permanent endowment fund, consisting of
10 all of the proceeds from the sale of the state's right to receive payments under the
11 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
12 and all investment earnings on the proceeds. Moneys in the permanent endowment
13 fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and
14 (rv) and to make the appropriation under s. 20.855 (4) (rb).

15 *~~4550/8.7~~* SECTION 83. 25.69 of the statutes, as affected by 2001 Wisconsin
16 Acts 16 and (this act), is repealed and recreated to read:

17 **25.69 Permanent endowment fund.** There is established a separate
18 nonlapsible trust fund designated as the permanent endowment fund, consisting of
19 all of the proceeds from the sale of the state's right to receive payments under the
20 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
21 and all investment earnings on the proceeds. Moneys in the permanent endowment
22 fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh). (C)

23 *~~b2531/1.3~~* SECTION 83s. 26.02 of the statutes is created to read:

24 **26.02 Council on forestry. (1) DUTIES.** The council on forestry shall advise (D)
25 the governor, the legislature, the department of natural resources, the department

1 of commerce, and other state agencies, as determined to be appropriate by the
2 council, on all of the following topics as they affect forests located in this state:

3 (a) The protection of forests from fire, insects, and disease.

4 (b) The practice of sustainable forestry, as defined in s. 28.04 (1) (e).

5 (c) Reforestation and forestry genetics.

6 (d) Management and protection of urban forests.

7 (e) Increasing the public's knowledge and awareness of forestry issues.

8 (f) Forestry research.

9 (g) Increasing the economic development of the forestry industry and
10 employment in the forestry industry.

11 (h) Marketing and use of forest products.

12 (i) Legislation that impacts on the management of forest lands in this state.

13 (j) Staffing and funding needs for forestry programs conducted by the state.

14 **(2) REPORT.** (a) The council on forestry shall prepare a biennial report on the
15 status of the state's forest resources and forestry industry. The report shall include
16 a summary of each of the following:

17 1. The magnitude, nature, and extent of the forest resources in this state.

18 2. The current use in this state for forest products and the benefits that these
19 forest products provide to the state.

20 3. The projected future demand for forest products and the projected benefits
21 that these forest products will provide to the state in the future.

22 4. The types of owners and forms of ownership that apply to forests in this state,
23 including the reasons why persons own forest land.

24 5. The success of existing incentives that are offered to stimulate the
25 development of forest resources.

1 6. The possible economic opportunities in this state that may result if improved
2 forest-product marketing, and increased business dealing in or use of forest
3 products, occurs in this state.

4 7. Recommendations for increasing the economic development of the forestry
5 industry and employment in the forestry industry.

6 8. The effect of state and local governmental laws and policy on forestry
7 management and the location of markets for forest products.

8 9. Recommendations as to staffing and funding needs for forestry programs
9 and other conservation programs related to forestry that are conducted by the state
10 to support and enhance the development of forest resources.

11 10. Recommendations as to the need to increase the public's knowledge and
12 awareness of forestry issues.

13 (b) The council on forestry shall submit the report under this subsection no
14 later than June 1 of each odd-numbered year for distribution to the governor and to
15 the appropriate standing committees of the legislature under s. 13.172 (3). The first
16 report shall be submitted no later than June 1, 2005. Each report shall cover the
17 24-month period ending on the December 31 immediately preceding the date of the
18 report.

19 *~~4548/2.20~~* *~~3266/P1.9~~* SECTION 84. 26.14 (8) of the statutes is amended
20 to read:

21 26.14 (8) Any person who intentionally sets fire to the land of another or to a
22 marsh shall be fined not more than \$10,000 or imprisoned for not more than 7 years
23 and 6 months or both is guilty of a Class H felony.

24 *~~b2321/1.1~~* SECTION 84g. 26.145 (2m) of the statutes is created to read:

1 26.145 (2m) EFFECT OF OTHER FINANCIAL ASSISTANCE. The department may
2 consider any cost which has been or will be paid or reimbursed from moneys received
3 under another federal or state financial assistance program as an ineligible cost for
4 the purposes of calculating the amount of a grant under sub. (1), except that the
5 department shall consider any cost that has been or will be paid or reimbursed from
6 moneys received under s. 101.573 (3) as an eligible cost for the purposes of calculating
7 the amount of a grant under sub. (1).

8 ***b2321/1.1* SECTION 84h.** 26.145 (2m) of the statutes, as created by 2001
9 Wisconsin Act (this act) is repealed.

10 ***b2460/2.2* SECTION 84j.** 29.001 (20) of the statutes is created to read:

11 29.001 (20) “Deer” means white-tailed deer and does not include farm-raised
12 deer.

13

14 ***b2460/2.2* SECTION 84k.** 29.001 (22) of the statutes is created to read:

15 29.001 (22) “Elk” means elk that is present in the wild and that does not have
16 an ear tag or other mark identifying it as being raised on a farm.

17 ***b2460/2.2* SECTION 84m.** 29.001 (36) of the statutes is amended to read:

18 29.001 (36) “Game animals” ~~includes~~ means deer, moose, elk, bear, rabbits,
19 squirrels, fox ~~and~~, raccoon, and any other wild animals specified by the department.

20 ***b2460/2.2* SECTION 84mb.** 29.024 (2) (a) of the statutes is amended to read:

21 29.024 (2) (a) ~~A- Except as provided in s. 29.182 (4),~~ a hunting, trapping, or
22 fishing approval may be issued only to and obtained only by a natural person entitled
23 to the approval.

24 ***b2460/2.2* SECTION 84md.** 29.024 (2) (d) of the statutes is amended to read:

1 29.024 (2) (d) Except as provided under s. 29.182 (4) or 29.519 (2) (d) or by rule,
2 no person may transfer his or her approval or permit the use of any approval by any
3 other person.

4 ***b2460/2.2* SECTION 84mf.** 29.047 (1m) of the statutes is amended to read:

5 29.047 (1m) Unless prohibited by the laws of an adjoining state, any person
6 who has lawfully killed a deer or an elk in this state may take the deer or elk or its
7 carcass into the adjoining state and ship the deer or elk or carcass from any point in
8 the adjoining state to any point in this state.

9 ***b2460/2.2* SECTION 84mh.** 29.089 (3) of the statutes is amended to read:

10 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
11 park, or in a portion of a state park, if the department has authorized by rule the
12 hunting of that type of game in the state park, or in the portion of the state park, and
13 if the person holds the approvals required under this chapter for hunting that type
14 of game.

15 ***b2460/2.2* SECTION 84mj.** 29.161 of the statutes is amended to read:

16 **29.161 Resident small game hunting license.** A resident small game
17 hunting license shall be issued subject to s. 29.024 by the department to any resident
18 applying for this license. The resident small game hunting license does not authorize
19 the hunting of bear, deer, elk, or wild turkey.

20 ***b2460/2.2* SECTION 84mm.** 29.171 (2) of the statutes is amended to read:

21 29.171 (2) A resident archer hunting license authorizes the hunting of all
22 game, except bear, elk, and wild turkey, during the open seasons for hunting that
23 game with bow and arrow established by the department. This license authorizes
24 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by

1 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued
2 under sub. (4).

3 ***b2460/2.2* SECTION 84mp.** 29.182 of the statutes is created to read:

4 **29.182 Elk hunting licenses.** (1) DEPARTMENT AUTHORITY. The department
5 may issue elk hunting licenses and may limit the number of elk hunters and elk
6 harvested in any area of the state. The department may establish by rule closed
7 zones where elk hunting is prohibited.

8 (2) APPLICATION. A person who applies for an elk hunting license under this
9 section shall pay the processing fee under s. 29.553 at the time of application.

10 (3) AUTHORIZATION. (a) A resident elk hunting license authorizes a resident of
11 this state to hunt elk with a firearm or bow and arrow, or with a crossbow, if the
12 resident has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that
13 authorizes hunting with a crossbow, or if the resident has a crossbow permit issued
14 under s. 29.171 (4) (a).

15 (b) A nonresident elk hunting license authorizes a nonresident of this state to
16 hunt elk with a firearm or with a bow and arrow.

17 (4) ISSUANCE. (a) Except as provided in pars. (c) and (d) and sub. (4m), if the
18 department issues elk hunting licenses, the department shall issue a resident or
19 nonresident elk hunting license to any person who applies for such a license, and who
20 pays the fees required for the license.

21 (b) In issuing resident elk hunting licenses and nonresident elk hunting
22 licenses under this section, the department shall determine the number of licenses
23 it will issue in a given elk hunting season and shall allocate the licenses to residents
24 and nonresidents in the following manner:

1 1. If the total number of licenses to be issued is 100 licenses or less, the licenses
2 shall be allocated for issuance only as resident elk hunting licenses.

3 2. If the number of licenses to be issued is more than 100 licenses, the first 100
4 licenses and 95% of the amount over 100 shall be allocated for issuance as resident
5 elk hunting licenses and the remaining licenses shall be allocated for issuance as
6 nonresident elk hunting licenses.

7 (c) If the number of applicants for resident elk hunting licenses exceeds the
8 number of resident elk hunting licenses that are available under par. (b), the
9 department shall select at random the residents to be issued the licenses. If the
10 number of applicants for resident elk hunting licenses is less than the number of
11 resident elk hunting licenses available under par. (b), the department shall
12 reallocate the unissued licenses to be issued as nonresident elk hunting licenses
13 under par. (d).

14 (d) If the number of applicants for nonresident elk hunting licenses exceeds the
15 number of nonresident elk hunting licenses that are available under par. (b), the
16 department shall select at random the nonresidents to be issued the licenses. If the
17 number of applicants for nonresident elk hunting licenses is less than the number
18 of nonresident elk hunting licenses available under par. (b), the department shall
19 reallocate the unissued licenses to be issued as resident elk hunting licenses.

20 (e) In addition to any other elk hunting license that the department issues
21 under this subsection, the department shall issue one resident elk hunting license
22 in an elk hunting season to an organization known as the Rocky Mountain Elk
23 Foundation if the organization applies for the license for that season and pays the
24 required fees for the license. The organization may apply for the license only during
25 the first 5 elk hunting seasons for which licenses are issued under this section.

1 (f) The organization known as the Rocky Mountain Elk Foundation shall award
2 the license that is issued under par. (e) as a prize in a raffle conducted by a subunit
3 of the organization that is licensed to conduct raffles under ch. 563.

4 (g) The organization known as the Rocky Mountain Elk Foundation shall
5 transfer the license awarded or under par. (f) only to a person who is qualified to
6 receive a resident elk hunting license and shall transfer to that person the carcass
7 tag and back tag that was issued by the department to the organization under subs.
8 (6) and (7).

9 (h) If the organization known as the Rocky Mountain Elk Foundation fails to
10 transfer the license under par. (g), the license shall become invalid, and the
11 department may issue another resident elk hunting license under this subsection.

