

1           **(3) COLLECTION, RECORDING, AND LIMITATION OF LATE FEES.** Late fees are subject  
2 to all of the following limitations:

3           (a) A late fee may not exceed \$5 for each past-due periodic rental payment.

4           (b) A late fee may be collected only once on each periodic rental payment due,  
5 regardless of how long the payment remains past due.

6           (c) Payments received shall be applied first to the payment of any rent that is  
7 due and then to late fees and any other charges.

8           (d) A late fee may be collected at the time that the late fee accrues or at any time  
9 afterward.

10           **(4) EFFECT OF OUTSTANDING LATE FEE ON TRANSFER OF OWNERSHIP.** A  
11 rental-purchase company may require payment of any outstanding late fees before  
12 transferring ownership of rental property to a lessee.

13           **218.654 Reinstatement of terminated rent-to-own agreement. (1)**  
14 **REINSTATEMENT, GENERALLY.** A lessee may reinstate a terminated rent-to-own  
15 agreement without losing any rights or options previously acquired if all of the  
16 following conditions apply:

17           (a) The lessee returned or surrendered the rental property within 5 days after  
18 the termination of the rent-to-own agreement.

19           (b) Not more than 21 days have passed after the date on which the rental  
20 property was returned to the rental-purchase company or, if the lessee has paid  
21 two-thirds or more of the total number of periodic rental payments necessary to  
22 acquire ownership of the rental property, not more than 45 days have passed since  
23 the date on which the rental property was returned to the rental-purchase company.

24           **(2) AUTHORIZED CONDITIONS ON REINSTATEMENT.** As a condition of reinstatement  
25 under this section, the rental-purchase company may require the payment of all

1 past-due rental charges, any applicable late fees, a reinstatement fee not to exceed  
2 \$5, and the periodic rental payment for the next term.

3 (3) EFFECT OF REPOSSESSION ON REINSTATEMENT. Nothing in this section prohibits  
4 a rental-purchase company from attempting to repossess rental property upon  
5 termination of a rent-to-own agreement, but repossession efforts do not affect the  
6 lessee's right to reinstate the rent-to-own agreement as long as the rental property  
7 is voluntarily returned or surrendered within 5 days after the termination of the  
8 rent-to-own agreement.

9 (4) PROPERTY AVAILABLE UPON REINSTATEMENT. Upon reinstatement, the  
10 rental-purchase company shall provide the lessee with the same rental property, if  
11 the property is available and is in the same condition as when it was returned to the  
12 rental-purchase company, or with substitute rental property of comparable quality  
13 and condition.

14 **218.656 Reduced periodic rental payment due to reduced income. (1)**

15 REDUCTION IN AMOUNT OF PERIODIC RENTAL PAYMENTS; REQUIRED EVIDENCE. (a)  
16 *Reduction in amount of periodic rental payments.* If a lessee's monthly income is  
17 reduced by 25% or more due to pregnancy, disability, involuntary job loss, or  
18 involuntary reduction in the amount of hours worked or wages earned, the  
19 rental-purchase company shall reduce the amount of each periodic rental payment  
20 due under the rent-to-own agreement by the same percentage that the lessee's  
21 monthly income is reduced or by 50%, whichever is less, for the period of time during  
22 which the lessee's income is reduced. This paragraph applies only if all of the  
23 following conditions are satisfied:

1           1. The total dollar amount of periodic rental payments made by the lessee  
2 under the rent-to-own agreement equals more than 50% of the total dollar amount  
3 of periodic rental payments necessary to acquire ownership of the rental property.

4           2. The lessee has provided the rental-purchase company with reasonable  
5 evidence of the amount and cause of the reduction in the lessee's monthly income.

6           (b) *Evidence of continued reduction in income.* At reasonable intervals after  
7 reducing the amount of a periodic rental payment under par. (a), a rental-purchase  
8 company may require the lessee to provide evidence of the lessee's monthly income  
9 and evidence that the cause of the reduction in the lessee's monthly income has not  
10 abated.

11           **(2) INCREASE IN NUMBER OF PERIODIC RENTAL PAYMENTS.** Except as provided in  
12 sub. (4), if a rental-purchase company reduces the amount of a periodic rental  
13 payment under sub. (1) (a), the rental-purchase company may increase the total  
14 number of periodic rental payments necessary to acquire ownership of the rental  
15 property.

16           **(3) INCREASE IN AMOUNT OF PERIODIC RENTAL PAYMENTS.** Except as provided in  
17 sub. (4), if a rental-purchase company reduces the amount of a periodic rental  
18 payment under sub. (1) (a) and if, subsequently, the lessee's monthly income is  
19 increased, the rental purchase company may increase, by the same percentage that  
20 the lessee's monthly income is increased, the amount of each periodic rental payment  
21 due after the date on which the lessee's monthly income is increased.

22           **(4) LIMITATION ON INCREASES.** If a rental-purchase company, under sub. (2) or  
23 (3), increases the amount or number of periodic rental payments due under a  
24 rent-to-own agreement, the increase affects only the rights or duties of the lessee  
25 to the extent authorized in sub. (2) or (3). No rental-purchase company, acting under

1 sub. (2) or (3), may increase the total dollar amount of periodic rental payments  
2 necessary to acquire ownership of the rental property, or the amount of a periodic  
3 rental payment, to greater than the amount disclosed in the rent-to-own agreement.

4 **218.658 Default and right to cure. (1) DEFAULT; GENERALLY.** A lessee is in  
5 default under a rent-to-own agreement if any of the following occurs:

6 (a) The lessee fails to return the rental property within 7 days after the date  
7 on which the last term for which a periodic rental payment was made expires, unless  
8 the lessee has exercised an early-purchase option or has made all periodic rental  
9 payments necessary to acquire ownership of the rental property.

10 (b) The lessee materially breaches any other provision of the rent-to-own  
11 agreement.

12 **(2) DEFAULT; NECESSARY FOR LESSEE LIABILITY.** No cause of action shall accrue  
13 against a lessee with respect to the lessee's obligations under a rent-to-own  
14 agreement except upon default and the expiration of any applicable period of time  
15 allowed for cure of the default.

16 **(3) NOTICE OF DEFAULT; GENERAL REQUIREMENT.** Except as provided in sub. (4),  
17 as a condition precedent to bringing an action against a lessee arising out of the  
18 lessee's default, a rental-purchase company shall provide a written notice of the  
19 default and of the right to cure the default to the lessee. The notice shall specify the  
20 default and the action required to cure the default and shall inform the lessee that,  
21 if the default is not cured within 15 days after the notice is given, the rental-purchase  
22 company will have the right to bring an action against the lessee.

23 **(4) NOTICE OF DEFAULT; EXCEPTION.** A rental-purchase company is not required  
24 to provide a notice of default and right to cure as a condition precedent to bringing  
25 an action against a lessee if each of the following occurred twice during the 12 months

1 before the date of the current default with respect to the same rent-to-own  
2 agreement:

3 (a) The lessee was in default.

4 (b) The rental-purchase company gave the lessee written notice of the default  
5 and of the lessee's right to cure under sub. (3).

6 (c) The lessee cured the default.

7 (5) REQUEST FOR VOLUNTARY SURRENDER OF PROPERTY. A rental-purchase  
8 company may request the voluntary return or surrender of rental property prior to  
9 the declaration of a default and the sending of written notice of default and right to  
10 cure. A request under this subsection is subject to the requirements of s. 218.66.

11 **218.66 Rental-purchase company collection practices.** In attempting to  
12 recover possession of rental property or to collect past-due periodic rental payments  
13 or other charges owed under a rent-to-own agreement, a rental-purchase company  
14 may not do any of the following:

15 (1) USE OF FORCE. Use or threaten to use force or violence to cause physical harm  
16 to the lessee or the lessee's property or to a person related to the lessee.

17 (2) CRIMINAL PROSECUTION. Threaten criminal prosecution. It is not a violation  
18 of this subsection for a rental-purchase company to inform a lessee of the existence  
19 of s. 943.20 (1) (e) and the consequences of violating that section.

20 (3) DISCLOSURE OF FALSE INFORMATION. Disclose or threaten to disclose  
21 information adversely affecting the lessee's reputation for creditworthiness with  
22 knowledge or reason to know that the information is false.

23 (4) COMMUNICATION WITH LESSEE'S EMPLOYER. Initiate or threaten to initiate  
24 communication with the lessee's employer prior to obtaining final judgment against  
25 the lessee, except for the purpose of enforcing an assignment of earnings authorized

1 under s. 218.68. This subsection does not prohibit a rental–purchase company from  
2 communicating with a lessee’s employer solely to verify employment status or  
3 earnings or to determine if the employer has an established debt counseling service  
4 or procedure.

5 (5) DISCLOSURE OF INFORMATION RELATING TO LESSEE’S REPUTATION. Disclose or  
6 threaten to disclose to a person other than the lessee or the lessee’s spouse  
7 information affecting the lessee’s reputation, whether or not for creditworthiness,  
8 with knowledge or reason to know that the other person does not have a legitimate  
9 business need for the information, except that this subsection does not prohibit any  
10 of the following:

11 (a) The disclosure to another person of information permitted to be disclosed  
12 to that person by statute.

13 (b) An inquiry solely for the purpose of determining the location of the lessee  
14 or the rental property.

15 (6) DISCLOSURE OF INFORMATION REGARDING A DISPUTED DEBT. Disclose or threaten  
16 to disclose information concerning the existence of a debt known to be reasonably  
17 disputed by the lessee without disclosing the fact that the lessee disputes the debt.

18 (7) HARASSMENT. Communicate with the lessee or a person related to the lessee  
19 with such frequency, at such unusual hours, or in such a manner as can reasonably  
20 be expected to threaten or harass the lessee or a person related to the lessee, or  
21 engage in any other conduct that can reasonably be expected to threaten or harass  
22 the lessee or a person related to the lessee.

23 (8) USE OF OBSCENE OR THREATENING LANGUAGE. Use obscene or threatening  
24 language in communicating with the lessee or a person related to the lessee.

1           (9) USE OF THREAT TO ENFORCE FALSE RIGHT. Threaten to enforce a right with  
2 knowledge that the right does not exist.

3           (10) USE OF FALSE PROCESS. Use a communication that simulates legal or  
4 judicial process or that gives the appearance of being authorized, issued, or approved  
5 by a government, government agency, or attorney-at-law when it is not.

6           (11) USE OF THREAT TO SUE. Threaten to file a civil action against the lessee  
7 unless the civil action is of a type that the rental-purchase company files in the  
8 regular course of business or unless the rental-purchase company intends to file the  
9 civil action against the lessee.