12 (i) The organization known as the Rocky Mountain Elk Foundation shall use
13 the proceeds from the raffle under par. (f) in this state to promote elk management,
14 to promote the reintroduction of eastern elk, or to further elk research.

15 **(4m) LIMITATION OF ONE LICENSE.** A person may be issued, or transferred under
16 par. (g), only one resident elk hunting license in his or her lifetime, and the resident
17 elk hunting license shall be valid for only one elk hunting season. The issuance, or
18 transfer under par. (g), of the license to the person is subject to s. 29.024 (2g).

19 **(5) FEES.** Fees received from the issuance of licenses under this section shall
20 be credited to the appropriation account under s. 20.370 (1) (hq).

21 **(6) CARCASS TAG.** The department shall issue an elk carcass tag to each person
22 and organization who is issued an elk hunting license under this section.

23 **(7) BACK TAG.** (a) The department shall issue a back tag to each person and
24 organization who is issued an elk hunting license under this section.

1 (b) No person may hunt elk unless there is attached to the center of the person's
2 coat, shirt, jacket, or similar outermost garment where it can be clearly seen, the
3 back tag issued to the person under par. (a).

4 *b2460/2.2* **SECTION 84n.** 29.204 of the statutes is amended to read:

5 **29.204 Nonresident annual small game hunting license.** A nonresident
6 annual small game hunting license shall be issued subject to s. 29.024 by the
7 department to any nonresident applying for this license. The nonresident annual
8 small game hunting license authorizes the hunting of small game during the
9 appropriate open season but does not authorize the hunting of deer, elk, bear, wild
10 turkey, or fur-bearing animals.

11 *b2460/2.2* **SECTION 84nb.** 29.207 of the statutes is amended to read:

12 **29.207 Nonresident 5-day small game hunting license.** A nonresident
13 5-day small game hunting license shall be issued subject to s. 29.024 by the
14 department to any nonresident applying for this license. The nonresident 5-day
15 small game hunting license authorizes the hunting of small game for which there is
16 an open season during the 5-day period for which it is issued but does not authorize
17 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

18 *b2460/2.2* **SECTION 84nd.** 29.213 of the statutes is amended to read:

19 **29.213 Nonresident fur-bearing animal hunting license.** A nonresident
20 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the
21 department to any nonresident applying for this license. The nonresident
22 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,
23 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but
24 does not authorize the hunting of other fur-bearing animals, other small game, deer,
25 elk, or bear.

1 ***b2460/2.2* SECTION 84nf.** 29.216 (2) of the statutes is amended to read:

2 29.216 (2) AUTHORIZATION. The nonresident archer hunting license authorizes
3 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,
4 during the open season for the hunting of that game with a bow and arrow. This
5 license authorizes hunting with a bow and arrow only unless hunting with a
6 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.
7 29.193 (2).

8 ***b2460/2.2* SECTION 84nh.** 29.314 (3) (title) of the statutes is amended to read:

9 29.314 (3) (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING
10 WEAPONS PROHIBITED.

11 ***b2460/2.2* SECTION 84nj.** 29.314 (3) (a) of the statutes is amended to read:

12 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
13 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
14 possession of a firearm, bow and arrow, or crossbow.

15 ***b2460/2.2* SECTION 84nm.** 29.347 (title) of the statutes is amended to read:

16 29.347 (title) **Possession of deer and elk; heads and skins.**

17 ***b2460/2.2* SECTION 84np.** 29.347 (2) of the statutes is amended to read:

18 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.
19 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler
20 of the deer a current validated deer carcass tag which is authorized for use on the
21 type of deer killed. Any person who kills an elk shall immediately attach to the ear
22 or antler of the elk a current validated elk carcass tag. Except as provided under sub.
23 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,
24 or transport a deer carcass unless it is tagged as required under this subsection.
25 Except as provided under sub. (2m), no person may possess, control, store, or

1 transport an elk carcass unless it is tagged as required under this subsection. A
2 person who kills a deer or elk shall register the deer or elk in the manner required
3 by the department. The carcass tag may not be removed before registration. The
4 removal of a carcass tag from a deer or elk before registration renders the deer or elk
5 untagged.

6 ***b2460/2.2* SECTION 84nq.** 29.347 (2m) (a) of the statutes is amended to read:
7 29.347 (2m) (a) A deer carcass tag attached under sub. (2) and a registration
8 tag attached by the department or a car kill tag attached under sub. (5) may be
9 removed from a gutted carcass at the time of butchering, but the person who killed
10 or obtained the deer or elk shall retain all tags until the meat is consumed.

11 ***b2460/2.2* SECTION 84ns.** 29.347 (2m) (b) of the statutes is amended to read:
12 29.347 (2m) (b) Any person who retains a tag under par. (a) may give deer or
13 elk meat to another person. The person who receives the gift of deer or elk meat is
14 not required to possess a tag.

15 ***b2460/2.2* SECTION 84nt.** 29.347 (3) of the statutes is amended to read:
16 29.347 (3) HEADS AND SKINS. The head and skin of any deer or elk lawfully
17 killed, when severed from the rest of the carcass, are not subject to this chapter; but
18 no person shall may have possession or control of the green head or green skin of a
19 deer or elk during the period beginning 30 days after the close of the open deer
20 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless
21 authorized by the department, no person may at any time have possession or control
22 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

23 ***b2460/2.2* SECTION 84nu.** 29.347 (4) of the statutes is amended to read:
24 29.347 (4) ANTLERS REMOVED OR BROKEN. Any deer ~~taken during an open season~~
25 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the

1 antlers have been removed, broken, shed, or altered so as to make determination of
2 the legality of the deer impossible is an illegal deer if the deer is taken during an open
3 season for hunting only antlered deer or during an open season for hunting only
4 antlerless deer. Any elk from which the antlers have been removed, broken, shed,
5 or altered so as to make determination of the legality of the elk impossible is an illegal
6 elk if the elk is taken during an open season for hunting only antlered elk or during
7 an open season for hunting antlerless elk.

8 *b2460/2.2* SECTION 84nv. 29.347 (6) of the statutes is repealed.

9 *b2460/2.2* SECTION 84pb. 29.361 (title) of the statutes is amended to read:

10 **29.361 (title) Transportation of deer or elk.**

11 *b2460/2.2* SECTION 84pd. 29.361 (1) of the statutes is amended to read:

12 29.361 (1) No common carrier may receive for transportation or transport or
13 attempt to transport any deer or elk or the carcass of any deer or elk except as
14 provided in this section.

15 *b2460/2.2* SECTION 84pr. 29.361 (2) of the statutes is amended to read:

16 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly
17 tagged and registered, except as otherwise provided by rule during the open season
18 for deer or elk and for 3 days thereafter.

19 *b2460/2.2* SECTION 84pt. 29.361 (2m) of the statutes is amended to read:

20 29.361 (2m) Any person may transport an antlerless deer killed under the
21 authority of his or her hunter's choice, bonus, or other deer hunting permit on any
22 highway, as defined s. 340.01 (22), in order to register the deer in the deer
23 management area where the deer deer was killed or in an adjoining management
24 area.

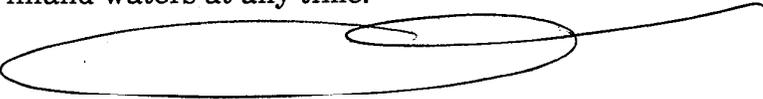
25 *b2460/2.2* SECTION 84pv. 29.361 (5) of the statutes is amended to read:

1 29.361 (5) This section does not apply to a person who has a valid taxidermist
2 permit and who is transporting, attempting to transport, or receiving the carcass of
3 a deer or elk in connection with his or her business.

4 ***b2460/2.2* SECTION 84px.** 29.361 (6) of the statutes is repealed.

5 ***b2460/2.2* SECTION 84rb.** 29.539 (1) (a) 1. of the statutes is amended to read:
6 29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass
7 of any of these wild animals at any time.

8 ***b2460/2.2* SECTION 84rd.** 29.541 (1) (a) 1. of the statutes is amended to read:
9 29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game
10 fish taken from inland waters at any time.

11 
12 ***b2460/2.2* SECTION 84rf.** 29.553 (1) (hm) of the statutes is created to read:
13 29.553 (1) (hm) Elk hunting license.

14 ***b2460/2.2* SECTION 84rh.** 29.563 (2) (a) 5m. of the statutes is created to read:
15 29.563 (2) (a) 5m. Elk: \$39.25.

16 ***b2460/2.2* SECTION 84rj.** 29.563 (2) (b) 3m. of the statutes is created to read:
17 29.563 (2) (b) 3m. Elk: \$199.25.

18 ***b2460/2.2* SECTION 84rm.** 29.563 (12) (a) 5. of the statutes is created to read:
19 29.563 (12) (a) 5. Elk: \$13.

20 ***b2460/2.2* SECTION 84rp.** 29.563 (14) (a) 3. of the statutes is created to read:
21 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
22 \$2.75.

23 ***b2460/2.2* SECTION 84rr.** 29.563 (14) (c) 3. of the statutes is amended to read:
24 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
25 hunting permit, elk hunting license, wild turkey hunting license, Canada goose

1 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
2 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25
3 cents.

4 ***b2460/2.2* SECTION 84rt.** 29.567 of the statutes is created to read:

5 **29.567 Voluntary contributions; elk research.** (1) Any applicant for an
6 elk hunting license under s. 29.182 may, in addition to paying any fee charged for the
7 license, elect to make a voluntary contribution of at least \$1 to be used for elk
8 research.

9 (2) All moneys collected under sub. (1) shall be credited to the appropriation
10 account under s. 20.370 (1) (hq).

11 ***b2460/2.2* SECTION 84sb.** 29.595 of the statutes is created to read:

12 **29.595 Elk hunter education program.** (1) ESTABLISHMENT. The
13 department shall establish and conduct an elk hunter education program.

14 (2) INSTRUCTION. The elk hunter education program shall provide a course of
15 instruction that includes all of the following:

16 (a) History and recovery of elk in this state and the eastern United States.

17 (b) Elk census and population estimation methods used in this state.

18 (c) Elk biology and disease prevention.

19 (d) Elk hunting techniques and hunter ethics.

20 (e) Elk hunting zones.

21 (f) Rules promulgated by the department concerning elk hunting.

22 (g) Native American hunting.

23 (3) CERTIFICATE OF ACCOMPLISHMENT. (a) The department shall issue a
24 certificate of accomplishment to a person who successfully completes the course of
25 instruction under the elk hunter education program.

1 (b) Except as provided in par. (c), no person may be issued an elk hunting license
2 unless he or she holds a valid certificate of accomplishment issued under this
3 subsection.