10           **218.68 Assignment of earnings.** No rental-purchase company may take or  
11 arrange for an assignment of earnings of an individual for payment or as security for  
12 payment of an obligation arising out of a rent-to-own agreement unless the  
13 assignment is revocable at will by the individual.

14           **218.682 Penalties. (1) FAILURE TO PAY FEES AND PROVIDE REPORTS, INFORMATION,**  
15 **AND NOTICES; GENERALLY.** A licensee that fails to file its annual report by the date  
16 specified in s. 218.628 (1), fails to pay the annual license fee by the date specified in  
17 s. 218.622 (4), fails to provide any required rider or endorsement to increase the  
18 amount of its bond by the date specified in s. 218.622 (4), fails to provide examination  
19 records by the date required by the division, fails to notify the division in writing of  
20 a relocation of the licensee's place of business by the date specified in s. 218.626 (1),  
21 or fails to provide notice to the division of other changes as required under s. 218.626  
22 (2) by the date specified in s. 218.626 (2) may be required to forfeit not more than \$50.  
23 Each day that a failure described in this subsection continues constitutes a separate  
24 offense.

1           **(2) FAILURE TO PROVIDE CERTAIN INFORMATION.** A licensee that fails to provide any  
2 additional information, data, or records requested by the division under s. 218.626  
3 (2) by the date specified in s. 218.626 (2) may be required to forfeit not more than  
4 \$100. Each day that a failure described in this subsection continues constitutes a  
5 separate offense.

6           **(3) MISDEMEANORS.** Any person who violates s. 218.63 (2) or any provision of  
7 ss. 218.617 to 218.628 other than those provisions described in subs. (1) and (2) may  
8 be fined not more than \$1,000, imprisoned for not more than 6 months, or both.

9           **218.684 Civil actions and defenses. (1) LIABILITY; GENERALLY.** Except as  
10 provided under subs. (2) to (6), a rental–purchase company that violates any  
11 provision of this subchapter is liable to a lessee damaged as a result of that violation  
12 for the costs of the action and, notwithstanding s. 814.04 (1), for reasonable attorney  
13 fees as determined by the court, plus an amount equal to the greater of the following:

14           (a) The actual damages, including any incidental and consequential damages,  
15 sustained by the lessee as a result of the violation.

16           (b) An amount equal to 25% of the total amount of payments due in one month  
17 under the lessee’s rent–to–own agreement, except that liability under this  
18 paragraph may not be less than \$100 nor more than \$1,000.

19           **(2) LIABILITY; CERTAIN VIOLATIONS.** Except as provided in subs. (4) and (5), if a  
20 rental–purchase company violates s. 218.636, the lessee may retain the rental  
21 property under the rent–to–own agreement without obligation to pay any amount  
22 and may recover any amounts paid to the rental–purchase company under the  
23 rent–to–own agreement.

24           **(3) CLASS ACTION.** In the case of a class action, a rental–purchase company that  
25 violates this subchapter is liable to the members of the class in an amount

1 determined by the court, except that the total recovery for all lessees whose recovery  
2 is computed under sub. (1) (b) may not exceed \$100,000 plus the costs of the action  
3 and, notwithstanding s. 814.04 (1), reasonable attorney fees as determined by the  
4 court. In determining the amount to award under this subsection, the court shall  
5 consider, among other relevant factors, the amount of actual damages sustained by  
6 the members of the class, the frequency and persistence of the violations by the  
7 rental-purchase company, the resources of the rental-purchase company, the  
8 number of persons damaged by the violation, the presence or absence of good faith  
9 on the part of the rental-purchase company, and the extent to which the violation  
10 was intentional.

11 (4) DEFENSE; ERROR NOTIFICATION AND CORRECTION. A rental-purchase company  
12 is not liable for a violation of this subchapter resulting from an error by the  
13 rental-purchase company if, within 60 days after discovering the error, the  
14 rental-purchase company notifies the lessee of the error and makes any adjustments  
15 necessary to correct the error.

16 (5) DEFENSE; UNINTENTIONAL ERROR. A rental-purchase company is not liable  
17 for a violation of this subchapter if the rental-purchase company shows by a  
18 preponderance of the evidence that the violation was not intentional, that the  
19 violation resulted from a bona fide error notwithstanding the maintenance of  
20 procedures reasonably adopted to avoid the error, and that the rental-purchase  
21 company has acted to correct the error. A bona fide error under this subsection  
22 includes a clerical error, an error in making calculations, an error due to computer  
23 malfunction or to computer programming, or a printing error.

24 (6) LIABILITY FOR MULTIPLE VIOLATIONS. Multiple violations of this subchapter  
25 in connection with the same rent-to-own agreement shall entitle the lessee to only

1 a single recovery under sub. (1), except that a violation of s. 218.66 that occurs after  
2 recovery has been granted with respect to that rent-to-own agreement may entitle  
3 the lessee to an additional recovery under sub. (1).

4 (7) **NECESSARY PARTIES.** If more than one lessee is a party to the same  
5 rent-to-own agreement, all of the lessees that are parties to the rent-to-own  
6 agreement shall be joined as plaintiffs in any action under sub. (1), and the lessees  
7 are entitled to only a single recovery under sub. (1).

8 **218.686 Limitation on actions.** An action brought by a lessee under this  
9 subchapter shall be commenced within one year after the date on which the alleged  
10 violation occurred, 2 years after the date on which the rent-to-own agreement was  
11 entered into, or one year after the date on which the last payment was made under  
12 the rent-to-own agreement, whichever is later.

13 **218.688 Venue. (1) GENERALLY.** The venue for a claim arising out of a  
14 rent-to-own agreement is any of the following counties:

15 (a) Where the lessee resides or is personally served.

16 (b) Where the rental property is located.

17 (c) Where the lessee sought or acquired the rental property or signed the  
18 document evidencing his or her obligation under the terms of the rent-to-own  
19 agreement.

20 (2) **CHANGE IN VENUE.** When it appears from the return of service of a summons  
21 or otherwise that the county in which an action is pending under sub. (1) is not a  
22 proper place of trial for the action, unless the defendant appears and waives the  
23 improper venue, the court shall transfer the action to any county that is a proper  
24 place of trial.

1           **(3) MULTIPLE DEFENDANTS.** If there are several defendants in an action arising  
2 out of a rent-to-own agreement, and if venue is based on residence, venue may be  
3 in the county of residence of any of the defendants.

4           **\*b1528/1.1\* SECTION 3021v.** 220.02 (2) (b) of the statutes is amended to read:

5           220.02 (2) (b) The lending of money under s. 138.09 or those relating to finance  
6 companies, motor vehicle dealers, adjustment service companies, community  
7 currency exchanges, rental-purchase companies, and collection agencies under ch.  
8 218.

9           **\*b1528/1.1\* SECTION 3021w.** 220.02 (3) of the statutes is amended to read:

10           220.02 (3) It is the intent of sub. (2) to give the division jurisdiction to enforce  
11 and carry out all laws relating to banks or banking in this state, including those  
12 relating to state banks, trust company banks, and also all laws relating to small loan  
13 companies or other loan companies or agencies, finance companies, motor vehicle  
14 dealers, adjustment service companies, community currency exchanges,  
15 rental-purchase companies, and collection agencies, and those relating to sellers of  
16 checks under ch. 217, whether doing business as corporations, individuals, or  
17 otherwise, but to exclude laws relating to credit unions.”.

18           **\*b1524/1.16\* 1305.** Page 1003, line 9: after that line insert:

19           **\*b1524/1.16\* “SECTION 3024m.** 221.0616 (2) of the statutes is amended to  
20 read:

21           221.0616 (2) EXPERTS. Legal counsel, certified public accountants licensed or  
22 certified under ch. 442, or other persons as to matters that the director or officer  
23 believes in good faith are within the person’s professional or expert competence.”.

24           **\*b0822/1.1\* 1306.** Page 1003, line 12: after that line insert:

1           **\*b0822/1.1\*** “SECTION 3036e. 229.64 (2) of the statutes is amended to read:

2           229.64 (2) The legislature determines that a district including a county with  
3 a population of more than ~~500,000~~ 600,000 serves a public purpose in that county and  
4 all counties that are contiguous to that county by providing recreation, by  
5 encouraging economic development and tourism, by reducing unemployment and by  
6 bringing needed capital into the multicounty area for the benefit of people in the  
7 multicounty area.

8           **\*b0822/1.1\*** SECTION 3036g. 229.67 of the statutes is amended to read:

9           **229.67 Jurisdiction.** A district’s jurisdiction is any county with a population  
10 of more than ~~500,000~~ 600,000 and all counties that are contiguous to that county and  
11 that are not already included in a different district. Once created, a district’s  
12 jurisdiction is fixed even if the population of other counties within the district  
13 subsequently ~~exceed 500,000~~ exceeds 600,000. Once a county is included in a  
14 district’s jurisdiction the county remains in the district until the district is dissolved  
15 under s. 229.71. In this section, “contiguous” includes a county that touches another  
16 county only at a corner.”.

17           **\*b0957/1.13\* 1307.** Page 1003, line 12: after that line insert:

18           **\*b0957/1.13\*** “SECTION 3037h. 229.46 (1) (a) of the statutes is amended to  
19 read:

20           229.46 (1) (a) “Minority business” ~~has the meaning given in s. 200.49 (1) (a)~~  
21 means a business that is certified by the department of commerce under s. 560.036  
22 (2).”.

23           **\*b1603/2.1\* 1308.** Page 1003, line 12: after that line insert:

24           **\*b1603/2.1\*** “SECTION 3034d. 227.20 (1) of the statutes is amended to read:

1           227.20 (1) ~~An~~ Within 30 days after legislative review of a rule is completed  
2           under s. 227.19, the agency shall file a certified copy of each the proposed rule it  
3           promulgates in the office of the secretary of state and in the office of the revisor. No  
4           rule is valid until the certified copies have been filed. A certified copy shall be typed  
5           or duplicated on 8 1/2 by 11 inch paper, leaving sufficient room for the secretary of  
6           state's stamp at the top of the first page. Forms that are filed need not comply with  
7           the specifications of this subsection.

8           **\*b1603/2.1\* SECTION 3034j.** 227.24 (1) (c) of the statutes is amended to read:

9           227.24 (1) (c) A rule promulgated under par. (a) takes effect upon publication  
10          in the official state newspaper or on any later date specified in the rule and, except  
11          as provided under sub. (2), remains in effect only for ~~150~~ 90 days.

12          **\*b1603/2.1\* SECTION 3034k.** 227.24 (2) (a) of the statutes is amended to read:

13          227.24 (2) (a) At the request of an agency, the joint committee for review of  
14          administrative rules may, at any time prior to the expiration date of a rule  
15          promulgated under sub. (1) (a), extend the effective period of the emergency rule or  
16          part of the emergency rule for a period specified by the committee not to exceed ~~60~~  
17          90 days. Any number of extensions may be granted under this paragraph, but the  
18          total period for all extensions may not exceed ~~120~~ 180 days.”.

19          **\*b2221/3.130\* 1309.** Page 1003, line 12: after that line insert:

20          **\*b2221/3.130\* “SECTION 3035c.** 227.43 (1) (bd) of the statutes is created to  
21          read:

22          227.43 (1) (bd) Assign a hearing examiner to preside over any hearing of a  
23          contested case which is required to be conducted by the department of forestry and  
24          which is not conducted by the secretary of forestry.

1           **\*b2221/3.130\* SECTION 3035g.** 227.43 (2) (am) of the statutes is created to  
2 read:

3           227.43 (2) (am) The department of forestry shall notify the division of hearings  
4 and appeals of every pending hearing to which the administrator of the division is  
5 required to assign a hearing examiner under sub. (1) (bd) after the department of  
6 forestry is notified that a hearing on the matter is required.

7           **\*b2221/3.130\* SECTION 3035n.** 227.43 (3) (am) of the statutes is created to  
8 read:

9           227.43 (3) (am) The administrator of the division of hearings and appeals may  
10 set the fees to be charged for any services rendered to the department of forestry by  
11 a hearing examiner under this section. The fees shall cover the total cost of the  
12 services less any costs covered by the appropriation under s. 20.505 (4) (f).

13           **\*b2221/3.130\* SECTION 3035r.** 227.43 (4) (am) of the statutes is created to  
14 read:

15           227.43 (4) (am) The department of forestry shall pay all costs of the services  
16 of a hearing examiner assigned to the department under sub. (1) (bd), according to  
17 the fees set under sub. (3) (am).

18           **\*b2221/3.130\* SECTION 3035w.** 227.46 (8) of the statutes is amended to read:

19           227.46 (8) If the hearing examiner assigned under s. 227.43 (1) (b) renders the  
20 final decision in a contested case and the decision is subject to judicial review under  
21 s. 227.52, the department of natural resources may petition for judicial review. If the  
22 hearing examiner assigned under s. 227.43 (1) (bd) renders the final decision in a  
23 contested case and the decision is subject to judicial review under s. 227.52, the  
24 department of forestry may petition for judicial review. If the hearing examiner  
25 assigned under s. 227.43 (1) (br) renders the final decision in a contested case and

1 the decision is subject to judicial review under s. 227.52, the department of  
2 transportation may petition for judicial review.”.

3 **\*b0957/1.14\* 1310.** Page 1003, line 24: after that line insert:

4 **\*b0957/1.14\* “SECTION 3037p.** 229.70 (1) (a) of the statutes is amended to  
5 read:

6 229.70 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
7 means a business that is certified by the department of commerce under s. 560.036  
8 (2).

9 **\*b0957/1.14\* SECTION 3037q.** 229.8273 (1) (b) of the statutes is amended to  
10 read:

11 229.8273 (1) (b) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
12 means a business that is certified by the department of commerce under s. 560.036  
13 (2).

14 **\*b0957/1.14\* SECTION 3037r.** 229.845 (1) (a) of the statutes is amended to read:

15 229.845 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
16 means a business that is certified by the department of commerce under s. 560.036  
17 (2).”.

18 **\*b2095/6.11\* 1311.** Page 1004, line 9: after that line insert:

19 **\*b2095/6.11\* “SECTION 3047p.** 230.08 (2) (dm) of the statutes is created to  
20 read:

21 230.08 (2) (dm) Instructional staff employed by the board of regents of the  
22 University of Wisconsin System who provide services for a charter school established  
23 by contract under s. 118.40 (2r) (cm).”.

24 **\*b0757/2.46\* 1312.** Page 1004, line 12: delete lines 12 to 18.

1           **\*b2123/1.4\* 1313.** Page 1004, line 20: after that line insert:

2           **\*b2123/1.4\*** “SECTION 3051. 230.08 (2) (e) 13. of the statutes is amended to  
3 read:

4           230.08 (2) (e) 13. Veterans affairs — ~~2~~ 3.”

5           **\*b2221/3.131\* 1314.** Page 1004, line 20: after that line insert:

6           **\*b2221/3.131\*** “SECTION 3050g. 230.08 (2) (e) 4p. of the statutes is created to  
7 read:

8           230.08 (2) (e) 4p. Forestry — 1.

9           **\*b2221/3.131\* SECTION 3050r.** 230.08 (2) (e) 8. of the statutes is amended to  
10 read:

11           230.08 (2) (e) 8. Natural resources — ~~7~~ 6.”

12           **\*b0757/2.47\* 1315.** Page 1004, line 21: delete lines 21 to 25.

13           **\*b0757/2.48\* 1316.** Page 1005, line 1: delete lines 1 to 16.

14           **\*b2123/1.5\* 1317.** Page 1005, line 18: delete “commandant of the” and  
15 substitute “commandants of the Wisconsin Veterans Home at King and the”.

16           **\*b0757/2.49\* 1318.** Page 1005, line 20: delete lines 20 to 25.

17           **\*b0757/2.50\* 1319.** Page 1006, line 1: delete lines 1 to 13.

18           **\*b2095/6.12\* 1320.** Page 1006, line 13: after that line insert:

19           **\*b2095/6.12\*** “SECTION 3060p. 230.10 (2) of the statutes is amended to read:

20           230.10 (2) The compensation plan in effect at the time that a representative  
21 is recognized or certified to represent employees in a collective bargaining unit and  
22 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time  
23 that a representative is certified to represent employees in a collective bargaining

1 unit under subch. V of ch. 111 constitute the compensation plan or employee salary  
2 and benefit provisions for employees in the collective bargaining unit until a  
3 collective bargaining agreement becomes effective for that unit. If a collective  
4 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of  
5 a subsequent agreement, and a representative continues to be recognized or certified  
6 to represent employees specified in s. 111.81 (7) (a) or certified to represent  
7 employees specified in s. 111.81 (7) (b) ~~or (e)~~ to (f) in that collective bargaining unit,  
8 the wage rates of the employees in such a unit shall be frozen until a subsequent  
9 agreement becomes effective, and the compensation plan under s. 230.12 and salary  
10 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the  
11 unit.”.

12 \*b1364/1.4\* **1321.** Page 1007, line 14: after that line insert:

13 \*b1364/1.4\* “SECTION 3061r. 230.143 of the statutes is created to read:

14 **230.143 Appointment; selective service registration.** A person who is  
15 required to register with the selective service system under 50 USC, Appendix,  
16 sections 451 to 473, but has not registered, may not receive any of the following  
17 during the period that the person is required to register:

18 (1) An original appointment to a position in the classified service.

19 (2) An appointment to a position described in s. 230.08 (2) (k).

20 (3) An appointment to a position as a corps enrollee with the Wisconsin  
21 conservation corps program under s. 106.215 (1) (c).

22 \*b1364/1.4\* SECTION 3061t. 230.15 (1) of the statutes is amended to read:

23 230.15 (1) Appointments Subject to the restriction under s. 230.143,  
24 appointments to, and promotions in, the classified service shall be made only

1 according to merit and fitness, which shall be ascertained so far as practicable by  
2 competitive examination. The administrator may waive competitive examination  
3 for appointments made under subs. (1m) and (2) and shall waive competitive  
4 examination for appointments made under sub. (2m).”.

5 \*b1586/1.1\* **1322.** Page 1007, line 14: after that line insert:

6 \*b1586/1.1\* “SECTION 3072h. 230.26 (4) of the statutes is amended to read:

7 230.26 (4) Fringe benefits specifically authorized by statutes, with the  
8 exception of deferred compensation plan participation under subch. VII of ch. 40,  
9 worker’s compensation, unemployment insurance, group insurance, retirement, and  
10 social security coverage, shall be denied employees hired under this section. Such  
11 employees may not be considered permanent employees and do not qualify for  
12 tenure, vacation, paid holidays, sick leave, performance awards, or the right to  
13 compete in promotional examinations.”.

14 \*b2095/6.13\* **1323.** Page 1007, line 14: after that line insert:

15 \*b2095/6.13\* “SECTION 3078d. 230.35 (1) (a) (intro.) of the statutes is amended  
16 to read:

17 230.35 (1) (a) (intro.) Except as provided in subs. (1m) ~~and~~, (1r), and (1s),  
18 appointing authorities shall grant to each person in their employ, except  
19 limited-term employees, based on accumulated continuous state service, annual  
20 leave of absence without loss of pay at the rate of:”.

21 \*b0871/1.1\* **1324.** Page 1007, line 18: after that line insert:

22 \*b0871/1.1\* “SECTION 3079e. 230.35 (2r) (b) of the statutes is amended to read:

23 230.35 (2r) (b) The secretary may establish, by rule, a catastrophic leave  
24 program that permits ~~classified~~ employees to donate certain types and amounts of

1 leave credits to other ~~classified~~ employees who have been granted an unpaid leave  
2 ~~of absence on account of absent from pay status because of~~ a catastrophic need for  
3 which ~~absence~~ there is no paid leave benefits or replacement income available. The  
4 secretary shall determine the types and amounts of leave credits that may be  
5 donated.

6 \*b0871/1.1\* **SECTION 3079r.** 230.35 (2r) (c) of the statutes is amended to read:

7 230.35 (2r) (c) No ~~classified~~ employee may grieve under an agency's grievance  
8 procedure any appointing authority's decision relating to a catastrophic leave  
9 program under this subsection or appeal any such decision to the commission under  
10 s. 230.44 or 230.45 (1) (c)."

11 \*b2095/6.14\* **1325.** Page 1007, line 18: after that line insert:

12 \*b2095/6.14\* "**SECTION 3079r.** 230.35 (1s) of the statutes is created to read:

13 230.35 (1s) Annual leave of absence with pay for instructional staff employed  
14 by the board of regents of the University of Wisconsin System who provide services  
15 for a charter school established by contract under s. 118.40 (2r) (cm) shall be  
16 determined by the governing board of the charter school established by contract  
17 under s. 118.40 (2r) (cm), as approved by the chancellor of the University of  
18 Wisconsin–Parkside and subject to the terms of any collective bargaining agreement  
19 under subch. V of ch. 111 covering the instructional staff."

20 \*b0977/1.6\* **1326.** Page 1007, line 21: delete "the naval militia."

21 \*b0977/1.7\* **1327.** Page 1008, line 10: delete ", naval militia,".