4 (c) A person may be issued an elk hunting license if the person holds evidence
5 that demonstrates to the satisfaction of the department that he or she has
6 successfully completed in another state or province an elk hunter education course
7 and if the course is recognized by the department under a reciprocity agreement with
8 that state or province.

9 (4) FEE PROHIBITED. The department may not charge a fee for the course of
10 instruction or the certificate of accomplishment.

11 ***b2460/2.2* SECTION 84sd.** 29.875 (title) of the statutes is amended to read:
12 **29.875 (title) Disposal of escaped deer or elk.**

13 ***b2460/2.2* SECTION 84sf.** 29.875 (1) of the statutes is renumbered 29.875 (1r).

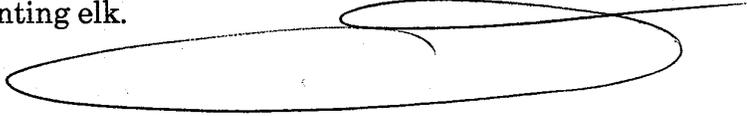
14 ***b2460/2.2* SECTION 84sg.** 29.875 (1g) of the statutes is created to read:
15 29.875 (1g) In this section, “deer” means any species of deer.

16 ***b2460/2.2* SECTION 84sj.** 29.875 (2) of the statutes is amended to read:

17 29.875 (2) Notwithstanding sub. (1) (1r), the department may dispose of the
18 deer immediately if the department of agriculture, trade and consumer protection
19 determines that the deer poses a risk to public safety or to the health of other
20 domestic or wild animals.

21 ***b2460/2.2* SECTION 84sm.** 29.889 (1) (f) of the statutes is created to read:

22 29.889 (1) (f) Elk, if the department has promulgated a rule that establishes
23 a season for hunting elk.

24 
25 ***b2460/2.2* SECTION 84sp.** 29.921 (7) of the statutes is amended to read:

1 29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,
2 injuring, causing injury to, or killing, any deer, ~~other than farm-raised deer or elk,~~
3 or destroying game birds, their eggs, or nests, if immediate action is necessary to
4 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

5 ***b2460/2.2* SECTION 84sr.** 29.927 (8) of the statutes is amended to read:

6 29.927 (8) Any dog found running deer, ~~except farm-raised deer, or elk~~ at any
7 time, or used in violation of this chapter.

8 ***b2460/2.2* SECTION 84st.** 29.934 (1) (e) of the statutes is amended to read:

9 29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that
10 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~
11 this subsection, ~~“deer” does not include farm-raised deer.~~

12 ***b2900/2.17* SECTION 84m.** 29.038 (1) (a) of the statutes, as affected by 2001
13 Wisconsin Act 16, is amended to read:

14 29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~
15 16.97 (7).

16 ***b3026/3.1* SECTION 84n.** 26.39 (4) of the statutes, as created by 2001
17 Wisconsin Act 16, is renumbered 26.39 (4) (a) and amended to read:

18 26.39 (4) (a) The department shall credit to the appropriation account under
19 s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during fiscal
20 year 2001–02, up to a total amount of \$300,000. The department shall credit any
21 balance over \$300,000 that remains from the moneys received as such surcharges
22 during fiscal year 2001–02 to the appropriation account under s. 20.370 (1) (cv).

23 ***b3026/3.1* SECTION 84p.** 26.39 (4) (b) of the statutes is created to read:

24 26.39 (4) (b) For fiscal year 2002–03 and each fiscal year thereafter, the
25 department shall credit 50% of the moneys received as surcharges under s. 28.06

1 (2m) during the applicable fiscal year to the appropriation account under s. 20.370
2 (1) (cu) and the remaining 50% to the appropriation account under s. 20.370 (1) (cv).

3 ***b3047/1.2* SECTION 84nb.** 29.235 (2) of the statutes is amended to read:

4 29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.

5 A resident conservation patron license confers upon the licensee all the combined
6 privileges conferred by a resident small game hunting license, resident deer hunting
7 license, resident wild turkey hunting license, resident archer hunting license,
8 waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp,
9 resident annual fishing license, ~~sturgeon spearing license~~, an inland waters trout
10 stamp, a Great Lakes trout and salmon stamp, and trapping license.

11 ***b3047/1.2* SECTION 84nc.** 29.235 (2m) of the statutes is amended to read:

12 29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A

13 nonresident conservation patron license confers upon the licensee all the combined
14 privileges conferred by a nonresident small game hunting license, nonresident deer
15 hunting license, nonresident wild turkey hunting license, nonresident archer
16 hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey
17 hunting stamp, nonresident annual fishing license, ~~sturgeon spearing license~~, an
18 inland waters trout stamp, and a Great Lakes trout and salmon stamp.

19 ***b3047/1.2* SECTION 84nf.** 29.237 (1) of the statutes is renumbered 29.237 (1)

20 (intro.) and amended to read:

21 29.237 (1) (intro.) In this section, ~~“validated”~~;

22 (b) “Validated” means marked with specified information in the manner
23 required by the department.

24 ***b3047/1.2* SECTION 84ng.** 29.237 (1) (a) of the statutes is created to read:

1 29.237 (1) (a) “Lake Winnebago and upper Fox and Wolf rivers system” means
2 Buttes des Morts Lake, Winneconne Lake, Poygan Lake, Winnebago Lake, and all
3 of the following:

4 1. Each stream that flows into any of these lakes, from the mouth of the stream
5 upstream to the first dam on the stream.

6 2. The Fox River from the point that it flows into Lake Winnebago upstream
7 to the dam above the city of Princeton.

8 3. Each tributary of the Fox River from the point that it flows into the Fox River
9 upstream to the first dam on the tributary.

10 4. The Wolf River from its mouth upstream to the dam in the city of Shawano.

11 5. Each tributary of the Wolf River from the point that it flows into the Wolf
12 River to the first dam on the tributary.

13 ***b3047/1.2* SECTION 84ni.** 29.237 (1m) (c) of the statutes is repealed.

14 ***b3047/1.2* SECTION 84nk.** 29.237 (2) of the statutes is amended to read:

15 29.237 (2) The sturgeon spearing license shall be accompanied by sturgeon
16 carcass tags in the quantity to correspond with the season bag limit for spearing ~~rock~~
17 or lake sturgeon established by the department. The serial numbers of these tags
18 shall be entered on the license by the person issuing the license or by the department.

19 ***b3047/1.2* SECTION 84nL.** 29.237 (3) of the statutes is amended to read:

20 29.237 (3) A sturgeon spearing license authorizes the spearing of ~~rock or lake~~
21 sturgeon subject to any limit imposed under s. 29.192 (3) and only during the open
22 season for spearing these sturgeon established by the department. No person may
23 fish for sturgeon by means of a spear ~~unless the person is issued a conservation~~
24 ~~patron license or unless the person is issued a sturgeon spearing license.~~ The

1 ~~conservation patron license or the~~ sturgeon spearing license shall be carried on the
2 person of the licensee at all times while fishing for sturgeon by means of a spear.

3 ***b3047/1.2* SECTION 84nm.** 29.237 (4) of the statutes is amended to read:

4 29.237 (4) Any person having taken a ~~rock or~~ lake sturgeon by means of a spear
5 shall immediately attach a current, validated sturgeon carcass tag issued to that
6 person to the tail of the sturgeon. No person may possess, control, store or transport
7 a ~~rock or~~ lake sturgeon carcass unless it is tagged as required under this section.

8 ***b3047/1.2* SECTION 84no.** 29.237 (5) of the statutes is created to read:

9 29.237 (5) The department shall deposit receipts from the sale of sturgeon
10 spearing licenses under this subsection into the conservation fund and shall credit
11 these receipts to the appropriation account under s. 20.370 (4) (kw).

12 
13 ***b3047/1.2* SECTION 84nr.** 29.503 (3) of the statutes is amended to read:

14 29.503 (3) ~~ROCK AND LAKE LAKE~~ LAKE STURGEON. A wholesale fish dealer license does
15 not authorize a person to sell, buy, barter, trade, possess, control or transport ~~rock~~
16 ~~or~~ lake sturgeon.

17 ***b3047/1.2* SECTION 84nv.** 29.563 (3) (a) 10. of the statutes is created to read:

18 29.563 (3) (a) 10. Sturgeon spearing: \$19.25.

19 ***b3047/1.2* SECTION 84nw.** 29.563 (3) (b) 7. of the statutes is created to read:

20 29.563 (3) (b) 7. Sturgeon spearing: \$49.25.

21 ***b3047/1.2* SECTION 84nx.** 29.563 (3) (d) (title) and 2. of the statutes are
22 consolidated and renumbered 29.563 (3) (d).

23 ***b3047/1.2* SECTION 84ny.** 29.563 (3) (d) 1. of the statutes is repealed.

24 ***b3047/1.2* SECTION 84pd.** 29.569 (3) (b) of the statutes, as affected by 2001
25 Wisconsin Act 77, is amended to read:

1 29.569 (3) (b) *Restrictions on issuance of sturgeon spearing licenses during the*
2 *open season.* Except as provided in par. (bm), no sturgeon spearing license may be
3 issued during a period beginning on November 1 and ending on the last day of the
4 open season for the spearing of ~~reek-er~~ lake sturgeon that follows that November 1.

5 ***b3047/1.2* SECTION 84pf.** 29.569 (3) (bm) (intro.) of the statutes, as created
6 by 2001 Wisconsin Act 77, is amended to read:

7 29.569 (3) (bm) *Exceptions.* (intro.) A sturgeon spearing license may be issued
8 during a period beginning on November 1 and ending on the last day of the open
9 season for the spearing of ~~reek-er~~ lake sturgeon that follows that November 1 to any
10 of the following:

11 ***b3062/1.1* SECTION 84m.** 29.053 (1) of the statutes is amended to read:

12 29.053 (1) All fishing seasons on inland waters shall open on a Saturday. All
13 fishing seasons on inland waters and outlying waters shall close on a Sunday.

14 ***b3062/1.1* SECTION 84r.** 29.404 (1m) of the statutes is created to read:

15 29.404 (1m) REMOVAL DATE. If the department establishes by order or by rule
16 a date no later than which a building, vehicle, tent, fish shanty, or similar shelter
17 must be removed from the ice under the authority granted the department under
18 sub. (1), that date shall always fall on a Sunday.

19 ***-4548/2.21* *-3266/P1.10* SECTION 85.** 29.971 (1) (c) of the statutes is
20 amended to read:

21 29.971 (1) (c) ~~For~~ A person having fish in his or her possession in violation of
22 this chapter ~~and is guilty of a Class I felony if the value of the fish under par. (d)~~
23 ~~exceeds \$1,000, by a fine of not more than \$10,000 or imprisonment for not more than~~
24 ~~3 years or both.~~

1 *~~4548/2.22~~* *~~3266/P1.11~~* **SECTION 86.** 29.971 (1m) (c) of the statutes is
2 amended to read:

3 29.971 (1m) (c) ~~For~~ A person possessing clams in violation of s. 29.537, is guilty
4 of a Class 1 felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~
5 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

6 ***b2460/2.3*** **SECTION 86g.** 29.971 (3m) of the statutes is amended to read:

7 29.971 (3m) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not
8 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting
9 approvals issued to the person. In addition, no hunting approval may be issued to
10 the person for the time period specified by the court. The time period specified shall
11 be not less than 3 years nor more than 5 years following the date of conviction under
12 this subsection.