22 \*b2221/3.132\* **1328.** Page 1008, line 16: after that line insert:

23 \*b2221/3.132\* "**SECTION 3080m.** 230.36 (1m) (b) 1. (intro.) of the statutes is  
24 amended to read:

1           230.36 (1m) (b) 1. (intro.) A state forest ranger or field employee of the  
2 department of natural resources or the department of forestry who is subject to call  
3 for forest fire control duty or fire watcher employed at the Wisconsin Veterans Home  
4 at King or at the facilities operated by the department of veterans affairs under s.  
5 45.385, and lifeguard, at all times while.”.

6           **\*b2221/3.133\* 1329.** Page 1008, line 23: after that line insert:

7           **\*b2221/3.133\*** “SECTION 3081d. 230.36 (1m) (b) 2. (intro.) of the statutes, as  
8 affected by 2001 Wisconsin Act .... (this act), is amended to read:

9           230.36 (1m) (b) 2. (intro.) A conservation warden, state forest ranger,  
10 conservation patrol boat captain, conservation patrol boat engineer, member of the  
11 state patrol, state motor vehicle inspector, University of Wisconsin System police  
12 officer, security officer, or security person, other state facilities police officer, special  
13 tax agent, excise tax investigator employed by the department of revenue, and  
14 special criminal investigation agent employed by the department of justice at all  
15 times while:

16           **\*b2221/3.133\* SECTION 3081t.** 230.36 (2m) (a) 5. of the statutes is amended  
17 to read:

18           230.36 (2m) (a) 5. A conservation field employee of the department of natural  
19 resources or the department of forestry who is subject to call for fire control duty.”.

20           **\*b0957/1.15\* 1330.** Page 1011, line 6: after that line insert:

21           **\*b0957/1.15\*** “SECTION 3095j. 232.05 (2) (d) of the statutes is amended to read:

22           232.05 (2) (d) Seek to enter into contracts for the purchase of goods and services  
23 with minority businesses that are certified by the department of commerce under s.  
24 560.036 (2).”.

1           **\*b1589/1.2\* 1331.** Page 1011, line 6: after that line insert:

2           **\*b1589/1.2\*** “SECTION 3095r. 233.10 (2) (b) of the statutes is amended to read:

3           233.10 (2) (b) The kinds of leave to which an employee of the authority is  
4 entitled, including paid annual leave of absence, paid sick leave, and unpaid leave  
5 of absence, except that unused sick leave accumulated prior to July 1, 1997, shall be  
6 carried over and made available for the employee’s use for appropriate sick leave  
7 purposes or for conversion as provided under s. 40.05 (4) (b), ~~(bd)~~, (be), (bm), or (bp).”.

8           **\*b0957/1.16\* 1332.** Page 1011, line 15: after that line insert:

9           **\*b0957/1.16\*** “SECTION 3097e. 234.01 (4n) (a) 3m. d. of the statutes is amended  
10 to read:

11           234.01 (4n) (a) 3m. d. The facility is owned or controlled by a minority business  
12 that is certified by the department of commerce under s. 560.036 (2) or that is more  
13 than 50% owned or controlled by women or minorities.

14           **\*b0957/1.16\* SECTION 3098v.** 234.65 (1) (g) of the statutes is amended to read:

15           234.65 (1) (g) In granting loans under this section the authority shall give  
16 preference to businesses ~~which~~ that are minority businesses certified by the  
17 department of commerce under s. 560.036 (2) or that are more than 50% owned or  
18 controlled by women ~~or minorities~~, to businesses that, together with all of their  
19 affiliates, subsidiaries, and parent companies, have current gross annual sales of  
20 \$5,000,000 or less or that employ 25 or fewer persons, and to new businesses that  
21 have less than 50% of their ownership held or controlled by another business and  
22 have their principal business operations in this state.”.

23           **\*b1777/2.1\* 1333.** Page 1018, line 11: after that line insert:

24           **\*b1777/2.1\*** “SECTION 3127b. 236.02 (2m) of the statutes is created to read:

1           236.02 **(2m)** “Correction instrument” means an instrument drafted by a  
2 licensed land surveyor that complies with the requirements of s. 236.295 and that,  
3 upon recording, corrects a subdivision plat or a certified survey map.

4           **\*b1777/2.1\* SECTION 3127bm.** 236.15 (1) (a) of the statutes is amended to read:

5           236.15 (1) (a) The external boundaries of a subdivision shall be monumented  
6 in the field by monuments of concrete containing a ferrous rod one-fourth inch in  
7 diameter or greater imbedded its full length, not less than ~~30~~ 18 inches in length, not  
8 less than 4 inches square or 5 inches in diameter, and marked on the top with a cross,  
9 brass plug, iron rod, or other durable material securely embedded; or by iron rods or  
10 pipes at least ~~30~~ 18 inches long and 2 inches in diameter weighing not less than 3.65  
11 pounds per lineal foot. Solid round or square iron bars of equal or greater length or  
12 weight per foot may be used in lieu of pipes wherever pipes are specified in this  
13 section. These monuments shall be placed at all corners, at each end of all curves,  
14 at the point where a curve changes its radius, at all angle points in any line and at  
15 all angle points along the meander line, said points to be not less than 20 feet back  
16 from the ordinary high water mark of the lake or from the bank of the stream, except  
17 that when such corners or points fall within a street, or proposed future street, the  
18 monuments shall be placed in the side line of the street.

19           **\*b1777/2.1\* SECTION 3127c.** 236.15 (1) (c) of the statutes is amended to read:

20           236.15 (1) (c) All lot, outlot, park and public access corners and the corners of  
21 land dedicated to the public shall be monumented in the field by iron pipes at least  
22 ~~24~~ 18 inches long and one inch in diameter, weighing not less than 1.13 pounds per  
23 lineal foot, or by round or square iron bars at least ~~24~~ 18 inches long and weighing  
24 not less than 1.13 pounds per lineal foot.

25           **\*b1777/2.1\* SECTION 3127cm.** 236.15 (1) (d) of the statutes is amended to read:

1           236.15 (1) (d) The lines of lots, outlots, parks and public access and land  
2 dedicated to the public that extend to lakes or streams shall be monumented in the  
3 field by iron pipes at least ~~24~~ 18 inches long and one inch in diameter weighing not  
4 less than 1.13 pounds per lineal foot, or by round or square iron bars at least ~~24~~ 18  
5 inches long and weighing not less than 1.13 pounds per lineal foot. These  
6 monuments shall be placed at the point of intersection of the lake or stream lot line  
7 with a meander line established not less than 20 feet back from the ordinary high  
8 water mark of the lake or from the bank of the stream.

9           **\*b1777/2.1\* SECTION 3127d.** 236.15 (1) (f) of the statutes is amended to read:

10           236.15 (1) (f) Any durable metal or concrete monuments may be used in lieu  
11 of the iron pipes listed in pars. (c) and (d) provided that they are uniform within the  
12 platted area and have a permanent magnet embedded near the top or bottom or both.

13           **\*b1777/2.1\* SECTION 3127dm.** 236.18 (2) (d) of the statutes is created to read:

14           236.18 (2) (d) A county coordinate system as approved by the department of  
15 transportation or a coordinate system that is mathematically relatable to a  
16 Wisconsin coordinate system.

17           **\*b1777/2.1\* SECTION 3127e.** 236.20 (1) (b) of the statutes is amended to read:

18           236.20 (1) (b) For processing under s. 236.12 (6) the original shall be ~~on~~  
19 ~~muslin-backed white paper 22 inches wide by 30 inches long prepared with~~  
20 ~~nonfading black image. These sheets may be provided by the county through the~~  
21 ~~register of deeds on such terms as the county board determines~~ and on any material  
22 that is capable of clearly legible reproduction.

23           **\*b1777/2.1\* SECTION 3127em.** 236.20 (1) (c) of the statutes is amended to read:

1           236.20 (1) (c) For processing under s. 236.12 (2), the original copy of the final  
2 plat ~~may be of any size~~ shall be 22 inches wide by 30 inches long and on any material  
3 that is capable of clearly legible reproduction.

4           **\*b1777/2.1\* SECTION 3127f.** 236.20 (2) (b) of the statutes is amended to read:

5           236.20 (2) (b) All monuments erected, corners, and other points established in  
6 the field in their proper places. The material of which the monuments, corners, or  
7 other points are made shall be noted at the representation thereof or by legend,  
8 except lot, outlot, and meander corners need not be shown. The legend for metal  
9 monuments shall indicate the kind of metal, the outside diameter, length, and weight  
10 per lineal foot of the monuments.

11           **\*b1777/2.1\* SECTION 3127fm.** 236.20 (2) (e) of the statutes is amended to read:

12           236.20 (2) (e) All lots and outlots in each block consecutively numbered within  
13 blocks and the subdivision and throughout numbered additions to the subdivision.

14           **\*b1777/2.1\* SECTION 3127g.** 236.21 (1) (b) of the statutes is amended to read:

15           236.21 (1) (b) A clear and concise description of the land surveyed, divided, and  
16 mapped by government lot, recorded private claim, quarter-quarter section, section,  
17 township, range, and county and by metes and bounds commencing with a  
18 monument at a section or quarter section corner of the quarter section ~~and~~ that is not  
19 at the center of the section, or commencing with a monument at the end of a boundary  
20 line of a recorded private claim or federal reservation in which the subdivision is  
21 located. If the land is located in a recorded subdivision or recorded addition thereto,  
22 the land shall be described by the number or other description of the lot, block or  
23 subdivision thereof, that has previously been tied to a corner marked and established  
24 by the U.S. public land survey.

25           **\*b1777/2.1\* SECTION 3127gm.** 236.25 (2) (b) of the statutes is amended to read:

1           236.25 (2) (b) The plat is offered for record within ~~30 days~~ 6 months after the  
2           date of the last approval of the plat and within 24 months after the first approval;

3           **\*b1777/2.1\* SECTION 3127h.** 236.295 (1) (intro.) of the statutes is amended to  
4           read:

5           236.295 (1) (intro.) Correction instruments ~~may~~ shall be recorded in the office  
6           of the register of deeds in the county in which the plat or certified survey map is  
7           recorded and may include any of the following:

8           **\*b1777/2.1\* SECTION 3127hf.** 236.295 (1) (a) of the statutes is amended to  
9           read:

10          236.295 (1) (a) Affidavits to correct distances, angles, directions, bearings,  
11          chords, block or lot numbers, street names, or other details shown on a recorded plat  
12          or certified survey map. A correction instrument may not be used to reconfigure lots  
13          or outlots.