13 ***b2460/2.3*** **SECTION 86r.** 29.971 (11g) of the statutes is created to read:

14 29.971 (11g) (a) For hunting elk without a valid elk hunting license, for
15 possessing an elk that does not have an elk carcass tag attached, for possessing an
16 elk during the closed season, by a fine of not less than \$1,000 nor more than \$15,000
17 or by imprisonment for not more than 6 months or both for the first violation, or by
18 a fine of not more than \$20,000 or imprisonment for not more than one year or both
19 for any subsequent violation. In addition, the court shall revoke all hunting and
20 trapping approvals issued to the person under this chapter and shall prohibit the
21 issuance of any new hunting and trapping approvals under this chapter to the person
22 for 5 years.

23 (b) Except as provided under par. (a), for the violation of any provision of this
24 chapter or rules promulgated under this chapter relating to elk hunting or to the

1 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than
2 \$5,000.

3 ***-4548/2.23* *-3266/P1.12* SECTION 87.** 29.971 (11m) (a) of the statutes is
4 amended to read:

5 29.971 (11m) (a) For shooting, shooting at, killing, taking, catching or
6 possessing a bear without a valid Class A bear license, or for possessing a bear which
7 does not have a carcass tag attached or possessing a bear during the closed season,
8 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not
9 more than 6 months or both for the first violation, or by a fine of not more than ~~\$5,000~~
10 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any
11 subsequent violation, and, in addition, the court shall revoke all hunting approvals
12 issued to the person under this chapter and shall prohibit the issuance of any new
13 hunting approval under this chapter to the person for 3 years.

14 ***-4548/2.24* *-3266/P1.13* SECTION 88.** 29.971 (11p) (a) of the statutes is
15 amended to read:

16 29.971 (11p) (a) For entering the den of a hibernating black bear and harming
17 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~2~~
18 years 9 months or both.

19 ***b2460/2.4* SECTION 88b.** 29.977 (1) (am) of the statutes is created to read:
20 29.977 (1) (am) Any elk, \$2,000.

21 ***b2460/2.4* SECTION 88e.** 29.977 (1) (b) of the statutes is amended to read:
22 29.977 (1) (b) Any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
23 \$262.50.

24 ***b2460/2.4* SECTION 88g.** 29.977 (1) (m) of the statutes is amended to read:

1 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.
2 (~~b~~) (am) to (h), \$17.50.

3 ***b2460/2.4* SECTION 88m.** 29.983 (1) (b) 1m. of the statutes is created to read:
4 29.983 (1) (b) 1m. Any elk, \$2,000.

5 ***b2460/2.4* SECTION 88n.** 29.983 (1) (b) 2. of the statutes is amended to read:
6 29.983 (1) (b) 2. For any moose, elk, fisher, prairie chicken, or sand hill crane,
7 \$262.50.

8 ***b2460/2.4* SECTION 88p.** 29.983 (1) (b) 13. of the statutes is amended to read:
9 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned
10 in subs. ~~2.~~ 1m. to 8., \$17.50.

11 ***b3047/1.3* SECTION 88g.** 29.977 (1) (i) of the statutes is amended to read:
12 29.977 (1) (i) Any muskellunge or ~~rock~~ or lake sturgeon, \$43.75.

13 ***b3047/1.3* SECTION 88r.** 29.983 (1) (b) 9. of the statutes is amended to read:
14 29.983 (1) (b) 9. For any muskellunge, ~~rock sturgeon~~ or lake sturgeon, \$43.75.

15 ***b3063/1.4* SECTION 88g.** 30.1255 (title) of the statutes is amended to read:
16 **30.1255 (title) Control Report on control of aquatic nuisance species.**

17 ***b3063/1.4* SECTION 88q.** 30.1255 (3) (a) (intro.) of the statutes is amended to
18 read:

19 30.1255 (3) (a) (intro.) The department shall submit ~~periodically~~ to the
20 legislature biennial reports describing all of the following:

21 ***b3063/1.4* SECTION 88qm.** 30.1255 (3) (b) of the statutes is amended to read:

22 30.1255 (3) (b) The department shall submit the first report required under
23 par. (a) before July 1, 1994, and shall submit subsequent reports before July 1 of each
24 even-numbered year thereafter. Beginning with the report due before July 1, 2004,

1 the department shall submit each report required under par. (a) as part of the
2 corresponding biennial report under s. 23.22 (6).

3 ***b3063/1.4* SECTION 88r.** 30.1255 (3) (c) of the statutes is repealed.

4 ***-4548/2.25* *-3266/P1.14* SECTION 89.** 30.80 (2g) (b) of the statutes is
5 amended to read:

6 30.80 (2g) (b) Shall be fined not ~~less than \$300 nor more than \$5,000~~ \$10,000
7 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved
8 injury to a person but the person did not suffer great bodily harm.

9 ***-4548/2.26* *-3266/P1.15* SECTION 90.** 30.80 (2g) (c) of the statutes is
10 amended to read:

11 30.80 (2g) (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
12 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a
13 person and the person suffered great bodily harm.

14 ***-4548/2.27* *-3266/P1.16* SECTION 91.** 30.80 (2g) (d) of the statutes is
15 amended to read:

16 30.80 (2g) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
17 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved
18 death to a person.

19 ***-4548/2.28* *-3266/P1.17* SECTION 92.** 30.80 (3m) of the statutes is
20 amended to read:

21 30.80 (3m) Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~
22 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of
23 a Class H felony.

24 ***-4548/2.29* *-3266/P1.18* SECTION 93.** 36.25 (6) (d) of the statutes is
25 amended to read:

1 36.25 (6) (d) Any officer, agent, clerk or employee of the survey or department
2 of revenue who makes known to any person except the officers of the survey or
3 department of revenue, in any manner, any information given to such person in the
4 discharge of such person's duties under par. (c), which information was given to such
5 person with the request that it not be made known, ~~upon conviction thereof, shall be~~
6 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~
7 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent
8 the use for assessment purposes of any information obtained under this subsection.

9 ***b2391/1.5* SECTION 93d.** 36.25 (11) (em) of the statutes is created to read:

10 36.25 (11) (em) The laboratory of hygiene board shall create and maintain a
11 roster of scientists and other persons with technical expertise who are willing to work
12 for the laboratory of hygiene if the governor declares that an emergency related to
13 public health exists. If the governor declares such an emergency, the laboratory of
14 hygiene board shall hire as limited-term employees the requisite number of persons
15 from the roster to assist the department of health and family services under s.
16 250.042. Salaries, benefits, and training of these employees shall be paid from the
17 appropriation under s. 20.285 (1) (fg).

18 ***b2900/2.18* SECTION 93m.** 36.25 (38) (b) 6. of the statutes, as affected by 2001
19 Wisconsin Act 16, is amended to read:

20 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
21 administration for telecommunications services provided under s. ~~22.05 16.972~~ (1).

22 ***b3033/2.8* SECTION 93m.** 36.25 (38) (a) of the statutes is amended to read:

23 36.25 (38) (a) In this subsection, "educational technology" has the meaning
24 given in s. ~~44.70 (3) 115.997 (3)~~.

25 ***b3044/2.1* SECTION 93r.** 36.27 (1) (a) of the statutes is amended to read:

1 36.27 (1) (a) Subject to pars. (am), (b) ~~and~~, (c), and (cm), the board may establish
2 for different classes of students differing tuition and fees incidental to enrollment in
3 educational programs or use of facilities in the system. Except as otherwise provided
4 in this section, the board may charge any student who is not exempted by this section
5 a nonresident tuition. The board may establish special rates of tuition and fees for
6 the extension and summer sessions and such other studies or courses of instruction
7 as the board deems advisable.

8 ***b3044/2.1* SECTION 93s.** 36.27 (1) (cm) of the statutes is created to read:

9 36.27 (1) (cm) The board shall charge a student who has completed more than
10 165 credits toward a first baccalaureate degree academic fees or tuition sufficient to
11 recover the full cost of any additional course work.

12 ***b3110/1.3* SECTION 93f.** 36.34 (1) (c) of the statutes is created to read:

13 36.34 (1) (c) 1. In this paragraph:

14 a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
15 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
16 s. 20.005 for that appropriation for fiscal year 2002–03.

17 b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
18 each fiscal year after fiscal year 2003–04, “base amount” means the appropriation
19 determined under subd. 2. for the previous fiscal year.

20 2. Annually, by February 1, the board shall determine the appropriation under
21 s. 20.285 (4) (dd) for the next fiscal year as follows:

22 a. The board shall determine the percentage by which the undergraduate
23 academic fees charged for the current academic year at each institution within the
24 University of Wisconsin System has increased or decreased from the undergraduate
25 academic fees charged for the previous academic year.

1 b. The appropriation for the next fiscal year shall be the result obtained by
2 increasing, to the nearest \$100, the base amount by the highest percentage increase
3 determined under subd. 2. a., except that, if the undergraduate academic fees for the
4 current academic year decreased or did not change from the undergraduate
5 academic fees charged for the previous academic year at each institution specified
6 in subd. 2. a., the appropriation shall be the base amount.

7 *~~4572/4.6~~* **SECTION 94.** 38.04 (9) of the statutes is amended to read:

8 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
9 life and property, the board may establish and supervise training programs in fire
10 prevention and protection. The ~~training~~ programs shall include training in
11 responding to acts of terrorism, as defined in s. 146.50 (1) (ag), and shall be available
12 to members of volunteer and paid fire departments maintained by public and private
13 agencies, including industrial plants. No training program required for
14 participation in structural fire fighting that is offered to members of volunteer and
15 paid fire departments maintained by public agencies may require more than 60
16 hours of training.

17 *~~b3046/3.1~~* **SECTION 94m.** 38.04 (28m) of the statutes is created to read:

18 38.04 (28m) ADVERTISING; FUNDING. The board may not use any general purpose
19 revenue for advertising.

20 *~~4543/5.4~~* **SECTION 98.** 38.28 (1m) (a) 1. of the statutes, as affected by 2001
21 Wisconsin Act 16, is amended to read:

22 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
23 technical college district, including debt service charges for district bonds and
24 promissory notes for building programs or capital equipment, but excluding all
25 expenditures relating to auxiliary enterprises and community service programs, all

1 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
2 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r), and 146.55 (5), all
3 receipts from grants awarded under ss. 38.04 (8), (19), (20), and (31), 38.14 (11),
4 38.26, 38.27, ~~38.305~~, 38.31, 38.33, and 38.38, all fees collected under s. 38.24, and
5 driver education and chauffeur training aids.

6 ***-4543/5.5* SECTION 99.** 38.305 of the statutes, as affected by 2001 Wisconsin
7 Act 16, is repealed.

8 ***b3110/1.4* SECTION 99r.** 39.435 (7) of the statutes is created to read:

9 39.435 (7) (a) In this subsection:

10 1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
11 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
12 s. 20.005 for that appropriation for fiscal year 2002–03.

13 2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
14 each fiscal year after fiscal year 2003–04, “base amount” means the maximum
15 appropriation amount determined under par. (b) for the previous fiscal year.

16 (b) Annually, by February 1, the board shall determine the appropriation under
17 s. 20.235 (1) (fe) for the next fiscal year as follows:

18 1. The board shall determine the percentage by which the undergraduate
19 academic fees charged for the current academic year at each institution within the
20 University of Wisconsin System has increased or decreased from the undergraduate
21 academic fees charged for the previous academic year.

22 2. The appropriation for the next fiscal year shall be the result obtained by
23 increasing, to the nearest \$100, the base amount by the highest percentage increase
24 determined under subd. 1., except that, if the undergraduate academic fees for the
25 current academic year decreased or did not change from the undergraduate

1 academic fees charged for the previous academic year at each institution specified
2 in subd. 1., the appropriation shall be the base amount.

3 ***b2297/1.3* SECTION 100g.** 40.02 (30) of the statutes is amended to read:

4 40.02 (30) "Executive participating employee" means a participating employee
5 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4g), (7), (8), or (9) or
6 authorized under s. 230.08 (2) (e) during the time of employment. All service credited
7 prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats.,
8 shall continue to be treated as executive service as defined under s. 40.02 (31), 1985
9 stats., but no other service rendered prior to May 17, 1988, may be changed to
10 executive service as defined under s. 40.02 (31), 1985 stats.

11 ***b2412/1.2* SECTION 100j.** 41.19 of the statutes, as affected by 2001 Wisconsin
12 Act 16, is repealed.

13 ***b2950/1.2* SECTION 100hn.** 41.11 (6) of the statutes is created to read:

14 41.11 (6) BADGER STATE GAMES GRANTS. From the appropriation under s. 20.380
15 (1) (b), the department shall provide grants for the operation of the badger state
16 games.

17 ***b3033/2.9* SECTION 100L.** Chapter 44 (title) of the statutes is amended to
18 read:

19 **CHAPTER 44**

20 **HISTORICAL SOCIETIES, AND ARTS**

21 **BOARD AND TECHNOLOGY FOR**

22 **EDUCATIONAL ACHIEVEMENT IN**

23 **WISCONSIN BOARD**

24 ***b3053/3.3* SECTION 100ic.** 40.98 (2) (h) of the statutes is created to read:

1 40.98 (2) (h) The department may seek funding from any person for the
2 payment of costs of designing, marketing, and contracting for or providing
3 administrative services under the health care coverage program and for lapsing to
4 the general fund any amount required under sub. (6m). Any moneys received by the
5 department under this paragraph shall be credited to the appropriation account
6 under s. 20.515 (2) (g).

7 ***b3053/3.3* SECTION 100ix.** 40.98 (6m) of the statutes is created to read:

8 40.98 (6m) The secretary of administration shall lapse from the appropriation
9 under s. 20.515 (2) (g) to the general fund the amounts necessary to repay the loan
10 under s. 601.34 when the secretary of administration, after consulting with the
11 board, determines that funds in the appropriation under s. 20.515 (2) (g) are
12 sufficient to make the lapse. The amounts that are required to be lapsed under s.
13 20.515 (2) (g) shall equal the amount necessary to pay all principal and interest costs
14 on the loan, less any amount that is lapsed to the general fund under s. 20.515 (2)
15 (a) at the end of the 2001–03 fiscal biennium. The secretary of administration may
16 lapse the amounts under s. 20.515 (2) (g) in installments.

17 ***b2337/3.1* SECTION 100m.** 44.015 (5m) of the statutes is created to read:

18 44.015 (5m) Except as otherwise provided by law, establish fees for services or
19 products or for admission to venues.

20 ***b2483/2.1* SECTION 100n.** 46.03 (18) (am) of the statutes is amended to read:

21 46.03 (18) (am) Paragraph (a) does not prevent the department from charging
22 and collecting the cost of adoptive placement investigations and child care as
23 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county
24 department under s. 51.42 or 51.437 from charging and collecting the cost of an
25 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

1 ***b2816/1.1* SECTION 100ng.** 45.358 (3) (g) of the statutes is amended to read:

2 45.358 (3) (g) A veteran who was discharged or released from active duty in the
3 U.S. armed forces under honorable conditions and who was a resident of the state for
4 at least 5 12 consecutive years months after ~~completing~~ entering or reentering
5 service on active duty.

6 ***b2816/1.1* SECTION 100nm.** 45.43 (1) (title) of the statutes is amended to
7 read:

8 45.43 (1) (title) ELECTION OR APPOINTMENT

9 ***b2816/1.1* SECTION 100nq.** 45.43 (1) (a) of the statutes is amended to read:

10 45.43 (1) (a) ~~Except as provided under par. (b), the county board shall elect a~~
11 ~~county veterans' service officer who shall be a Wisconsin resident who served on~~
12 ~~active duty, other than active duty for training, under honorable conditions in the~~
13 ~~U.S. armed forces or in forces incorporated as part of the U.S. armed forces for 2~~
14 ~~consecutive years, except service on active duty for training purposes. An individual~~
15 ~~who is discharged for reasons of hardship or a service-connected disability or~~
16 ~~released due to a reduction in the U.S. armed forces or for the good of the service prior~~
17 ~~to the completion of the required period of service is eligible for election to the office,~~
18 ~~regardless of the actual time served and who meets at least one of the conditions~~
19 listed in s. 45.35 (5) (a) 1. a. to d. and at least one of the conditions listed in s. 45.35
20 (5) (a) 2. a. to c.

21 ***b2816/1.1* SECTION 100ns.** 45.43 (1) (am) of the statutes is created to read:

22 45.43 (1) (am) Except as provided under par. (b), the county board may appoint
23 assistant county veterans' service officers who shall be Wisconsin residents who
24 served on active duty, other than active duty for training, under honorable conditions
25 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and

1 who meet at least one of the conditions listed in s. 45.35 (5) (a) 1. a. to d. and at least
2 one of the conditions listed in s. 45.35 (5) (a) 2. a. to c.

3 ***b2816/1.1* SECTION 100ny.** 45.43 (7m) (a) of the statutes, as created by 2001
4 Wisconsin Act 16, is amended to read:

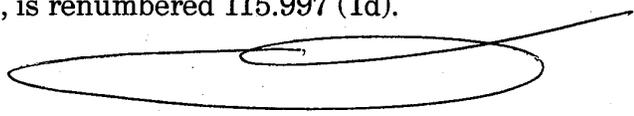
5 45.43 (7m) (a) Annually, from the appropriation under s. 20.485 (2) (s), the
6 department shall award grants to counties that are not served by transportation
7 services provided by the Wisconsin department of Disabled American Veterans to
8 develop, maintain, and expand transportation services for disabled veterans. The
9 grants may be used to support ~~multi-county~~ multicounty cooperative transportation
10 services.

11 ***b3033/2.10* SECTION 100ng.** Subchapter IV (title) of chapter 44 [precedes
12 44.70] of the statutes is repealed.

13 ***b3033/2.10* SECTION 100nh.** 44.70 (intro.) of the statutes is renumbered
14 115.997 (intro.).

15 ***b3033/2.10* SECTION 100nhm.** 44.70 (1) of the statutes is repealed.

16 ***b3033/2.10* SECTION 100nj.** 44.70 (1d) of the statutes, as created by 2001
17 Wisconsin Act 16, is renumbered 115.997 (1d).

18 
19 ***b3033/2.10* SECTION 100nk.** 44.70 (1m) of the statutes, as affected by 2001
20 Wisconsin Act 104, is renumbered 115.997 (1m).

21 ***b3033/2.10* SECTION 100nL.** 44.70 (2) of the statutes is repealed.

22 ***b3033/2.10* SECTION 100nm.** 44.70 (2g) of the statutes, as affected by 2001
23 Wisconsin Acts 16 and 57, is renumbered 115.997 (2g).

24 ***b3033/2.10* SECTION 100nn.** 44.70 (3) of the statutes is renumbered 115.997
25 (3).

1 ***b3033/2.10* SECTION 100no.** 44.70 (3d) of the statutes, as created by 2001
2 Wisconsin Act 16, is renumbered 115.997 (3d).

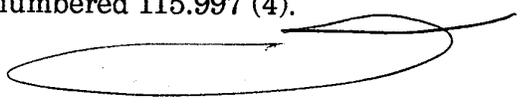
3 ***b3033/2.10* SECTION 100nom.** 44.70 (3g) of the statutes is renumbered
4 115.997 (3g).

5 ***b3033/2.10* SECTION 100np.** 44.70 (3j) of the statutes is renumbered 115.997
6 (3j).

7 ***b3033/2.10* SECTION 100npn.** 44.70 (3m) of the statutes is renumbered
8 115.997 (3m).

9 ***b3033/2.10* SECTION 100nq.** 44.70 (3r) of the statutes, as created by 2001
10 Wisconsin Act 16, is renumbered 115.997 (3r).

11 ***b3033/2.10* SECTION 100nqm.** 44.70 (4) of the statutes, as affected by 2001
12 Wisconsin Act 16, is renumbered 115.997 (4).

13

14 ***b3033/2.10* SECTION 100nr.** 44.70 (5) and (6) of the statutes are renumbered
15 115.997 (5) and (6).

16 ***b3033/2.10* SECTION 100nrm.** 44.71 (title) of the statutes is repealed.

17 ***b3033/2.10* SECTION 100ns.** 44.71 (1) of the statutes is repealed.

18 ***b3033/2.10* SECTION 100nsg.** 44.71 (2) (title) of the statutes is repealed.

19 ***b3033/2.10* SECTION 100nsm.** 44.71 (2) (intro.) and (1m) of the statutes, as
20 affected by 2001 Wisconsin Act 16, are renumbered 115.998 (intro.) and (1m) and
21 amended to read:

22 **115.998 Technology for educational achievement in Wisconsin;**
23 **departmental duties.** (intro.) The ~~board~~ department shall do all of the following:

24 **(1m)** In cooperation with school districts, cooperative educational service
25 agencies, the technical college system board, and the board of regents of the

1 University of Wisconsin System ~~and the department~~, promote the efficient,
2 cost-effective procurement, installation, and maintenance of educational technology
3 by school districts, cooperative educational service agencies, technical college
4 districts, and the University of Wisconsin System.