14          **\*b1777/2.1\* SECTION 3127hm.** 236.295 (2) of the statutes is amended to read:

15          236.295 (2) Each affidavit in sub. (1) (a) correcting a plat ~~shall~~ or certified  
16          survey map that changes areas dedicated to the public or restrictions for the public  
17          benefit must be approved prior to recording by the governing body of the municipality  
18          or town in which the subdivision is located. The register of deeds shall note on the  
19          plat or certified survey map a reference to the page and volume in which the affidavit  
20          or instrument is recorded. The record of the affidavit or instrument, or a certified  
21          copy of the record, is prima facie evidence of the facts stated in the affidavit or  
22          instrument.

23          **\*b1777/2.1\* SECTION 3127im.** 236.34 (1) (intro.) of the statutes is amended to  
24          read:

1           236.34 (1) PREPARATION. (intro.) A certified survey map of not more than 4  
2 parcels of land consisting of lots or outlots may be recorded in the office of the register  
3 of deeds of the county in which the land is situated. A certified survey map may be  
4 used to change the boundaries of lots and outlots within a recorded plat, recorded  
5 assessor's plat under s. 70.27 or recorded, certified survey map if the ~~redivision~~  
6 reconfiguration does not result in a subdivision or violate a local subdivision  
7 regulation. A certified survey map may not alter ~~the exterior boundary of a recorded~~  
8 ~~plat, a recorded assessor's plat,~~ areas previously dedicated to the public or a  
9 restriction placed on the platted land by covenant, by grant of an easement, or by any  
10 other manner. A certified survey map that crosses the exterior boundary of a  
11 recorded plat or assessor's plat shall apply to the reconfiguration of fewer than 5  
12 parcels by a single owner, or if no additional parcels are created. Such a certified  
13 survey map must be approved in the same manner as a final plat of a subdivision  
14 must be approved under s. 236.10, must be monumented in accordance with s. 236.15  
15 (1), and shall contain owners' and mortgagees' certificates that are in substantially  
16 the same form as required under s. 236.21 (2) (a). A certified survey must meet the  
17 following requirements:

18           **\*b1777/2.1\* SECTION 3127j.** 236.34 (1) (b) of the statutes is amended to read:

19           236.34 (1) (b) All corners shall be monumented in accordance with s. 236.15 (1)  
20 (c) ~~and~~, (d), and (g).

21           **\*b1777/2.1\* SECTION 3127jm.** 236.34 (1) (c) of the statutes is amended to read:

22           236.34 (1) (c) The map shall be prepared in accordance with s. 236.20 (2) (a),  
23 (b), (c), (e), (f), (g), (h), (i), (j), (k), and (L) and (3) (b) ~~en a~~, (d), and (e) at a graphic scale  
24 of not more than 500 feet to the an inch, which shall be shown on each sheet showing  
25 layout features. The map shall be prepared with a binding margin 1.5 inches wide

1 and a 0.5 inch margin on all other sides on durable white paper 8 1/2 inches wide by  
2 14 inches long with nonfading black image or reproduced with photographic silver  
3 haloid image on double matt polyester film of not less than 4 mil thickness which is  
4 8 1/2 inches wide by 14 inches long. When more than one sheet is used for any map,  
5 each sheet shall be numbered consecutively and shall contain a notation giving the  
6 total number of sheets in the map and showing the relationship of that sheet to the  
7 other sheets. "CERTIFIED SURVEY MAP" shall be printed on the map in prominent  
8 letters with the location of the land by government lot, recorded private claim,  
9 quarter-quarter section, section, township, range and county noted. Seals or  
10 signatures reproduced on images complying with this paragraph shall be given the  
11 force and effect of original signatures and seals.

12 \*b1777/2.1\* SECTION 3127k. 236.34 (1) (d) 2. of the statutes is amended to  
13 read:

14 236.34 (1) (d) 2. A clear and concise description of the land surveyed, divided,  
15 and mapped by government lot, recorded private claim, quarter-quarter section,  
16 section, township, range and county; and by metes and bounds commencing with a  
17 monument at a section or quarter section corner of the quarter section ~~or~~ that is not  
18 the center of a section, or commencing with a monument at the end of a boundary line  
19 of a recorded private claim or federal reservation in which the ~~certified map~~ land is  
20 located; or if the land is located in a recorded subdivision or recorded addition to a  
21 recorded subdivision, then by the number or other description of the lot, block or  
22 subdivision, which has previously been tied to a corner marked and established by  
23 the U.S. public land survey.

24 \*b1777/2.1\* SECTION 3127km. 236.34 (1) (f) of the statutes is created to read:

1           236.34 (1) (f) Within 90 days of submitting a certified survey map for approval,  
2 the approving authority, or its agent authorized to approve certified survey maps,  
3 shall take action to approve, approve conditionally, or reject the certified survey map  
4 and shall state in writing any conditions of approval or reasons for rejection, unless  
5 the time is extended by agreement with the subdivider. Failure of the approving  
6 authority or its agent to act within the 90 days, or any extension of that period,  
7 constitutes an approval of the certified survey map and, upon demand, a certificate  
8 to that effect shall be made on the face of the map by the clerk of the authority that  
9 has failed to act.

10           **\*b1777/2.1\* SECTION 3127L.** 236.34 (2) of the statutes is renumbered 236.34  
11 (2) (a).

12           **\*b1777/2.1\* SECTION 3127Lm.** 236.34 (2) (b) of the statutes is created to read:  
13           236.34 (2) (b) If the certified survey map is approved by a local unit of  
14 government, the register of deeds may not accept the certified survey map for record  
15 unless all of the following apply:

16           1. The certified survey map is offered for record within 6 months after the date  
17 of the last approval of the map and within 24 months after the first approval of the  
18 map.

19           2. The certified survey map shows on its face all of the certificates and affidavits  
20 required under sub. (1).

21           **\*b1777/2.1\* SECTION 3127m.** 236.45 (2) (a) (intro.) of the statutes is amended  
22 to read:

23           236.45 (2) (a) (intro.) To accomplish the purposes listed in sub. (1), any  
24 municipality, town or county which has established a planning agency may adopt  
25 ordinances governing the subdivision or other division of land which are more

1 restrictive than the provisions of this chapter. Such ordinances may include  
2 provisions regulating divisions of land into parcels larger than 1 1/2 acres or  
3 divisions of land into less than 5 parcels, and may prohibit the division of land in  
4 areas where such prohibition will carry out the purposes of this section. Such  
5 ordinances ~~may~~ shall make applicable to such divisions ~~any~~ all of the provisions of  
6 this chapter, or may provide other surveying, monumenting, mapping and approving  
7 requirements for such division. The governing body of the municipality, town, or  
8 county ~~may~~ shall require that a ~~map, plat or sketch~~ of such division be recorded with  
9 the register of deeds and kept in a book provided for that purpose. “COUNTY PLAT,”  
10 “MUNICIPAL PLAT,” or “TOWN PLAT” shall be printed on the map in prominent  
11 letters with the location of the land by government lot, recorded private claim,  
12 quarter-quarter section, section, township, range, and county noted. When so  
13 recorded, the lots included in the ~~map, plat or sketch~~ shall be described by  
14 reference to it by ~~lot number and by volume and page of the book provided for that~~  
15 ~~use~~ “COUNTY PLAT,” “MUNICIPAL PLAT,” or “TOWN PLAT,” the name of the plat  
16 and the lot and block in the plat, for all purposes, including those of assessment,  
17 taxation, devise, descent, and conveyance as defined in s. 706.01 (4). Such ordinance,  
18 insofar as it may apply to divisions of less than 5 parcels, shall not apply to.”.

19 \*b1043/1.5\* **1334.** Page 1031, line 17: after that line insert:

20 \*b1043/1.5\* **“SECTION 3128pd.** 250.01 (4) (a) 2. of the statutes is amended to  
21 read:

22 250.01 (4) (a) 2. A city county health department established under s. 251.02  
23 ~~(1)~~ (1m).

1           **\*b1043/1.5\* SECTION 3128pe.** 251.01 (1) of the statutes is renumbered 251.01  
2 (1r) and amended to read:

3           251.01 (1r) “County board of health” means a board of health for a single county  
4 health department or for a multiple county health department.

5           **\*b1043/1.5\* SECTION 3128pf.** 251.01 (1g) of the statutes is created to read:

6           251.01 (1g) “City–county board of health” means a board of health for a  
7 city–county health department.

8           **\*b1043/1.5\* SECTION 3128pg.** 251.01 (2) of the statutes is repealed.

9           **\*b1043/1.5\* SECTION 3128ph.** 251.01 (3) of the statutes is amended to read:

10          251.01 (3) “County health officer” means the position of a local health officer  
11 in a single county health department or in a multiple county health department.

12          **\*b1043/1.5\* SECTION 3128pi.** 251.01 (7m) of the statutes is created to read:

13          251.01 (7m) “Represented employee” means an employee in a collective  
14 bargaining unit for which a representative is recognized or certified under subch. IV  
15 of ch. 111.

16          **\*b1043/1.5\* SECTION 3128pj.** 251.02 (1) of the statutes is amended to read:

17          251.02 (1) In counties with a population of less than 500,000, unless a county  
18 board establishes a city–county health department under sub. (1m) jointly with the  
19 governing body of a city or establishes a multiple county health department under  
20 sub. (3) in conjunction with another county, the county board shall establish a single  
21 county health department that meets, which shall meet the requirements of this  
22 chapter. The county health department shall serve all areas of the county that are  
23 not served by a city health department that was established prior to  
24 January 1, 1994, by a town or village health department established under sub.  
25 (3m), or by a multiple municipal local health department established under sub. (3r).

1 ~~No governing body of a city may establish a city health department may be~~  
2 ~~established after January 1, 1994, but a city-county health department may be~~  
3 ~~established after that date.~~

4 **\*b1043/1.5\* SECTION 3128pk.** 251.02 (1m) of the statutes is created to read:

5 251.02 (1m) Subject to sub. (1r), in counties with a population of less than  
6 500,000, the county board and the governing body of a city that has a city health  
7 department may jointly establish a city-county health department, which shall meet  
8 the requirements of this chapter. A city-county health department shall serve all  
9 areas of the county that are not served by a city health department that was  
10 established prior to January 1, 1994, by a town or village health department  
11 established under sub. (3m), or by a multiple municipal local health department  
12 established under sub. (3r). A city-county health department established under this  
13 subsection after the effective date of this subsection .... [revisor inserts date], is  
14 subject to the control of the city and county acting jointly under an agreement  
15 entered into under s. 66.0301 that specifies, in conformity with this chapter, all of the  
16 following:

17 (a) The powers and duties of the city-county health department.

18 (b) The powers and duties of the city-county board of health for the city-county  
19 health department.

20 (c) The relative powers and duties of the city and county with respect to  
21 governance of the city-county health department and the city-county board of  
22 health.

23 **\*b1043/1.5\* SECTION 3128pL.** 251.02 (1r) of the statutes is created to read:

24 251.02 (1r) If a city that assigns represented employees to its city health  
25 department and if a county that assigns represented employees to its county health

1 department jointly establish a city–county health department under an agreement  
2 specified under sub. (1m), all of the following shall apply, but only if the represented  
3 employees at the city health department and at the county health department who  
4 perform similar functions are included in collective bargaining units that are  
5 represented by the same representative:

6 (a) The city–county health department shall offer employment to all city and  
7 county employees who are represented employees and who perform functions for the  
8 city and county that are transferred to the city–county health department in the  
9 agreement under sub. (1m).

10 (b) Notwithstanding s. 111.70 (4) (d), if, in any collective bargaining unit that  
11 is initially created at the city–county health department, all of the former city and  
12 county employees were represented by the same representative when they were  
13 employed by the city or county, that representative shall become the initial  
14 representative of the employees in the collective bargaining unit without the  
15 necessity of filing a petition or conducting an election.

16 (c) Unless otherwise prohibited by law, with respect to city–county health  
17 department employees who were formerly represented employees at the city or  
18 county, the city–county health department shall adhere to the terms of the collective  
19 bargaining agreements that covered these employees while they were employed by  
20 the city or county until such time that the city–county health department and the  
21 representative of the employees have entered into a collective bargaining agreement.

22 **\*b1043/1.5\* SECTION 3128pm.** 251.02 (3) of the statutes is amended to read:

23 251.02 (3) A county board may, in conjunction with the county board of another  
24 county, establish a multiple county health department ~~in conjunction with the~~  
25 ~~county board of another county, which shall meet the requirements of this chapter.~~

1 A multiple county health department shall serve all areas of the respective counties  
2 that are not served by a city health department that was established prior to January  
3 1, 1994, by a town or village health department established under sub. (3m), or by  
4 a multiple municipal local health department established under sub. (3r).

5 \*b1043/1.5\* SECTION 3128pn. 251.04 (1) of the statutes is amended to read:

6 251.04 (1) ~~A city or county board of health shall govern each local health~~  
7 ~~department other than a local health department~~ Except as authorized in s. 251.02  
8 (3m) and (3r) ~~and a, a city board of health shall govern a city health department, a~~  
9 ~~county board of health shall govern a county health department or multiple county~~  
10 ~~health department, and a city-county board of health shall govern a city-county~~  
11 ~~health department. A city or board of health, a county board of health, a city-county~~  
12 ~~board of health, or a board of health for a local health department as authorized in~~  
13 ~~s. 251.02 (3m) and (3r) shall assure the enforcement of state public health statutes~~  
14 ~~and public health rules of the department as prescribed for a Level I local health~~  
15 ~~department. A local board of health may contract or subcontract with a public or~~  
16 ~~private entity to provide public health services. The contractor's staff shall meet the~~  
17 ~~appropriate qualifications for positions in a Level I local health department.~~

18 \*b1043/1.5\* SECTION 3128pp. 251.08 of the statutes is amended to read:

19 **251.08 Jurisdiction of local health department.** The jurisdiction of the  
20 local health department shall extend to the entire area represented by the governing  
21 body of the county, city, village or town that established the local health department,  
22 except that the jurisdiction of a single or multiple county health department or of a  
23 city-county health department does not extend to cities, villages and towns that  
24 have local health departments. Cities, towns and villages having local health  
25 departments may by vote of their local boards of health determine to come under the

1 jurisdiction of the county health department. No part of any expense incurred under  
2 this section by a county health department may be levied against any property  
3 within any city, village or town that has a local health department and that has not  
4 determined to come under the jurisdiction of the county health department.

5 **\*b1043/1.5\* SECTION 3128pq.** 251.11 (1) of the statutes is amended to read:

6 251.11 (1) The local board of health of every multiple county health department  
7 established under s. 251.02 (3) and of every city–county health department  
8 established under s. 251.02 ~~(1)~~ (1m) shall annually prepare a budget of its proposed  
9 expenditures for the ensuing fiscal year and determine the proportionate cost to each  
10 participating county and city on the basis of equalized valuation. A certified copy of  
11 the budget, which shall include a statement of the amount required from each county  
12 and city, shall be delivered to the county board of each participating county and to  
13 the mayor or city manager of each participating city. The appropriation to be made  
14 by each participating county and city shall be determined by the governing body of  
15 the county and city. No part of the cost apportioned to the county shall be levied  
16 against any property within the city.

17 **\*b1043/1.5\* SECTION 3128pr.** 251.11 (2) of the statutes is amended to read:

18 251.11 (2) The local board of health of ~~every a~~ multiple county health  
19 department established under s. 251.02 (3) ~~and of every city–county health~~  
20 ~~department established under s. 251.02 (1)~~ shall, under this section, determine the  
21 compensation for the employees of the multiple county health departments ~~and~~  
22 ~~city–county health departments~~ The local board of health of a city–county health  
23 department established under s. 251.02 (1m) shall, under this section, determine the  
24 compensation for the employees of the city–county health department.

25 **\*b1043/1.5\* SECTION 3128ps.** 251.15 (2) of the statutes is amended to read:

1           251.15 (2) A city that had established a local health department prior to  
2 deciding to participate in a city–county health department established under s.  
3 251.02 (1) (1m) may withdraw from the city–county health department if the  
4 common council of the city gives written notice to the county board of the  
5 participating county.”.

6           **\*b2028/2.2\* 1335.** Page 1034, line 12: after that line insert:

7           **\*b2028/2.2\* “SECTION 3140c.** 252.12 (2) (a) 8. of the statutes is amended to  
8 read:

9           252.12 (2) (a) 8. ‘Life care and early intervention services.’ The department  
10 shall award not more than \$1,994,900 in each fiscal year 2001–02 and not more than  
11 \$2,069,900 in each fiscal year thereafter in grants to applying state–designated HIV  
12 service organizations for the provision of needs assessments; assistance in procuring  
13 financial, medical, legal, social and pastoral services and housing assistance;  
14 counseling and therapy; homecare services and supplies; advocacy; and case  
15 management services. These services shall include early intervention services. The  
16 department shall also award not more than \$74,000 in each year from the  
17 appropriation under s. 20.435 (7) (md) for the services under this subdivision. The  
18 state share of payment for case management services that are provided under s.  
19 49.45 (25) (be) to recipients of medical assistance shall be paid from the  
20 appropriation under s. 20.435 (5) (am).”.

21           **\*b2029/1.2\* 1336.** Page 1034, line 12: after that line insert:

22           **\*b2029/1.2\* “SECTION 3140c.** 252.12 (2) (a) 9. of the statutes is created to read:

23           252.12 (2) (a) 9. ‘Grant for family resource center.’ The department shall award  
24 a grant in each fiscal year to develop and implement an African–American family

1 resource center in the city of Milwaukee that targets activities toward the prevention  
2 and treatment of HIV infection and related infections, including hepatitis C virus  
3 infection, of minority group members, as defined in s. 560.036 (1) (f).”.

4 \*b0957/1.17\* **1337.** Page 1034, line 13: delete lines 13 to 21 and substitute:

5 \*b0957/1.17\* “SECTION 3141d. 252.12 (2) (c) 2. of the statutes is amended to  
6 read:

7 252.12 (2) (c) 2. From the appropriation under s. 20.435 (5) (am), the  
8 department shall award \$75,000 in each fiscal year as grants for services to prevent  
9 HIV infection and related infections, including hepatitis C virus infection. Criteria  
10 for award of the grants shall include the criteria specified under subd. 1. The  
11 department shall award 60% of the funding to applying organizations that receive  
12 funding under par. (a) 8. and 40% of the funding to applying community-based  
13 organizations that are ~~operated by minority group members, as defined in s. 560.036~~  
14 ~~(1) (f)~~ minority businesses certified by the department of commerce under s. 560.036  
15 (2).”.

16 \*b1433/2.1\* **1338.** Page 1037, line 12: after that line insert:

17 \*b1433/2.1\* “SECTION 3147w. 254.47 (1) of the statutes is amended to read:

18 254.47 (1) Except as provided in sub. (1g) and ss. 250.041 and 254.115, the  
19 department or a local health department granted agent status under s. 254.69 (2)  
20 shall issue permits to and regulate campgrounds and camping resorts, recreational  
21 and educational camps and public swimming pools. No person or state or local  
22 government who has not been issued a permit under this section may conduct,  
23 maintain, manage or operate a campground and camping resort, recreational camp  
24 and educational camp or public swimming pool, as defined by departmental rule.

1           **\*b1433/2.1\* SECTION 3147x.** 254.47 (1g) of the statutes is created to read:

2           254.47 (1g) A campground permit is not required for camping at county or  
3           district fairs at which 4–H Club members exhibit, for the 4 days preceding the county  
4           or district fair, the duration of the county or district fair, and the 4 days following the  
5           county or district fair.”.

6           **\*b2069/1.1\* 1339.** Page 1043, line 12: after that line insert:

7           **\*b2069/1.1\* “SECTION 3160q.** 280.25 of the statutes is created to read:

8           **280.25 Air filtration for residential wells.** The owner of a residential well,  
9           other than a driven well, that has a casing shall filter air that enters the well to  
10          prevent airborne bacteria from contaminating the well water if any of the following  
11          applies:

12          (1) The construction of the well begins after the effective date of this subsection  
13          .... [revisor inserts date].

14          (2) The water from the well tests positive for bacteria.”.

15          **\*b1639/2.2\* 1340.** Page 1045, line 11: after that line insert:

16          **\*b1639/2.2\* “SECTION 3161u.** 281.57 (10e) of the statutes is created to read:

17          281.57 (10e)    LOAN FOR WATER TOWER IN THE VILLAGE OF ATHENS.  
18          Notwithstanding subs. (2), (4) to (10), and (12), during the 2001–03 fiscal biennium,  
19          the department shall provide a loan of \$320,000 to the village of Athens for  
20          construction of a water tower and related costs, if the village applies for a loan. The  
21          department may not charge any interest on the loan.

22          **\*b1639/2.2\* SECTION 3161uc.** 281.57 (10f) of the statutes is created to read:

23          281.57 (10f)    LOAN FOR WATER TOWER IN THE VILLAGE OF WESTON.  
24          Notwithstanding subs. (2), (4) to (10), and (12), during the 2001–03 fiscal biennium,

1 the department shall provide a loan of \$400,000 to the village of Weston for  
2 construction of a water tower and related costs, if the village applies for a loan. The  
3 department may not charge any interest on the loan.”.