5 ***b3033/2.10* SECTION 100nt.** 44.71 (2) (b) of the statutes, as affected by 2001
6 Wisconsin Act 16, is renumbered 115.998 (2m).

7 ***b3033/2.10* SECTION 100ntm.** 44.71 (2) (c) of the statutes, as affected by 2001
8 Wisconsin Act 16, is renumbered 115.998 (3m) and amended to read:

9 115.998 (3m) ~~With the consent of the department, enter~~ Enter into cooperative
10 purchasing agreements under s. 16.73 (1) under which participating school districts
11 and cooperative educational service agencies may contract for their professional
12 employees to receive training concerning the effective use of educational technology.

13 ***b3033/2.10* SECTION 100nu.** 44.71 (2) (d) of the statutes, as affected by 2001
14 Wisconsin Act 16, is renumbered 115.998 (4) and amended to read:

15 115.998 (4) In cooperation with the board of regents of the University of
16 Wisconsin System, the technical college system board, ~~the department of public~~
17 ~~instruction~~ and other entities, support the development of courses for the instruction
18 of professional employees who are licensed by the state superintendent ~~of public~~
19 ~~instruction~~ concerning the effective use of educational technology.

20 ***b3033/2.10* SECTION 100num.** 44.71 (2) (e) of the statutes, as affected by
21 2001 Wisconsin Act 16, is renumbered 115.998 (5) and amended to read:

22 115.998 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~
23 Provide telecommunications access to educational agencies under the program
24 established under s. ~~44.73~~ 115.9995.

1 ***b3033/2.10* SECTION 100nv.** 44.71 (2) (f) of the statutes, as affected by 2001
2 Wisconsin Act 16, is renumbered 115.998 (6) and amended to read:

3 115.998 (6) No later than October 1 of each even-numbered year, submit a
4 biennial report concerning the ~~board's~~ department's activities under this subchapter
5 to the governor, and to the appropriate standing committees of the legislature under
6 s. 13.172 (3).

7 ***b3033/2.10* SECTION 100nvm.** 44.71 (2) (g) of the statutes, as affected by
8 2001 Wisconsin Act 16, is renumbered 115.998 (7) and amended to read:

9 115.998 (7) Coordinate the purchasing of educational technology materials,
10 supplies, equipment, and contractual services for school districts, cooperative
11 educational service agencies, technical college districts, and the board of regents of
12 the University of Wisconsin System by the department of administration under s.
13 16.72 (8), and, ~~in cooperation with the department and subject to the approval of the~~
14 ~~department of electronic government,~~ establish standards and specifications for
15 purchases of educational technology hardware and software by school districts,
16 cooperative educational service agencies, technical college districts, and the board
17 of regents of the University of Wisconsin System.

18 ***b3033/2.10* SECTION 100nw.** 44.71 (2) (h) of the statutes, as affected by 2001
19 Wisconsin Act 16, is renumbered 115.998 (8) and amended to read:

20 115.998 (8) ~~With the approval of the department of electronic government,~~
21 ~~purchase~~ Purchase educational technology equipment for use by school districts,
22 cooperative educational service agencies, and public educational institutions in this
23 state and permit the districts, agencies, and institutions to purchase or lease the
24 equipment, with an option to purchase the equipment at a later date. ~~This paragraph~~

1 subsection does not require the purchase or lease of any educational technology
2 equipment from the ~~board~~ department.

3 *b3033/2.10* SECTION 100nwm. 44.71 (2) (i) of the statutes, as created by 2001
4 Wisconsin Act 16, is renumbered 115.998 (9).

5 *b3033/2.10* SECTION 100nwt. 44.71 (3) of the statutes, as affected by 2001
6 Wisconsin Act 104, is repealed.

7 *b3033/2.10* SECTION 100nx. 44.72 (title) of the statutes is renumbered
8 115.999 (title).

9 *b3033/2.10* SECTION 100ny. 44.72 (1) (intro.) of the statutes, as affected by
10 2001 Wisconsin Act 16, is renumbered 115.999 (1) (intro.) and amended to read:

11 115.999 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE
12 GRANTS. (intro.) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (et), the ~~board~~
13 department shall award grants to cooperative educational service agencies and to
14 consortia consisting of 2 or more school districts, charter school sponsors, secured
15 correctional facilities, or cooperative educational service agencies, or one or more
16 school districts, charter school sponsors, secured correctional facilities, or
17 cooperative educational service agencies and one or more public library boards, to
18 provide technical assistance and training in the use of educational technology. An
19 applicant for a grant shall submit to the ~~board~~ department a plan that specifies the
20 school districts, charter school sponsors, secured correctional facilities, and public
21 library boards that will participate in the program and describes how the funds will
22 be allocated. The ~~board~~ department shall do all of the following:

23 *b3033/2.10* SECTION 100nym. 44.72 (1) (a) of the statutes is renumbered
24 115.999 (1) (a) and amended to read:

1 115.999 (1) (a) Award grants to applicants on a competitive basis through one
2 funding cycle annually, except that the ~~board~~ department shall ensure that at least
3 one grant is awarded annually to an applicant located in the territory of each
4 cooperative educational service agency.

5 ***b3033/2.10* SECTION 100nz.** 44.72 (1) (b) and (c) of the statutes are
6 renumbered 115.999 (1) (b) and (c).

7 ***b3033/2.10* SECTION 100nzm.** 44.72 (2) (title) of the statutes is renumbered
8 115.999 (2) (title).

9 ***b3033/2.10* SECTION 100oa.** 44.72 (2) (b) 1. of the statutes is renumbered
10 115.999 (2) (b) 1.

11 ***b3033/2.10* SECTION 100ob.** 44.72 (2) (b) 2. of the statutes, as affected by
12 2001 Wisconsin Act 104, is renumbered 115.999 (2) (b) 2. and amended to read:

13 115.999 (2) (b) 2. From the appropriations under s. ~~20.275 (1)~~ 20.255 (4) (f), (im),
14 (jm), (js), and (mp), annually the ~~board~~ department shall pay \$5,000 to each eligible
15 school district and \$5,000 to the department of corrections for each eligible
16 correctional facility. The department of corrections shall allocate funds received
17 under this subsection among the eligible secured correctional facilities as it deems
18 appropriate. The ~~board~~ department shall distribute the balance in the appropriation
19 to eligible school districts and to charter school sponsors in proportion to the
20 weighted membership of each school district and in proportion to the number of
21 pupils attending each charter school on the 3rd Friday of September. The weighted
22 membership for a school district shall be determined by dividing the statewide
23 average equalized valuation per member by the school district's equalized valuation
24 per member and multiplying the result by the school district's membership, as
25 defined in s. 121.004 (5).

1 ***b3033/2.10* SECTION 100oc.** 44.72 (2) (c) of the statutes, as affected by 2001
2 Wisconsin Act 16, is renumbered 115.999 (2) (c) and amended to read:

3 115.999 (2) (c) A school district is eligible for a grant under par. (b) 2. only if the
4 annual meeting in a common school district, or the school board in a unified school
5 district or in a school district operating under ch. 119, adopts a resolution requesting
6 the grant. A secured correctional facility is eligible for a grant under par. (b) 2. only
7 if the secretary of corrections submits a written request to the ~~board~~ department.
8 A charter school sponsor is eligible for a grant under par. (b) 2. only if it submits a
9 written request to the ~~board~~ department. A grant under this subsection may not be
10 used to replace funding available from other sources.

11 ***b3033/2.10* SECTION 100od.** 44.72 (2) (d) of the statutes, as affected by 2001
12 Wisconsin Act 16, is renumbered 115.999 (2) (d).

13 ***b3033/2.10* SECTION 100oe.** 44.72 (2) (e) of the statutes is renumbered
14 115.999 (2) (e) and amended to read:

15 115.999 (2) (e) The ~~board~~ department shall distribute the grants under par. (b)
16 2. annually on the first Monday in February.

17 ***b3033/2.10* SECTION 100of.** 44.72 (3) of the statutes, as created by 2001
18 Wisconsin Act 16, is renumbered 115.999 (3) and amended to read:

19 115.999 (3) COMPUTER TRAINING. Annually, the ~~board~~ department shall pay to
20 the Racine Unified School District the amount appropriated under s. ~~20.275 (1)~~
21 20.255 (4) (q) for training teachers and pupils in computers, including training in use
22 of the Internet, Web design, computer animation, graphic design, and video skills.

23 ***b3033/2.10* SECTION 100og.** 44.72 (4) (title) of the statutes is renumbered
24 115.999 (4) (title).

1 ***b3033/2.10* SECTION 100oh.** 44.72 (4) (a), (b) and (c) of the statutes, as
2 affected by 2001 Wisconsin Act 16, are renumbered 115.999 (4) (a), (b) and (c) and
3 amended to read:

4 115.999 (4) (a) *Financial assistance authorized.* The ~~board~~ department may
5 provide financial assistance under this subsection to school districts and charter
6 school sponsors from the proceeds of public debt contracted under s. 20.866 (2) (zc)
7 and to public library boards from the proceeds of public debt contracted under s.
8 20.866 (2) (zcm). Financial assistance under this subsection may be used only for the
9 purpose of upgrading the electrical wiring of school and library buildings in existence
10 on October 14, 1997, and installing and upgrading computer network wiring.

11 (b) *Financial assistance applications, terms and conditions.* The ~~board~~
12 department shall establish application procedures for, and the terms and conditions
13 of, financial assistance under this subsection, including a condition requiring a
14 charter school sponsor to use financial assistance under this subsection for wiring
15 upgrading and installation that benefits pupils attending the charter school. The
16 ~~board~~ department shall make a loan to a school district, charter school sponsor, or
17 public library board in an amount equal to 50% of the total amount of financial
18 assistance for which the ~~board~~ department determines the school district, charter
19 school sponsor, or public library board is eligible and provide a grant to the school
20 district, charter school sponsor, or public library board for the remainder of the total.
21 The terms and conditions of any financial assistance under this subsection may
22 include provision of professional building construction services under s. 16.85 (15).
23 The ~~board~~ department shall determine the interest rate on loans under this
24 subsection. The interest rate shall be as low as possible but shall be sufficient to fully
25 pay all interest expenses incurred by the state in making the loans and to provide

1 reserves that are reasonably expected to be required in the judgment of the board
2 department to ensure against losses arising from delinquency and default in the
3 repayment of the loans. The term of a loan under this subsection may not exceed 10
4 years.

5 (c) *Repayment of loans.* The ~~board~~ department shall credit all moneys received
6 from school districts and charter school sponsors for repayment of loans under this
7 subsection to the appropriation account under s. ~~20.275 (1)~~ 20.255 (4) (h). The ~~board~~
8 department shall credit all moneys received from public library boards for
9 repayment of loans under this subsection to the appropriation account under s.
10 ~~20.275 (1)~~ 20.255 (4) (hb).

11 *b3033/2.10* **SECTION 100oi.** 44.72 (4) (d) of the statutes is renumbered
12 115.999 (4) (d) and amended to read:

13 115.999 (4) (d) *Funding for financial assistance.* The ~~board~~ department, with
14 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),
15 may request that the building commission contract public debt in accordance with
16 ch. 18 to fund financial assistance under this subsection.

17 *b3033/2.10* **SECTION 100oj.** 44.73 (title) of the statutes is renumbered
18 115.9995 (title).

19 
20 *b3033/2.10* **SECTION 100ok.** 44.73 (1) of the statutes, as affected by 2001
21 Wisconsin Act 16, is renumbered 115.9995 (1) and amended to read:

22 115.9995 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation~~
23 ~~with the department and subject to the approval of the department of electronic~~
24 ~~government~~ department, shall promulgate rules establishing an educational

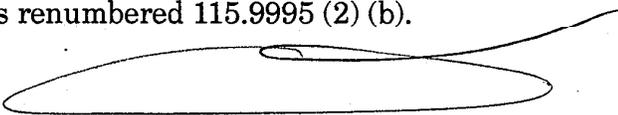
1 telecommunications access program to provide educational agencies with access to
2 data lines and video links.

3 ***b3033/2.10* SECTION 100oL.** 44.73 (2) (intro.) of the statutes is renumbered
4 115.9995 (2) (intro.).

5 ***b3033/2.10* SECTION 100om.** 44.73 (2) (a) of the statutes, as affected by 2001
6 Wisconsin Act 16, is renumbered 115.9995 (2) (a) and amended to read:

7 115.9995 (2) (a) Allow an educational agency to make a request to the ~~board~~
8 department for access to either one data line or one video link, except that any
9 educational agency may request access to additional data lines if the agency shows
10 to the satisfaction of the ~~board~~ department that the additional data lines are more
11 cost-effective than a single data line and except that a school district that operates
12 more than one high school or a public library board that operates more than one
13 library facility may request access to both a data line and a video link and access to
14 more than one data line or video link.

15 ***b3033/2.10* SECTION 100on.** 44.73 (2) (b) of the statutes, as affected by 2001
16 Wisconsin Act 16, is renumbered 115.9995 (2) (b).

17 
18 ***b3033/2.10* SECTION 100op.** 44.73 (2) (c) of the statutes is renumbered
19 115.9995 (2) (c).

20 ***b3033/2.10* SECTION 100oq.** 44.73 (2) (d) of the statutes is renumbered
21 115.9995 (2) (d) and amended to read:

22 115.9995 (2) (d) Require an educational agency to pay the department of
23 administration not more than \$250 per month for each data line or video link that
24 is provided to the educational agency under the program established under sub. (1),
25 except that the charge may not exceed \$100 per month for each data line or video link

1 that relies on a transport medium that operates at a speed of 1.544 megabits per
2 second.

3 *b3033/2.10* SECTION 100or. 44.73 (2) (e) of the statutes is renumbered
4 115.9995 (2) (e).

5 *b3033/2.10* SECTION 100os. 44.73 (2) (f) of the statutes, as created by 2001
6 Wisconsin Act 16, is renumbered 115.9995 (2) (f).

7 *b3033/2.10* SECTION 100ot. 44.73 (2g) of the statutes, as created by 2001
8 Wisconsin Act 16, is renumbered 115.9995 (2g).

9 *b3033/2.10* SECTION 100ou. 44.73 (2r) of the statutes, as created by 2001
10 Wisconsin Act 16, is renumbered 115.9995 (2r), and 115.9995 (2r) (c), as renumbered,
11 is amended to read:

12 115.9995 (2r) (c) A public library board shall provide the ~~technology for~~
13 ~~educational achievement in Wisconsin board department~~ with written notice within
14 30 days after entering into or modifying a shared service agreement under par. (a).

15 *b3033/2.10* SECTION 100ov. 44.73 (3) of the statutes, as affected by 2001
16 Wisconsin Act 16, is repealed.

17 *b3033/2.10* SECTION 100ovm. 44.73 (4) of the statutes is renumbered
18 115.9995 (4).

19 *b3033/2.10* SECTION 100ow. 44.73 (5) of the statutes is repealed.

20 *b3033/2.10* SECTION 100ox. 44.73 (6) (a) of the statutes, as affected by 2001
21 Wisconsin Act 16, is renumbered 115.9995 (6) (a) and amended to read:

22 115.9995 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (s) or
23 (tm), the ~~board department~~ may award an annual grant to a school district or private
24 school that had in effect on October 14, 1997, a contract for access to a data line or
25 video link, as documented by the ~~board department~~. The ~~board department~~ shall

1 determine the amount of the grant, which shall be equal to the cost incurred by the
2 state to provide telecommunications access to a school district or private school
3 under a contract entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the
4 amount that the school district or private school would be paying under sub. (2) (d)
5 if the school district or private school were participating in the program established
6 under sub. (1), except that the amount may not be greater than the cost that a school
7 district or private school incurs under the contract in effect on October 14, 1997. A
8 school district or private school receiving a grant under this subsection is not eligible
9 to participate in the program under sub. (1). No grant may be awarded under this
10 subsection after December 31, 2005.

11 ***b3033/2.10* SECTION 100oy.** 44.73 (6) (b) of the statutes, as created by 2001
12 Wisconsin Act 16, is renumbered 115.9995 (6) (b) and amended to read:

13 115.9995 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a
14 school district that operates more than one high school and that had in effect on
15 October 14, 1997, a contract for access to more than one data line or video link an
16 annual grant for each data line or video link serving each high school covered by that
17 contract.

18 ***b2312/2.1* SECTION 100p.** 46.286 (3m) of the statutes is created to read:

19 46.286 (3m) INFORMATION ABOUT FAMILY CARE ENROLLEES. (a) In this subsection:

- 20 1. "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).
21 2. "Insurer" has the meaning given in s. 600.03 (27).

22 (b) An insurer that issues or delivers a disability insurance policy that provides
23 coverage to a resident of this state shall provide to the department, upon the
24 department's request, information contained in the insurer's records regarding all
25 of the following:

1 1. Information that the department needs to identify enrollees of family care
2 who satisfy any of the following:

3 a. Are eligible for benefits under a disability insurance policy.

4 b. Would be eligible for benefits under a disability insurance policy if the
5 enrollee were enrolled as a dependent of a person insured under the disability
6 insurance policy.

7 2. Information required for submittal of claims under the insurer's disability
8 insurance policy.

9 3. The types of benefits provided by the disability insurance policy.

10 (c) Upon requesting an insurer to provide the information under par. (b), the
11 department shall enter into a written agreement with the insurer that satisfies all
12 of the following:

13 1. Identifies in detail the information to be disclosed.

14 2. Includes provisions that adequately safeguard the confidentiality of the
15 information to be disclosed.

16 (d) 1. An insurer shall provide the information requested under par. (b) within
17 180 days after receiving the department's request if it is the first time that the
18 department has requested the insurer to disclose information under this subsection.

19 2. An insurer shall provide the information requested under par. (b) within 30
20 days after receiving the department's request if the department has previously
21 requested the insurer to disclose information under this subsection.

22 3. If an insurer fails to comply with subd. 1. or 2., the department may notify
23 the commissioner of insurance, and the commissioner of insurance may initiate
24 enforcement proceedings against the insurer under s. 601.41 (4) (a).

1 *~~4548/2.30~~* *~~3266/P1.19~~* **SECTION 101.** 47.03 (3) (d) of the statutes is
2 amended to read:

3 47.03 (3) (d) Any person who violates this subsection shall be fined not more
4 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both.

5 ***b3034/1.1*** **SECTION 101b.** 48.21 (1) (a) of the statutes, as affected by 2001
6 Wisconsin Act 61, is amended to read:

7 48.21 (1) (a) If a child who has been taken into custody is not released under
8 s. 48.20, a hearing to determine whether the child shall continue to be held in custody
9 under the criteria of ss. 48.205 to 48.209 shall be conducted by the judge or a circuit
10 court commissioner within 48 hours of the time the decision to hold the child was
11 made, excluding Saturdays, Sundays, and legal holidays. By the time of the hearing
12 a petition under s. 48.25 shall be filed, except that no petition need be filed where a
13 child is taken into custody under s. 48.19 (1) (b) or (d) 2. or 7. or where the child is
14 a runaway from another state, in which case a written statement of the reasons for
15 holding a child in custody shall be substituted if the petition is not filed. If no hearing
16 has been held within 48 hours, excluding Saturdays, Sundays, and legal holidays,
17 or if no petition or statement has been filed at the time of the hearing, the child shall
18 be released except as provided in par. (b). A parent not present at the hearing shall
19 be granted a rehearing upon request for good cause shown.

20 ***b3034/1.1*** **SECTION 101c.** 48.21 (3) (am) of the statutes is amended to read:

21 48.21 (3) (am) The parent, guardian, or legal custodian may waive his or her
22 right to participate in the hearing under this section. Agreement in writing of the
23 child is required if he or she is over 12. After any waiver, a hearing rehearing shall
24 be granted at the request of any the parent, guardian, legal custodian, or any other
25 interested party for good cause shown.

1 ***b3034/1.1* SECTION 101d.** 48.21 (5) (b) 1. of the statutes, as affected by 2001
2 Wisconsin Act 16, is repealed and recreated to read:

3 48.21 (5) (b) 1. A finding that continued placement of the child in his or her
4 home would be contrary to the welfare of the child. Unless the judge or circuit court
5 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to
6 5. applies, the order shall in addition include a finding as to whether the person who
7 took the child into custody and the intake worker have made reasonable efforts to
8 prevent the removal of the child from the home, while assuring that the child's health
9 and safety are the paramount concerns, and a finding as to whether the person who
10 took the child into custody and the intake worker have made reasonable efforts to
11 make it possible for the child to return safely home or, if for good cause shown
12 sufficient information is not available for the judge or circuit court commissioner to
13 make a finding as to whether those reasonable efforts were made to prevent the
14 removal of the child from the home, a finding as to whether those reasonable efforts
15 were made to make it possible for the child to return safely home and an order for
16 the county department, department, in a county having a population of 500,000 or
17 more, or agency primarily responsible for providing services to the child under the
18 custody order to file with the court sufficient information for the judge or circuit court
19 commissioner to make a finding as to whether those reasonable efforts were made
20 to prevent the removal of the child from the home by no later than 5 days after the
21 date of the order.