4 **\*b1635/2.1\* 1341.** Page 1049, line 20: after that line insert:

5 **\*b1635/2.1\* “SECTION 3173j.** 281.65 (4e) of the statutes is created to read:

6 281.65 (4e) If the department issues a notice of discharge under ch. 283 to an  
7 animal feeding operation, the department shall provide a cost-sharing grant for the  
8 costs of measures needed to correct the unacceptable practices identified in the notice  
9 of discharge. Notwithstanding sub. (8) (f), the department may provide a  
10 cost-sharing grant under this subsection that exceeds 70% of the cost of the  
11 corrective measures in cases of economic hardship, as defined by the department by  
12 rule. If the department provides funds for a cost-sharing grant under this subsection  
13 from the appropriation account under s. 20.866 (2) (te), the department shall pay the  
14 grant to another governmental unit. If the department provides funds for a  
15 cost-sharing grant under this subsection from the appropriation account under s.  
16 20.370 (6) (aa), (ag), or (aq), the department may pay the funds to the landowner or  
17 operator or to another governmental unit.”.

18 **\*b0845/3.28\* 1342.** Page 1049, line 21: delete the material beginning with  
19 that line and ending with page 1050, line 3.

20 **\*b1636/1.1\* 1343.** Page 1050, line 17: substitute “2005” for “2006”.

21 **\*b1636/1.2\* 1344.** Page 1051, line 4: substitute “2005” for “2006”.

22 **\*b2075/1.1\* 1345.** Page 1054, line 12: after that line insert:

23 **\*b2075/1.1\* “SECTION 3200m.** 281.69 (1b) (bn) of the statutes is created to  
24 read:

1           281.69 (1b) (bn) “Nonprofit conservation organization” has the meaning given  
2 in s. 23.0955 (1).”.

3           **\*b2075/1.2\* 1346.** Page 1054, line 20: delete “as defined in s. 23.0955 (1),”  
4 and substitute “~~as defined in s. 23.0955 (1),~~”.

5           **\*b0855/1.3\* 1347.** Page 1055, line 6: after that line insert:

6           **\*b0855/1.3\* “SECTION 3207v.** 281.74 of the statutes is created to read:

7           **281.74 Land spreading reduction pilot program.** If the Elcho Sanitary  
8 District charges not more than \$30 per thousand gallons to accept septic tank waste  
9 for treatment and not more than \$6 per thousand gallons to accept holding tank  
10 waste for treatment, the department shall provide the funds available under s.  
11 20.370 (6) (dc) to the Elcho Sanitary District.”.

12           **\*b1060/1.3\* 1348.** Page 1055, line 6: after that line insert:

13           **\*b1060/1.3\* “SECTION 3207p.** 281.73 of the statutes is created to read:

14           **281.73 Wastewater and drinking water grant.** The department of natural  
15 resources shall provide a grant from the appropriation under s. 20.370 (6) (bk) to the  
16 Town of Swiss, Burnett County, and the St. Croix Band of Chippewa for design,  
17 engineering, and construction of wastewater and drinking water treatment  
18 facilities.”.

19           **\*b2075/1.3\* 1349.** Page 1055, line 6: after that line insert:

20           **\*b2075/1.3\* “SECTION 3206m.** 281.69 (3) (b) 5. of the statutes is created to read:  
21 281.69 (3) (b) 5. A wetland enhancement or restoration project under sub. (3m).

22           **\*b2075/1.3\* SECTION 3206r.** 281.69 (3m) of the statutes is created to read:

23           281.69 (3m) GRANTS FOR WETLANDS. (a) The department shall provide grants  
24 of \$10,000 each from the appropriation under s. 20.370 (6) (ar) for lake management

1 projects to eligible recipients, other than nonprofit conservation organizations, that  
2 have completed a comprehensive land use plan that includes a wetland  
3 enhancement or restoration project. The grant shall be used for the implementation  
4 of the wetland enhancement or restoration project. The 75% limitation under sub.  
5 (2) (a) does not apply to these grants.

6 (b) The department shall provide up to 25 grants per fiscal year during fiscal  
7 years 2001–02 and 2002–03. The department shall award the grants to eligible  
8 recipients who qualify for the grants in the order in which the grant applications are  
9 received by the department.”.

10 \*b1281/1.4\* **1350.** Page 1057, line 7: after that line insert:

11 \*b1281/1.4\* “SECTION 3219L. 285.30 (5) (c) of the statutes is amended to read:

12 285.30 (5) (c) A motor vehicle exempt from registration under s. 341.05, except  
13 that a motor vehicle owned by the United States is not exempt unless it comes under  
14 par. (a), (b), (d), (e), (f), (g) ~~or~~, (h), or (j).

15 \*b1281/1.4\* SECTION 3219v. 285.30 (5) (j) of the statutes is created to read:

16 285.30 (5) (j) A low-speed vehicle, as defined in s. 340.01 (27m).”.

17 \*b1632/1.1\* **1351.** Page 1057, line 16: after that line insert:

18 \*b1632/1.1\* “SECTION 3221. 285.60 (2m) of the statutes is created to read:

19 285.60 (2m) GENERAL CONSTRUCTION PERMITS. The department may, by rule,  
20 specify types of stationary sources that may obtain general construction permits. A  
21 general construction permit may cover numerous similar stationary sources. A  
22 general construction permit shall require any stationary source that is covered by  
23 the general construction permit to comply with ss. 285.61 to 285.69. The department

1 shall issue a general construction permit using the procedures and criteria in ss.  
2 285.61, 285.63, 285.65, 285.66, and 285.69.”

3 **\*b2179/2.11\* 1352.** Page 1057, line 21: after that line insert:

4 **\*b2179/2.11\* “SECTION 3222e.** 287.03 (1) (e) and (f) of the statutes are created  
5 to read:

6 287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

7 (f) Promulgate rules, for the purposes of s. 287.235 (1) (b), that specify the  
8 minimum elements of coordinated program delivery, including all of the following:

9 1. The joint provision of, a single program operated by the responsible unit for,  
10 or a single contract for, the collection from single-family residences of materials that  
11 are separated for recycling under an effective recycling program.

12 2. The joint provision of, a single program operated by the responsible unit for,  
13 or a single contract for, the processing and marketing of recyclable materials  
14 collected under an effective recycling program.

15 3. The joint or coordinated planning of solid waste management services within  
16 the responsible unit.

17 **\*b2179/2.11\* SECTION 3222f.** 287.07 (7) (a) of the statutes is amended to read:

18 287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to  
19 solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a~~  
20 ~~region that has an effective recycling program, as determined under s. 287.11 if the~~  
21 solid waste contains no more than an incidental amount of materials specified in  
22 subs. (3) and (4), as provided by the department by rule. This paragraph does not  
23 apply to solid waste that is separated for recycling as part of an effective recycling  
24 program under s. 287.11.

1           **\*b2179/2.11\* SECTION 3222g.** 287.07 (9) of the statutes is created to read:

2           287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under  
3       pars. (b) and (c), no person operating a solid waste facility may accept solid waste  
4       from a building containing 5 or more dwelling units or a commercial, retail,  
5       industrial, or governmental facility that does not provide for the collection of  
6       materials that are subject to subs. (3) and (4) and that are separated from other solid  
7       waste by users or occupants of the building or facility.

8           (b) The department may grant exceptions to par. (a) on a case-by-case basis  
9       as necessary to protect public health.

10          (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility  
11       if the person has implemented a program to minimize the acceptance of recyclable  
12       materials at the solid waste facility, and the program complies with the rules  
13       promulgated under subd. 2.

14          2. The department shall promulgate rules that specify minimum standards for  
15       a program that minimizes the acceptance of recyclable materials at a solid waste  
16       facility for the purposes of subd. 1.

17           **\*b2179/2.11\* SECTION 3222h.** 287.07 (10) of the statutes is created to read:

18          287.07 (10) TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no  
19       person operating a solid waste facility that provides a collection and transportation  
20       service may transport solid waste for delivery to a solid waste disposal facility or a  
21       solid waste treatment facility that converts solid waste into fuel or that burns solid  
22       waste if the solid waste contains more than incidental amounts of materials specified  
23       in subs. (3) and (4), as provided by the department by rule.

1 (b) Paragraph (a) does not apply with respect to solid waste to which the  
2 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),  
3 (f), (g), or (h).

4 \*b2179/2.11\* SECTION 3222m. 287.11 (4) of the statutes is created to read:

5 287.11 (4) PILOT PROGRAM FOR ALTERNATE METHOD OF COMPLIANCE. (a) The  
6 department shall administer a pilot program that provides an alternate method of  
7 complying with sub. (2) (b). The department shall promulgate rules for the pilot  
8 program under this subsection that do all of the following:

9 1. Set goals for amounts of materials to be recycled as a percentage of solid  
10 waste generated in the geographic area served by a responsible unit.

11 2. Include a list of recyclable materials, including the materials identified  
12 under s. 287.07 (3) and (4), that a responsible unit may choose under this subsection  
13 to require to be separated for recycling under its recycling program.

14 3. Specify a procedure for a responsible unit to identify the materials that it will  
15 require to be separated for recycling under its recycling program.

16 4. Specify a procedure to be used by the department to determine whether a  
17 responsible unit has achieved the goals under par. (a).

18 (b) The department shall select 3 responsible units with a population of less  
19 than 5,000, 3 responsible units with a population of at least 5,000 but less than  
20 25,000, and 3 responsible units with a population of at least 25,000 to participate in  
21 the pilot program under this subsection.

22 (c) A responsible unit participating in the pilot program under this subsection  
23 shall be considered to comply with sub. (2) (b).

24 (d) The department shall submit reports on the pilot program under this  
25 subsection to the appropriate standing committees of the legislature, under s. 13.172

1 (3), and to the joint committee on finance no later than January 1, 2003, and no later  
2 than January 1, 2005. The department shall include all of the following in its reports:

3 1. A description of the participation in the pilot program and of the results to  
4 the date of the report.

5 2. A description of any changes in the recycling percentage rate achieved by the  
6 participants.

7 3. A description of any cost or program efficiencies obtained by participants.

8 4. Any recommendations for statutory changes to modify the pilot program or  
9 to expand it statewide.

10 5. Any recommendations about whether s. 287.07 (3) and (4) should be modified  
11 and, if so, in what manner.

12 (e) The pilot program under this subsection ends on December 31, 2005.