22 ***b3034/1.1* SECTION 101e.** 48.21 (5) (b) 3. of the statutes is created to read:

23 48.21 (5) (b) 3. If the judge or circuit court commissioner finds that any of the
24 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
25 a determination that the county department, department, in a county having a

1 population of 500,000 or more, or agency primarily responsible for providing services
2 under the custody order is not required to make reasonable efforts with respect to the
3 parent to make it possible for the child to return safely to his or her home.

4 ***b3034/1.1* SECTION 101f.** 48.21 (5) (c) of the statutes is created to read:

5 48.21 (5) (c) The judge or circuit court commissioner shall make the findings
6 specified in par. (b) 1. and 3. on a case-by-case basis based on circumstances specific
7 to the child and shall document or reference the specific information on which those
8 findings are based in the custody order. A custody order that merely references par.
9 (b) 1. or 3. without documenting or referencing that specific information in the
10 custody order or an amended custody order that retroactively corrects an earlier
11 custody order that does not comply with this paragraph is not sufficient to comply
12 with this paragraph.

13 ***b3034/1.1* SECTION 101g.** 48.21 (5) (d) of the statutes is created to read:

14 48.21 (5) (d) 1. If the judge or circuit court commissioner finds that any of the
15 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
16 the judge or circuit court commissioner shall hold a hearing within 30 days after the
17 date of that finding to determine the permanency plan for the child. If a hearing is
18 held under this subdivision, the agency responsible for preparing the permanency
19 plan shall file the permanency plan with the court not less than 5 days before the date
20 of the hearing.

21 2. If a hearing is held under subd. 1., at least 10 days before the date of the
22 hearing the court shall notify the child, any parent, guardian, and legal custodian
23 of the child, and any foster parent, treatment foster parent, or other physical
24 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the
25 hearing.

1 3. The court shall give a foster parent, treatment foster parent, or other
2 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
3 2. an opportunity to be heard at the hearing by permitting the foster parent,
4 treatment foster parent, or other physical custodian to make a written or oral
5 statement during the hearing, or to submit a written statement prior to the hearing,
6 relevant to the issues to be determined at the hearing. A foster parent, treatment
7 foster parent, or other physical custodian who receives a notice of a hearing under
8 subd. 2. and an opportunity to be heard under this subdivision does not become a
9 party to the proceeding on which the hearing is held solely on the basis of receiving
10 that notice and opportunity to be heard.

11 ***b3034/1.1* SECTION 101h.** 48.255 (1) (f) of the statutes is created to read:

12 48.255 (1) (f) If the child is being held in custody outside of his or her home,
13 reliable and credible information showing that continued placement of the child in
14 his or her home would be contrary to the welfare of the child and, unless any of the
15 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible
16 information showing that the person who took the child into custody and the intake
17 worker have made reasonable efforts to prevent the removal of the child from the
18 home, while assuring that the child's health and safety are the paramount concerns,
19 and to make it possible for the child to return safely home.

20 ***b3034/1.1* SECTION 101i.** 48.255 (1m) (f) of the statutes is created to read:

21 48.255 (1m) (f) If the expectant mother is a child and the child expectant
22 mother is being held in custody outside of her home, reliable and credible information
23 showing that continued placement of the child expectant mother in her home would
24 be contrary to the welfare of the child expectant mother and, unless any of the
25 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible

1 information showing that the person who took the child expectant mother into
2 custody and the intake worker have made reasonable efforts to prevent the removal
3 of the child expectant mother from the home, while assuring that the child expectant
4 mother's health and safety are the paramount concerns, and to make it possible for
5 the child expectant mother to return safely home.

6 ***b3034/1.1* SECTION 101j.** 48.255 (2) of the statutes is amended to read:

7 48.255 (2) If any of the facts required under sub. (1) (a) to (cm) and (f) or (1m)
8 (a) to (d) and (f) are not known or cannot be ascertained by the petitioner, the petition
9 shall so state.

10 ***b3034/1.1* SECTION 101k.** 48.315 (2m) of the statutes is created to read:

11 48.315 (2m) (a) No continuance or extension of a time limit specified in this
12 chapter may be granted and no period of delay specified in sub. (1) may be excluded
13 in computing a time requirement under this chapter if the continuance, extension,
14 or exclusion would result in any of the following:

15 1. The court making an initial finding under s. 48.21 (5) (b) 1., 48.355 (2) (b) 6.,
16 or 48.357 (2v) (a) 1. that reasonable efforts have been made to prevent the removal
17 of the child from the home, while assuring that the child's health and safety are the
18 paramount concerns, or an initial finding under s. 48.21 (5) (b) 3., 48.355 (2) (b) 6r.,
19 or 48.357 (2v) (a) 3. that those efforts were not required to be made because a
20 circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more than 60 days after
21 the date on which the child was removed from the home.

22 2. The court making an initial finding under s. 48.38 (5m) that the agency
23 primarily responsible for providing services to the child has made reasonable efforts
24 to achieve the goals of the child's permanency plan more than 12 months after the
25 date on which the child was removed from the home or making any subsequent

1 findings under s. 48.38 (5m) as to those reasonable efforts more than 12 months after
2 the date of a previous finding as to those reasonable efforts.

3 (b) Failure to comply with any time limit specified in par. (a) does not deprive
4 the court of personal or subject matter jurisdiction or of competency to exercise that
5 jurisdiction. If a party does not comply with a time limit specified in par. (a), the
6 court, while assuring the safety of the child, may dismiss the proceeding with or
7 without prejudice, release the child from custody, or grant any other relief that the
8 court considers appropriate.

9 *b3034/1.1* **SECTION 101L.** 48.32 (1) of the statutes, as affected by 2001
10 Wisconsin Act 61, is renumbered 48.32 (1) (a).

11 *b3034/1.1* **SECTION 101m.** 48.32 (1) (b) of the statutes is created to read:

12 48.32 (1) (b) 1. If at the time the consent decree is entered into the child is placed
13 outside the home under a voluntary agreement under s. 48.63 or is otherwise living
14 outside the home without a court order and if the consent decree maintains the child
15 in that placement or other living arrangement, the consent decree shall include a
16 finding that placement of the child in his or her home would be contrary to the welfare
17 of the child, a finding as to whether the county department, the department, in a
18 county having a population of 500,000 or more, or the agency primarily responsible
19 for providing services to the child has made reasonable efforts to prevent the removal
20 of the child from the home, while assuring that the child's health and safety are the
21 paramount concerns, unless the judge or circuit court commissioner finds that any
22 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and a finding as
23 to whether the county department, department, or agency has made reasonable
24 efforts to achieve the goal of the child's permanency plan, unless return of the child
25 to the home is the goal of the permanency plan and the judge or circuit court

1 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to
2 5. applies.

3 2. If the judge or circuit court commissioner finds that any of the circumstances
4 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the consent
5 decree shall include a determination that the county department, department, in a
6 county having a population of 500,000 or more, or agency primarily responsible for
7 providing services under the consent decree is not required to make reasonable
8 efforts with respect to the parent to make it possible for the child to return safely to
9 his or her home.

10 3. The judge or circuit court commissioner shall make the findings specified in
11 subs. 1. and 2. on a case-by-case basis based on circumstances specific to the child
12 and shall document or reference the specific information on which those findings are
13 based in the consent decree. A consent decree that merely references subd. 1. or 2.
14 without documenting or referencing that specific information in the consent decree
15 or an amended consent decree that retroactively corrects an earlier consent decree
16 that does not comply with this subdivision is not sufficient to comply with this
17 subdivision.

18 ***b3034/1.1* SECTION 101n.** 48.32 (1) (c) of the statutes is created to read:

19 48.32 (1) (c) 1. If the judge or circuit court commissioner finds that any of the
20 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
21 the judge or circuit court commissioner shall hold a hearing within 30 days after the
22 date of that finding to determine the permanency plan for the child. If a hearing is
23 held under this subdivision, the agency responsible for preparing the permanency
24 plan shall file the permanency plan with the court not less than 5 days before the date
25 of the hearing.

1 2. If a hearing is held under subd. 1., at least 10 days before the date of the
2 hearing the court shall notify the child, any parent, guardian, and legal custodian
3 of the child, and any foster parent, treatment foster parent, or other physical
4 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the
5 hearing.

6 3. The court shall give a foster parent, treatment foster parent, or other
7 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
8 2. an opportunity to be heard at the hearing by permitting the foster parent,
9 treatment foster parent, or other physical custodian to make a written or oral
10 statement during the hearing, or to submit a written statement prior to the hearing,
11 relevant to the issues to be determined at the hearing. A foster parent, treatment
12 foster parent, or other physical custodian who receives a notice of a hearing under
13 subd. 2. and an opportunity to be heard under this subdivision does not become a
14 party to the proceeding on which the hearing is held solely on the basis of receiving
15 that notice and opportunity to be heard.

16 ***b3034/1.1* SECTION 101p.** 48.33 (4) (intro.) of the statutes, as affected by 2001
17 Wisconsin Act 59, is amended to read:

18 48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
19 placement of an adult expectant mother outside of her home shall be in writing. A
20 report recommending placement of a child in a foster home, treatment foster home,
21 group home, or residential care center for children and youth or in the home of a
22 relative other than a parent shall be in writing and shall include all of the following:

23 ***b3034/1.1* SECTION 101q.** 48.33 (4) (c) of the statutes is created to read:

24 48.33 (4) (c) Specific information showing that continued placement of the child
25 in his or her home would be contrary to the welfare of the child, specific information

1 showing that the county department, the department, in a county having a
2 population of 500,000 or more, or the agency primarily responsible for providing
3 services to the child has made reasonable efforts to prevent the removal of the child
4 from the home, while assuring that the child's health and safety are the paramount
5 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.
6 applies, and specific information showing that the county department, department,
7 or agency has made reasonable efforts to achieve the goal of the child's permanency
8 plan, unless return of the child to the home is the goal of the permanency plan and
9 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

10 *b3034/1.1* SECTION 101r. 48.335 (3g) of the statutes is created to read:

11 48.335 (3g) At hearings under this section, if the agency, as defined in s. 48.38
12 (1) (a), is recommending placement of the child in a foster home, treatment foster
13 home, group home, or residential care center for children and youth or in the home
14 of a relative other than a parent, the agency shall present as evidence specific
15 information showing that continued placement of the child in his or her home would
16 be contrary to the welfare of the child, specific information showing that the county
17 department, the department, in a county having a population of 500,000 or more, or
18 the agency primarily responsible for providing services to the child has made
19 reasonable efforts to prevent the removal of the child from the home, while assuring
20 that the child's health and safety are the paramount concerns, unless any of the
21 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and specific information
22 showing that the county department, department, or agency has made reasonable
23 efforts to achieve the goal of the child's permanency plan, unless return of the child
24 to the home is the goal of the permanency plan and any of the circumstances specified
25 in s. 48.355 (2d) (b) 1. to 5. applies.