13 \*b2179/2.11\* SECTION 3222p. 287.23 (2) of the statutes is renumbered 287.23  
14 (2) (a) and amended to read:

15 287.23 (2) (a) The department shall develop, implement, and administer a  
16 program to provide financial assistance to responsible units. The department shall  
17 develop criteria for reporting on and evaluating the program.

18 (b) Each year the department, in cooperation with the University of  
19 Wisconsin Extension, shall ~~audit~~ review the recycling programs of at least 5% of the  
20 recipients of grants in the previous year to ~~ensure that programs and activities~~  
21 ~~funded by grants under this section meet the requirements of this section.~~ do all of  
22 the following:

23 \*b2179/2.11\* SECTION 3222q. 287.23 (2) (b) 1. to 3. of the statutes are created  
24 to read:

25 287.23 (2) (b) 1. Ensure compliance with s. 287.07 (1m), (2), (3), and (4).

- 1           2. Ensure compliance with s. 287.11 and rules promulgated under that section.
- 2           3. Identify activities, methods, or procedures that would enable the responsible
- 3 units to make their recycling programs more efficient or effective.

4           **\*b2179/2.11\* SECTION 3222r.** 287.23 (2) (c) of the statutes is created to read:

5           287.23 (2) (c) By June 30 annually, the department shall report to the joint

6 committee on finance the number of recycling programs reviewed under par. (b)

7 during the previous year.”

8           **\*b2179/2.12\* 1353.** Page 1058, line 2: after that line insert:

9           **\*b2179/2.12\* “SECTION 3225c.** 287.23 (5b) (title) and (intro.) of the statutes are

10 amended to read:

11           287.23 (5b) (title) GRANT AWARD FOR 2000 AND 2001. (intro.) ~~The~~ For 2000 and

12 2001, the department shall award a grant under this subsection to each eligible

13 responsible unit that submits a complete grant application under sub. (4) for

14 expenses allowable under sub. (3) (b). The department shall determine the amount

15 of the grants under this subsection as follows:

16           **\*b2179/2.12\* SECTION 3225f.** 287.23 (5d) of the statutes is created to read:

17           287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2001. (a) Beginning with grants for

18 the year 2002, the department shall award a grant under this subsection to each

19 eligible responsible unit that submits a complete grant application under sub. (4) for

20 expenses allowable under sub. (3) (b).

21           (b) Except as provided in pars. (c), (d), (e), (f), and (g) and sub. (5p), the

22 department shall award an eligible responsible unit a grant under this subsection

23 equal to \$5.30 times the population of the responsible unit.

1 (c) A grant under this subsection may not exceed the allowable expenses under  
2 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for  
3 which the grant is made.

4 (d) For a county that is the responsible unit for at least 75% of the population  
5 of the county, the department shall award a grant under this subsection equal to the  
6 greater of \$100,000 or the amount determined under par. (a), but not more than the  
7 allowable expenses under sub. (3) (b).

8 (e) For grants for the year 2002, the department shall award a grant to a  
9 responsible unit that received an award in 2001 that is equal to at least 80% of the  
10 amount received in 2001.

11 (f) Beginning with grants for the year 2005, the department shall reduce a  
12 grant calculated under par. (b) by \$1.50 times the population of the responsible unit  
13 if the responsible unit is not eligible for a grant under s. 287.235.

14 (g) If the available funds are insufficient to pay the grant amounts determined  
15 under this subsection, the department shall achieve the necessary reduction in the  
16 total amount of the grants by reducing the amount of each grant determined under  
17 this subsection, except a grant determined under par. (d) or (e), by an equal  
18 percentage.”.

19 \*b2179/2.13\* **1354.** Page 1058, line 6: after that line insert:

20 \*b2179/2.13\* “SECTION 3226c. 287.23 (6) of the statutes is renumbered 287.23  
21 (6) (a) and amended to read:

22 287.23 (6) (a) The Except as provided in par. (b), the department shall disburse  
23 a grant to the applicant after approval, but no later than June 1 of the year for which  
24 the grant is made.

1           **\*b2179/2.13\* SECTION 3226d.** 287.23 (6) (b) of the statutes is created to read:

2           287.23 (6) (b) For grants for the year 2002, the department shall disburse a  
3 total of \$19,500,000 no later than June 1, 2002, and a total of \$5,000,000 after June  
4 30, 2002, but no later than December 1, 2002.

5           **\*b2179/2.13\* SECTION 3226k.** 287.235 of the statutes is created to read:

6           **287.235 Recycling efficiency incentive grants. (1) ELIGIBILITY.** Beginning  
7 in fiscal year 2002–03 the department shall make a recycling efficiency incentive  
8 grant to a responsible unit that satisfies all of the following criteria:

9           (a) The responsible unit is one of the following:

- 10           1. A county.
- 11           2. A responsible unit, other than a county, with a population of 50,000 or more.
- 12           3. A responsible unit that is formed by the merger of 3 or more responsible units  
13 or that is the responsible unit for 3 or more municipalities.

14           (b) The responsible unit engages in coordinated program delivery, as specified  
15 under s. 287.03 (1) (f).

16           **(2) GRANT AMOUNT.** (a) Except as provided in pars. (b) and (c) and sub. (3) (a),  
17 the department shall provide a grant amount to an eligible responsible unit equal to  
18 \$1 times the population of the responsible unit.

19           (b) If the available funds are insufficient to pay the grant amount determined  
20 under par. (a), the department shall achieve the necessary reduction in the total  
21 amount of the grants by reducing the grant amount determined under par. (a) for  
22 each eligible responsible unit by an equal percentage.

23           (c) A grant under this section plus a grant under s. 287.23 may not exceed the  
24 allowable expenses under s. 287.23 (3) (b) that the responsible unit incurred in the  
25 year 2 years before the year for which the grants are made.

1           **(3) APPLICATION AND PAYMENT.** (a) Applications for grants under this subsection  
2 are due on October 1 of the year preceding the year for which the grant is sought.  
3 If a responsible unit submits its application after that date, the department shall  
4 reduce the grant, or deny the application, as provided in s. 287.23 (5p).

5           (b) The department shall disburse 50% of a grant to the applicant no later than  
6 June 1 of the year for which the grant is made and the balance no later than  
7 December 1 of the year for which the grant is made. For grants for 2002, the  
8 department shall disburse a total of \$3,800,000.

9           **\*b2179/2.13\* SECTION 3227e.** 287.95 (3) (b) of the statutes is amended to read:

10           287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)  
11 ~~and, (4), (9), or (10)~~ may be required to forfeit \$50 for a first violation, may be required  
12 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000  
13 for a 3rd or subsequent violation.”.

14           **\*b0839/1.1\* 1355.** Page 1058, line 7: delete lines 7 to 9.

15           **\*b2179/2.14\* 1356.** Page 1059, line 9: after that line insert:

16           **\*b2179/2.14\* “SECTION 3228db.** 289.645 (3) (intro.) and (a) of the statutes are  
17 consolidated, renumbered 289.645 (3) and amended to read:

18           289.645 (3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is  
19 ~~as follows: (a) For \$3 per ton for~~ all solid waste other than high-volume industrial  
20 ~~waste, 30 cents per ton.”.~~

21           **\*b1640/1.1\* 1357.** Page 1059, line 16: after that line insert:

22           **\*b1640/1.1\* “SECTION 3229.** 292.11 (9) (e) 1m. f. of the statutes is amended to  
23 read:

1           292.11 (9) (e) 1m. f. The local governmental unit acquired the property using  
2 funds appropriated under s. 20.866 (2) (ta) or (tz).

3           **\*b1640/1.1\* SECTION 3230.** 292.13 (1m) (intro.) of the statutes is amended to  
4 read:

5           292.13 (1m) EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A  
6 person is exempt from s. 292.11 (3), (4) and (7) (b) and (c) with respect to the existence  
7 of a hazardous substance in the soil, including sediments, on property possessed or  
8 controlled by the person if all of the following apply:

9           **\*b1640/1.1\* SECTION 3231.** 292.15 (2) (a) 4. of the statutes is amended to read:

10           292.15 (2) (a) 4. The If the voluntary party owns or controls the property, the  
11 voluntary party maintains and monitors the property as required under rules  
12 promulgated by the department and any contract entered into under those rules.

13           **\*b1640/1.1\* SECTION 3232.** 292.15 (2) (ae) 4. of the statutes is amended to read:

14           292.15 (2) (ae) 4. The If the voluntary party owns or controls the property, the  
15 voluntary party maintains and monitors the property as required under rules  
16 promulgated by the department and any contract entered into under those rules.

17           **\*b1640/1.1\* SECTION 3234.** 292.15 (2) (ag) of the statutes is amended to read:

18           292.15 (2) (ag) *Property affected by off-site discharge.* Except as provided in  
19 sub. (6) or (7), for a property on which there exists a hazardous substance for which  
20 a voluntary party is exempt from liability under s. 292.13 (1) or (1m), a voluntary  
21 party is exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1),  
22 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31  
23 (8), and rules promulgated under those provisions, with respect to discharges of  
24 hazardous substances on or originating from the property, if the release of those  
25 hazardous substances occurred prior to the date on which the department approves

1 the environmental investigation of the property under par. (a) 1., if par. (a) 1. and 4.  
2 to 6. apply and all of the following occur at any time before or after the date of  
3 acquisition:

4 1. The environment is restored to the extent practicable with respect to the  
5 discharges and the harmful effects from the discharges are minimized in accordance  
6 with rules promulgated by the department and any contract entered into under those  
7 rules, except that this requirement does not apply with respect to the hazardous  
8 substance for which the voluntary party is exempt from liability under s. 292.13 (1)  
9 or (1m).

10 2. The voluntary party obtains a certificate of completion from the department  
11 stating that the environment has been satisfactorily restored to the extent  
12 practicable with respect to the discharges and that the harmful effects from the  
13 discharges have been minimized, except with respect to the hazardous substance for  
14 which the voluntary party is exempt from liability under s. 292.13 (1) or (1m).

15 3. The voluntary party obtains a written determination from the department  
16 under s. 292.13 (2) with respect to the hazardous substance for which the voluntary  
17 party is exempt from liability under s 292.13 (1) or (1m).

18 4. The voluntary party continues to satisfy the conditions under s. 292.13 (1)  
19 (d) to (g) or (1m) (d) to (g).

20 **\*b1640/1.1\* SECTION 3236.** 292.15 (2) (b) 4. of the statutes is created to read:

21 292.15 (2) (b) 4. If the voluntary party does not own or control the property, the  
22 person who owns or controls the property fails to maintain and monitor the property  
23 as required under rules promulgated by the department or any contract entered into  
24 under those rules.”.